

## **Section 2 – Response to Comments**

### **2.1 Overview**

Pursuant to State *CEQA Guidelines* Section 15088, the responses to comments presented in this section address specific, relevant comments on environmental issues raised in the submitted comment letters.

All of the comment letters are included in this section. Each comment letter is followed by the responses to each of its comments. Each comment letter is identified by the number designated in Section 1.4 of this FEIR, and identifying information for each commenter is provided at the beginning of the corresponding responses. Specific comments are delineated and lettered as well. Corrections and additions resulting from comments on the DEIR are summarized in Section 3.2 of this FEIR.

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## Comment Letter 1 – Rincon Band of Luiseño Indians

1

### **RINCON BAND OF LUISEÑO INDIANS** **Cultural Resources Department**

1 W. Tribal Road · Valley Center, California 92082 ·  
(760) 297-2635 Fax:(760) 749-2639



August 10, 2016

Patricia Brenes  
City of Riverside  
Community & economic Development Department  
3900 Main Street  
Riverside, C 92522

**Re: SCBP Buildings 1 & 2 Project**

Dear Ms. Brenes:

This letter is written on behalf of Rincon Band of Luiseño Indians. We have received your notification regarding the SCBP Buildings 1 & 2 Project we thank you for the consultation notification. The location you have identified is within the Territory of the Luiseño people.

1-A

Embedded in the Luiseño Territory are Rincon's history, culture and identity. The project is within the Luiseño Aboriginal Territory of the Luiseño people however, it is not within Rincon's Historic Boundaries. We do not have any additional information regarding this project but, we defer this project to the Pechanga Band of Luiseño Indians or Soboba Band of Luiseño Indians who are located closer to your project area.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Vincent Whipple  
Manager  
Rincon Cultural Resources Department

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Bo Mazzetti  
Tribal Chairman

Stephanie Spencer  
Vice Chairwoman

Steve Stallings  
Council Member

Laurie E. Gonzalez  
Council Member

Alfonso Kolb  
Council Member

## Response to Comment Letter 1 – Rincon Band of Luiseño Indians

### **Response to Comment 1-A:**

The City appreciates the Rincon Band of Luiseño Indians' review of the Draft Environmental Impact Report (DEIR). The City received Rincon Band of Luiseño Indian's letters dated December 14, 2015 and January 25, 2016 indicating deferral to the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians, and these tribes were notified of the deferral. The City engaged in consultation with the Pechanga Band of Luiseño Indians, the Soboba Band of Luiseño Indians, and the Morongo Band of Mission Indians pursuant to Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). (DEIR, pp. 5.5-18–5.5-20.) The consultation process included meetings, conference calls, on-site visits (by representatives of the Pechanga Band of Luiseño Indians and Morongo Band of Mission Indians), review of the *Cultural Resources Assessment of the Sycamore Canyon Business Park Buildings 1 & 2, Riverside County, California* (included as Appendix D.1 of the DEIR) and the confidential results of the records search. As a result of the consultation process, the following mitigation measures will be implemented to reduce impacts to tribal cultural resources to less than significant: (DEIR, pp. 5.5-31–5.5-33.)

**MM CR 1: Prior to grading permit issuance:** If there are any changes to project site design and/or proposed grades, the Applicant shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, Applicant and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject to any future development, erosion or flooding.

**MM CR 2: Archaeological Monitoring:** At least 30-days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities on the site take place, the Project Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.

1. The Project Archaeologist, in consultation with interested tribes, the Developer and the City, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:

- a. Project grading and development scheduling;
- b. The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;
- c. Plan for the controlled grading within 50 feet of the boundaries of CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752. Grading within 50-foot of these sites shall be conducted using controlled grading techniques. Large indiscriminate grading equipment shall not be used, and the controlled grading technique shall be reviewed by the Project Archaeologist, in consultation with interested tribes, the Developer and the City. The Project Archaeologist and Native Tribal Monitors shall ensure that the grading efforts in these areas are conducted in a manner that allows for the identification of subsurface cultural resources. Any resources observed shall be addressed in accordance with Mitigation Measure CR 3;
- d. The determination by the project archaeologist, Developer, City and Native American Tribal Monitors as to which features of sites CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752 can be successfully relocated to locations onsite that will be mutually agreed upon. The relocated features will be placed in an area that will be preserved in perpetuity, so that no future disturbances will occur;
- e. The protocols and stipulations that the Developer, City, Tribes and Project Archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;
- f. The 3D modeling on all the sites located within the Project site, specifically in Areas 1 (CA-RIV-8750), 2 (CA-RIV-8751), and 3 (CA-RIV-8752), as delineated on the Site Plan attached to the Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts;
- g. The location of the Cottonwood Tree requested by the Morongo Band of Mission Indians for their tribal requirements shall be noted on the Archaeological Monitoring Plan. The Monitoring Plan shall

address the timing of the removal of the tree by the Morongo Band of Mission Indians and transfer of the tree to them; and

- h. The scheduling and timing of the Cultural Sensitivity Training noted in Mitigation Measure CR 4.

**MM CR 3: Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:

1. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the Project Archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
2. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
  - a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
  - b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
  - c. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default;
  - d. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted

to the City documenting monitoring activities conducted by the Project Archaeologist and Native American Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center and interested tribes;

- e. Information on the location of up to 13 protein residue tests on the site and one or more control sites will be provided in the final report.

**MM CR 4: Cultural Sensitivity Training:** The County certified Archaeologist and Native American Monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. (DEIR, pp. 5-33–5-36.).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 2 – SoCalGas

2



**Estefania Sanchez**  
Program Assistant 3

9400 Oakdale Blvd  
Chatsworth, CA 91311

ESanchez5@semprautilities.com

August 15, 2016

City of Riverside  
Community & Economic  
Development Department

Email: Patricia Brenes - pbrenes@riversideca.gov

Subject: Notice of Availability of a Draft Environmental Impact Report  
Sycamore Canyon Business Park Buildings 1 and 2 State Clearinghouse No.  
2015081042

DCF: 1299-16NC953

The Transmission Department of SoCalGas does not operate any facilities within your proposed improvement. However, SoCalGas **Southeast** Distribution Region may maintain and operate facilities within your project scope.

To assure no conflict with the **Southeast** Distribution's pipeline system, please contact them at (714) 634-5067.

Sincerely,

Estefania Sanchez  
Program Assistant 3  
ESanchez5@semprautilities.com

2-A

August 15, 2016

1 of 1

## **Response to Comment Letter 2 – SoCalGas**

### **Response to Comment 2-A:**

The City appreciates SoCal Gas' review of the Draft Environmental Impact Report (DEIR) and notes that there are no facilities within the Project Site.

The Applicant has contacted the Southeast Distribution Division of SoCalGas and received confirmation from SoCalGas<sup>1</sup> that the Project will not conflict with SoCalGas' existing pipeline facilities in the area and, as such, no changes are needed to the proposed Project.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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<sup>1</sup> Confirmation was provided via email from Randolph Darnell on November 9, 2016.

## Comment Letter 3 – Jeffrey and Lauri Pitcher

3-1

Jeffrey and Lauri Pitcher  
1512 Stockport Drive  
Riverside, CA 92408  
909-936-2973

Patricia Brenes, Principal Planner  
Community & Economic Development Department  
Planning Division  
3900 Main Street, Third Floor  
Riverside, CA 92522

Good Morning Ms. Brenes,

I'm writing in response to the Draft Environmental Impact Report (DEIR) which was prepared regarding the proposed Sycamore Canyon Business Park project.

3-A

I am not an engineer and certainly no expert in reading these reports. However it does seem that there are multiple areas in which the EIR points out significant adverse environmental impacts that cannot be mitigated.

Our home backs up right against the northern property line of the proposed Building 2. Our address is 1512 Stockport Drive. Considering how unbelievably close to homes the project adjacent to us was approved and built, I am very concerned about the possibility of this second, and much larger project being approved.

3-B

Honestly, we need to decide soon whether we need to sell our house. I really don't want to move. I love our home, our backyard and this neighborhood. However, if this 1.4 million square foot project is allowed to be built 60 feet from our property line as proposed, we would have no choice, in order to maintain our outdoor quality of life. After purchasing this home new in 1998, we have finally completed improvements to our backyard where friends and family gather often, only to find out the quality of life of this entire street and surrounding neighborhoods could be compromised by factors such as noise, lighting and pollution. I can't believe or understand why it has to be built so close to the residential property lines.

I am aware of the City of Riverside Good Neighbor Guidelines adopted October 14, 2008. I would hope that this was adopted in a true attempt to maintain balance and compromise, and maintain quality of life for the City's residences. At the time I would've also assumed that this means the City of Riverside really cares about its residents. I've lived in this city since I was 18 months old and love it here, and don't want to think that residents' concerns are discarded that easily. It seems that this document was adopted specifically for projects such as these to suggest that these projects should be designed so as to minimize the negative effects on residential neighborhoods. I don't see how allowing a building such as this 60 feet from our back fence is adhering to these guidelines. How seriously will these guidelines be considered in this approval process?

3-C

3-2

Needless to say I am concerned not just about the quality of life for the neighborhood but also the potential loss in property values. If this is allowed to happen, I can see this turning into a neighborhood full of nothing but low-end rentals, since no one else will want to live here, with a daunting, loud warehouse facility literally looming right on top of them. There are many high-end homes in the neighborhoods immediately surrounding this Fair Isle/Lochmoor area that could also potentially be affected by a downgrade in this neighborhood. This area has become a great place for new and growing families in Riverside. It would be a shame so see it go downhill.

3-D

On another note, the truck traffic is already prohibitive at certain times of the day on Sycamore Canyon Blvd and this would only make it worse.

3-E

I'm a CPA in the area and am all for economic development. However, I think everyone in the city would agree that the project down the street was NOT approved with a reasonable set-back and is honestly disrespectful to the residents who live right there. It is almost a disgrace that the city allowed this to happen. In your approval process, PLEASE, if approved at all which would be a mistake in itself, at least consider approving the project with a reasonable set-back from all the surrounding neighborhoods and possibly reducing the size of the project.

3-F

I would urge that you, Mayor Bailey, and Mr. Melendrez take 30 minutes out of your day and drive to Stockport Dr and you'll see what I am concerned about. I think if you lived here, you would feel the same.

3-G

Please note that I am very generally easy going, go with the flow, positive thinker hoping for the best, etc. and definitely not one to make waves or complain, but this I cannot let go without speaking up.

Thank you for your consideration and response.

Sincerely,

Jeffrey and Lauri K. Pitcher

## Response to Comment Letter 3 – Jeffrey and Lauri Pitcher

### **Response to Comment 3-A:**

As discussed in detail throughout Section 5.0 – Environmental Impact Analysis of the Draft Environmental Impact Report, the proposed Project will result in Project-specific or cumulatively significant unavoidable impacts to air quality (operations), noise (construction and operation), as well as transportation and traffic. (DEIR, pp. 1-21–1-28, 1-44–1-49, 1-51, 1-56–1-57, 5.3-30-5.3-31, 5.3-35, 5.3-40, 5.12-24, 5.12-28, 5.12-34, 5.12-44, 5.12-48, 5.16-35, 5.16-48, 5.16-52, 5.16-53, 5.16-57, 6-10, 6-19.) Thus, a Statement of Overriding Considerations, as allowed by State California Environmental Quality Act (CEQA) Guidelines Section 15093, will be required should the City choose to approve the Project. (DEIR, pp. 1-21–1-28, 1-44–1-49, 5.3-30–5.3-31, 5.3-40)

Specifically, the Draft Environmental Impact Report (DEIR) discloses that the Project will have significant unavoidable impacts with regard to:

**Air Quality:** NO<sub>x</sub> (oxides of nitrogen) emissions of 325.95 lbs/day (summer) and 339.39 lbs/day (winter) during Project operation will exceed the South Coast Air Quality Management District (SCAQMD) threshold of 55 lbs/day. (DEIR, p. 5.3-26.)

**Noise:** Construction noise of up to 80 dBA L<sub>eq</sub> at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA L<sub>eq</sub> and the standard for public recreational facilities of 65 dBA L<sub>eq</sub>. (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. Operational noise of up to 52 dBA L<sub>eq</sub> (without mitigation) will exceed the City's nighttime exterior standard for residential property of 45 dBA L<sub>eq</sub> for certain sensitive receptors west of the Project site. (DEIR, pp. 5.12-28, 5.12-34.) See Response to Comment 3-B for a discussion regarding noise impacts at 1512 Stockport Drive. On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code. Pursuant to this new Ordinance, the construction noise from the Project would not have resulted in a significant impact.

**Transportation/Traffic:** Project traffic will contribute to an exceedance of level of service (LOS) at the following freeway segments that are within Caltrans jurisdiction:

- I-215 Northbound off-ramp at Eastridge-Eucalyptus during the PM peak hour for the Existing plus Ambient Growth plus Project condition. (DEIR, pp. 5.16-45– 5.16-47.)
- I-215 Northbound on-ramp at Fair Isle-Box Springs during the AM and PM Peak hours for the Existing plus Ambient Growth plus Cumulative Development plus Project condition (Cumulative).

It is worth noting that the Level of Service (“LOS”) will be exceeded at these segments as a result of ambient growth and cumulative development, i.e., without the Project. (DEIR, pp. 5.16-45– 5.16-47.)

Since the DEIR discloses the Project’s significant and unavoidable impacts, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 3-B:**

The Project as originally submitted and presented at the August 26, 2015, scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, Figure 8-1 – Original Project.) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of Building 2. As a result, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site, including the residence located at 1512 Stockport Drive referenced in this comment. The proposed Project’s 100 foot setback between the northern property line and Building 2 includes 64 feet of landscaping (abutting the residential properties), a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area (abutting Building 2). (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**)

If the reference to the “project adjacent to us was approved and built” is referring to the CT Sycamore Center Project on Dan Kipper Drive, those buildings were constructed 50 feet south of the residential property line. Building 2 of the proposed Project would be twice as far away (100 feet) and includes 64 feet of landscaping between the property line and the drive aisle. The CT Sycamore Center Project is separate and independent from the proposed Project and was previously approved by the City following the requisite public hearing and environmental review. The existence of this warehouse is addressed in the proposed Project’s environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

With regard to noise impacts, as discussed in DEIR Section 5.12 – Noise, a detailed noise impact analysis was prepared for the proposed Project. (See Appendix I to the DEIR.) Because of the topographical differences between the Project site and certain sensitive receptors, the noise impact analysis utilized the SoundPLAN Noise Model. The SoundPlan model considers differences in topography between a noise source and a receptor and allows for noise impacts to be evaluated at individual locations. The residence at 1512 Stockport Drive is Receptor No. 18 as shown on **DEIR Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation, DEIR Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation, DEIR Figure 5.12-7 Back Up Beeper Operational Noise Levels (Lmax) with No Mitigation, DEIR Figure 5.12-8 – Dock Areas Operation Noise Levels (Leq) with No Mitigation.** As shown in each of these

figures, Project-related operational noise will not exceed the City standards at Receptor No. 18 or any of the residences north of the Project site. With regard to construction noise, as shown in **DEIR Figure 5.12-3 – Worst Case Construction Noise Scenario (Leq) with No Temporary Barrier** and **DEIR Figure 5.12-4 – Worst Case Construction Noise Scenario (Leq) with 12-Foot High Temporary Barrier**, construction noise in the vicinity of 1512 Stockport Drive will range between 60-65 dBA. (DEIR, pp. 5.12-21–5.12-34.) Additionally, the Project will comply with Section 7.35.010 of the Riverside Municipal Code, which prohibits construction, drilling, repair, alteration, grading, or demolition work that would result in sound creating a noise disturbance across a residential or commercial property line between the hours of 7:00 p.m. and 7:00 a.m. on week days, between 5:00 p.m. and 8:00 a.m. on Saturdays, and at any time on Sunday or a federal holiday. Compliance with this mandatory requirement would further minimize potential impacts due to construction-related vibration. (DEIR, pp. 5.12-37-5.12-38.)

The Project will introduce new sources of light in the form of security lighting, internal roadway and parking lot lighting within the Project site for public safety and operation of the proposed structures. The proposed lighting at the Project site has been designed in accordance with all applicable City codes to minimize spillover. Impacts with regard to new sources of light and glare were determined to be less than significant through compliance with the City's Zoning Code, mitigation measures **MM AES 10** and **MM HAZ 4**, any other applicable lighting requirements and regulations, and compliance with the Staff Recommended Conditions of Approval as modified below: (DEIR, pp. 5.1-29–5.1-31.)

**MM AES 10:** To eliminate reduce light spill and glow into the residential backyards to the north, lighting mounted on the north wall of Building 2 shall be placed on this wall as low as feasible to provide the required security lighting. (DEIR, p. 5.1-36.)

**MM HAZ 4:** The following additional MARB-required risk-reduction Project design features shall be incorporated into Project design:

- The Project will not include:
  - Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or FAA-approved obstruction lighting;
  - Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport;
  - Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area;

- Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; or
  - Although such uses are not anticipated, in Building 1: Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, places of assembly, noise sensitive outdoor nonresidential uses and hazards to flight are prohibited.
- Any outdoor lighting that is installed will be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting will be downward facing;
  - March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result;
  - No skylights will be included;
  - Exterior walls will consist of 8-inch-thick solid grouted, 4-hour rated concrete masonry;
  - Building roof will consist of structural steel columns and steel roof structure framing elements, including structural steel decking;
  - Use of windows will be limited to only the structures' main entrances;
  - The structure will incorporate an enhanced fire sprinkler system to exceed California Fire Code requirements; and
  - The structure will include emergency exits that exceed the exit requirements set forth by the Riverside County Fire Code by approximately 15 to 20 percent.
  - The applicant will not propose any uses prohibited or discouraged in Compatibility Zones C1 or D. (DEIR, p. 5.1-36.)

With regard to lighting and the height of any light poles adjacent to the residences to the north, the City will require the following lighting condition:

An exterior lighting plan shall be submitted to Design Review staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. No light spill shall be permitted on the MSHCP Conservation Area (Sycamore Canyon Wilderness Park). If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed ~~twenty (20)~~in height, including the height of any concrete or other base material, within the 100-foot

setback between Building 2 and the residential properties adjacent to the north property line and 20 feet elsewhere on the property.

For the reasons set forth above, impacts with regard to Project lighting will be less than significant with mitigation. (DEIR, p. 5.1-31.)

With regard to pollution, as discussed in Response to Comment 3-A, Oxides of Nitrogen (NO<sub>x</sub>) emissions during Project operation will exceed the South Coast Air Quality Management District (SCAQMD) threshold of 55 lbs/day. (DEIR, p. 5.3-26.) The predominant source of air emissions expected to be generated by the proposed Project is vehicle emissions. Motor vehicles primarily emit Carbon Monoxide (CO), NO<sub>x</sub>, and Volatile Organic Compounds (VOC) Reactive Organic Gases (ROG) and Hydrocarbons (HC). (DEIR, p. 5.3-4.) Mobile air pollution sources, including motor vehicles, are regulated by the California Air Resources Board (CARB). CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. (DEIR, p. 5.3-11.) Because the Project is expected to exceed the SCAQMD threshold for NO<sub>x</sub>, the Project will be required to implement mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19**, as well as additional mitigation measures **MM AQ 22** through **MM AQ 25**) below: (DEIR, p. 5.3-30.)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and

unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measures **MM AQ 13** will be revised in the FEIR as shown below.<sup>1</sup>

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<sup>1</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less in excess of pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measures **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutesregulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment. (DEIR, pp. 5.3-35–5.3-39.)

Although there will be significant and unavoidable impacts related to air pollution and noise, even with feasible mitigation incorporated, the City has discretion to approve a Statement of Overriding Considerations and move forward with the Project. Section 15093(a) of the State CEQA Guidelines requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects to be acceptable.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 3-C:**

The City adopted the *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City’s *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each individual Project and property has different characteristics and circumstances, the City’s *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather,

the *Good Neighbor Guidelines* recommend that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. A Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. Subsequently, on December 23, 21016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD Guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR).

None of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. (DEIR, pp. 5.3-33 - 5.3-34.) According to the Screening HRA, Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the Project vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment F.2.) On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis.

Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. The site has also been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City’s *Good Neighbor Guidelines*.

See Response to Comment 3-B, above, regarding the proximity of Building 2 to the residences. Building 2 will be located approximately 100 feet from the residences and separated from the residential area by landscaping and a drive aisle.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 3-D:**

The commenter’s concern regarding loss of property values is noted. It is also noted that the commenter does not provide any evidence to support the speculation that the quality of the neighborhood will be degraded and property values reduced if the proposed Project is approved. A comment which draws conclusions without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis”

(CEQA Guidelines § 15088(c)). These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted (CEQA Guidelines, § 15088(c)). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient]).

The DEIR fully addresses and compares the impacts associated with the proposed Project. The impact analysis and significance conclusions presented in the DEIR are based upon and supported by substantial evidence, including the technical analyses (i.e., traffic, noise, air quality, greenhouse gas emissions, health risk assessment, biology, hydrology, land use consistency, and cultural resources) provided as appendices to the DEIR. The technical information is summarized and presented in the body of the DEIR, thus providing in full the factual basis for the conclusions. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment” (CEQA Guidelines, § 15064(f)(6)). The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview” (*Anderson First Coalition v. City of Anderson* [2005] 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)]).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 3-E:**

Traffic-related impacts will be considered “substantial” if the Project contributes to a LOS D exceedance on a City-maintained intersection within the Project’s study area, unless the City determines that LOS E is acceptable per General Plan 2025 Circulation and Mobility Element Policy CCM-2.3 or if peak-hour delays resulting from Project traffic conditions exceed the

standards set forth in the *City of Riverside Public Works Department Traffic Impact Analysis Preparation Guide*. (DEIR, p. 5.16-27)

The study area of the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA), which is DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. (**DEIR Figure 5.16-1 – Study Area**; DEIR, p. 5.16-4.) All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in their existing conditions.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA. This table is included as Attachment 3.1 to this response.

The following scenarios are evaluated in the TIA and discussed in DEIR Section 5.16 – Transportation/Traffic:

- Existing plus Project:** All study area intersections along Sycamore Canyon Boulevard are projected to operate at acceptable levels of service during the peak hours with existing geometrics. Although the LOS at the intersection of Sycamore Canyon Boulevard/Eastridge Avenue will change from LOS C to LOS D, this change is not significant because LOS D is acceptable. (DEIR, pp. 5.16-29 – 5.16-30) Likewise, the Sycamore Canyon Boulevard I-215 SB exit will continue to operate at an acceptable LOS. (DEIR, p. 5.16-31)

- **Existing plus traffic from 2% ambient growth plus Project:** None of the study area intersections along Sycamore Canyon Boulevard will experience a change in LOS due to Project traffic under this condition. (DEIR, p. 5.16-33) The Sycamore Canyon Boulevard I-215 SB exit will continue to operate at an acceptable LOS under this condition. (DEIR, Table 5.16-K)
- **Existing plus ambient plus Project plus traffic from cumulative development projects:** With the addition of Project related traffic in this condition, only the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive will continue to operate at LOS F. However, in evaluating a project's impact to an intersection operating at LOS F, the City's TIA Guidelines indicate that a peak hour delay of 1.0 seconds is considered unacceptable. The delay attributable to Project traffic is only 0.9 seconds; therefore, cumulative impacts to study area intersections are not significant and no mitigation is required. (DEIR, pp. 5.16-43 – 5.16-44) The Sycamore Canyon Boulevard I-215 SB exit will continue to operate at an acceptable LOS under this condition. (DEIR, Table 5.16-O)

As indicated by the analysis in the DEIR, although the Project will introduce new passenger and truck trips to Sycamore Canyon Boulevard, Project-related traffic will not result in a significant degradation of LOS for this roadway. Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 3-F:**

The commenter's opinion regarding the CT Sycamore Center Project is noted. However, the approval of that project is not the subject of the DEIR. The CT Sycamore Center Project is separate and independent from the proposed Project and was previously approved by the City following the requisite public hearing and environmental review. As discussed in Response to Comment 3-B, the Project has been revised, in part due to the CT Sycamore Center Project, to provide a setback from the adjacent residences to the north that is twice as large.

The proposed Project has been revised by the Project applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site, including the residence located at 1512 Stockport Drive referenced in this comment. There is 64 feet of landscaping between the northern property line of Parcel 2 and a 30-foot wide drive isle north of Building 2, and an additional 6-foot wide landscape area between the drive aisle and the building. (DEIR, p. 3-35)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 3-G:**

The comment is noted and the City appreciates the commenter's review of the Project. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Attachment 3.1: Roadway Segment Average Daily Traffic from Appendix C of the TIA**

Roadway Segment Average Daily Traffic (not PCE)

Street	From	To	Project Only					Cumulative (2018) Only													
			Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)									
Fair Isle Drive-Box Springs Road	Sycamore Canyon Boulevard	I-215 Northbound Ramps	111	4	5	14	134	1515	11	5	14	1545									
Sycamore Canyon Boulevard	Fair Isle Drive	I-215 Southbound Ramps	335	4	5	14	358	1358	25	13	34	1430									
Sycamore Canyon Boulevard	I-215 Southbound Ramps	Dan Kipper Drive	372	8	10	28	418	1522	30	16	42	1610									
Sycamore Canyon Boulevard	Dan Kipper Drive	Box Springs Boulevard	223	4	5	14	246	1505	52	47	120	1724									
Sycamore Canyon Boulevard	Box Springs Boulevard	Sierra Ridge Drive	223	4	5	14	246	1443	65	54	137	1699									
Sycamore Canyon Boulevard	Sierra Ridge Drive	Eastridge Avenue	1120	148	198	526	1992	1419	64	54	136	1673									
Eastridge Avenue	Sycamore Canyon Boulevard	Box Springs Boulevard	820	124	166	444	1554	1187	52	46	116	1401									
Eastridge Avenue	Box Springs Boulevard	I-215 Ramps	820	124	166	444	1554	2228	159	97	243	2727									

Street	From	To	Existing					Existing Plus Project													
			Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)									
Fair Isle Drive-Box Springs Road	Sycamore Canyon Boulevard	I-215 Northbound Ramps	12075	410	30	175	12690	12186	414	35	189	12824									
Sycamore Canyon Boulevard	Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	15155	14865	404	30	214	15513									
Sycamore Canyon Boulevard	I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	13390	13157	208	110	333	13808									
Sycamore Canyon Boulevard	Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	12925	12563	204	95	309	13171									
Sycamore Canyon Boulevard	Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	9940	9648	154	40	344	10186									
Sycamore Canyon Boulevard	Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	11220	11835	288	258	831	13212									
Eastridge Avenue	Sycamore Canyon Boulevard	Box Springs Boulevard	12300	130	50	600	13080	13120	254	216	1044	14634									
Eastridge Avenue	Box Springs Boulevard	I-215 Ramps	14175	130	35	690	15030	14995	254	201	1134	16584									

Street	From	To	Existing Plus Ambient Growth (2018)					Existing Plus Ambient Growth (2018) Plus Project					Existing Plus Ambient Growth (2018) Plus Cumulative Projects					Existing Plus Ambient (2018) Plus Cumulative Plus Proj				
			Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)
Fair Isle Drive-Box Springs Road	Sycamore Canyon Boulevard	I-215 Northbound Ramps	12800	435	32	185	13453	12911	439	37	200	13587	14315	445	37	200	14997	14425	450	42	214	15132
Sycamore Canyon Boulevard	Fair Isle Drive	I-215 Southbound Ramps	15402	424	27	212	16065	15737	428	32	226	16423	16760	449	40	245	17495	17095	453	45	260	17853
Sycamore Canyon Boulevard	I-215 Southbound Ramps	Dan Kipper Drive	13552	212	105	323	14193	13924	220	116	351	14611	15074	242	122	365	15803	15445	250	132	393	16221
Sycamore Canyon Boulevard	Dan Kipper Drive	Box Springs Boulevard	13080	212	95	313	13700	13303	216	100	327	13946	14385	264	142	433	15424	14808	258	147	447	15670
Sycamore Canyon Boulevard	Box Springs Boulevard	Sierra Ridge Drive	9991	159	37	350	10537	10214	163	42	354	10783	11434	224	91	487	12235	11657	228	96	501	12482
Sycamore Canyon Boulevard	Sierra Ridge Drive	Eastridge Avenue	11358	148	64	323	11893	12478	295	262	849	13885	12777	212	118	459	13566	13897	350	315	985	15558
Eastridge Avenue	Sycamore Canyon Boulevard	Box Springs Boulevard	13035	135	53	635	13858	13888	252	219	1080	15419	14225	190	99	752	15266	15045	314	255	1195	16820
Eastridge Avenue	Box Springs Boulevard	I-215 Ramps	15025	135	37	731	15932	15845	252	203	1175	17485	17254	297	134	974	18659	18074	421	300	1418	20213



## Comment Letter 4 – Moreno Valley Unified School District

4



**Board of Education**  
Gary E. Bangh  
Deoise Fleming, Ed.D.  
Jana M. Halanda  
Cleveland Johnson  
Patrick W. Kelleher  
**Superintendent of Schools**  
Judy D. White, Ed.D.

### *Moreno Valley Unified School District*

25634 Alessandro Boulevard  
Moreno Valley, California 92553  
(951) 571-7500  
www.mvuisd.net

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*Our mission is to prepare all students academically and socially to become productive members of society*

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August 23, 2016

Ms. Patricia Brenes, Principal Planner  
Community & Economic Development  
Department, Planning Division  
City of Riverside  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92522

**SUBJECT: NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT,  
SYCAMORE CANYON BUSINESS PARK BUILDINGS 1 AND 2 STATE CLEARINGHOUSE NO.  
2015081042**

Dear Ms. Brenes:

The proposed project, Sycamore Canyon Business Park, is within a two mile radius of two nearby schools, Seneca Elementary and Edgemont Elementary within the Moreno Valley Unified School District.

4-A

Currently, the commercial developer fees are \$ .56/Sq.Ft. Please verify with the district prior to obtaining a building permit as these fees are subject to change. If you should have any questions please contact me at (951) 571-7690.

Respectfully,

A handwritten signature in blue ink that reads 'Alice H. Grundman'.

Alice Grundman  
Interim Facilities Director  
Facilities Planning & Development Department

rm

## **Response to Comment Letter 4 – Moreno Valley Unified School District**

### **Response to Comment 4-A:**

Comment noted. The northern portion of the Project site, including all of Parcel 2 and a portion of Parcel 1 as shown on Tentative Parcel Map No. 36879, is within the Riverside Unified School District (RUSD) and the southern portion of the Project site, including the balance of Parcel 1, is within the Moreno Valley Unified School District (MVUSD). (Draft Environmental Impact Report (DEIR), p. 5.14-2.) Although the Project is not anticipated to directly or indirectly increase the number of school-aged students within either RUSD or MVUSD, the school facility impact fees in effect at the time of building permit issuance will be paid by the Project developer to both RUSD and MVUSD in accordance with the California Government Code. (DEIR, p. 5.14-8.)

As requested, and as required by California Government Code, the Project developer will verify the current commercial developer fees with MVUSD prior to obtaining a building permit. Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 5 – Roberto Rubini

5

**From:** Roberto Rubini [[mailto:roberto\\_rubini@yahoo.com](mailto:roberto_rubini@yahoo.com)]  
**Sent:** Sunday, September 04, 2016 9:37 AM  
**To:** Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)>  
**Subject:** [External] Notice of availability of a draft environmental impact report

Sycamore canyon business Park buildings 1 & 2 state clearinghouse # 2015081042

To whom it may correspond.  
Of course we don't want anything more built around the Sycamore Canyon area.  
It is depressing to see how the little nature left over is been transformed into a big gray boxes.  
Please let me know what I can do to oppose more buildings in the area.

5-A

Thank you

Roberto Rubini  
1562 Stoneykirk dr  
Riverside can 92507

951 452 4319

[Sent from Yahoo Mail on Android](#)

Click [here](#) to report this email as spam.

## **Response to Comment Letter 5 – Roberto Rubini**

### **Response to Comment 5-A:**

The Project site and surrounding area has been the subject of City planning efforts since the early 1980s, beginning with an economic revitalization study which identified the site as a potentially significant development opportunity in economic revitalization. Accordingly, in 1984 the *Sycamore Canyon Business Park Specific Plan* (SCBPSP) was approved by the City to ensure efficient, orderly, and attractive development of a planned industrial park consisting of approximately 920 acres of industrial and commercial uses and a 480-acre wilderness park. (DEIR, p. 3-6.) The Project site is designated as Industrial in the SCBPSP; therefore, the proposed logistics center Project at this site is consistent with the SCBPSP. (DEIR, p. 5.10-8.) The construction and operation of the proposed Project will not result in a loss of existing or planned natural habitat within the Sycamore Canyon Wilderness Park, as designated by the SCBPSP and *Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat and Updated Conceptual Development Plan*. In addition, the Project has been reviewed for compliance with Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). See Section 5.4 – Biological Resources of the Draft Environmental Impact Report (DEIR).

The Project includes Design Review (P14-1081) to ensure that the Project is consistent with the *Citywide Design and Sign Guidelines*, Title 19, Title 17, Chapter 19.710 – Design Review Process and the SCBPSP as well as all applicable City plans and municipal codes. (DEIR, p. 5.1-29.) The Project's grading plan and site plan have been designed to minimize the visibility and aesthetic impacts of Buildings 1 and 2 and to ensure that the buildings are consistent with the visual character of the site's surroundings. (DEIR, pp. 5.1-8 – 5.1-10.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 6 – Maureen Clemens

6

Patricia Brenes, Principal City Planner  
Riverside City Hall  
3900 Main Street  
Riverside, CA 92522

**RECEIVED**  
SEP 16 2016  
Community & Economic  
Development Department

Re: Sycamore Canyon Business Park Buildings 1 and 2  
1,012,955 square feet and 362,174 square feet of WAREHOUSES

Dear Ms Brenes:

One needs to know what the obstruction and the new air pollution and noise that will be evident if these buildings go forward as proposed. The traffic is already evident and obtrusive. The noise from the existing warehouses is already a nuisance.

6-A

The developers are lovely people and I am sure the owners of this property are also. I have no quarrel with them, but with you, the City.

6-B

We all know that growth is important, but why can't we strike a balance? Why must these warehouses be so close to residents, who will be looking out on giant walls. Yes they promise greenery that will make it bearable, but that alone will not contain the noise of Semi-Trucks idling and backing up in close proximity to homeowners (property tax payers) back yards.

6-C

Please, think twice before you allow this project to continue.

6-D

Sincerely,

*Maureen Clemens*  
Maureen Clemens  
6012 Abernathy Dr.  
Riverside, CA 92507

**RECEIVED**  
SEP 17 2016  
Community & Economic  
Development Department

## Response to Comment Letter 6 – Maureen Clemens

### **Response to Comment 6-A:**

The Draft Environmental Impact Report (DEIR) analyzed and fully disclosed Project-related impacts to air quality, noise, and traffic, as discussed below. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Air Quality:** The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18** and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (DEIR, p. 5.3-27). (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.) Mitigation measures **MM AQ-13**, **MM AQ-22**, and **MM AQ 23** were modified and new text is shown as double underlined and the text to be deleted is shown as ~~strikethrough~~. These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored "cool" roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less in excess of~~pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

*In addition to the Project design features, the following mitigation measures shall be implemented during Project operations to minimize air quality impacts.*

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes~~regulations~~, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use these funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

Noise: Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City’s daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the City’s Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site’s northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed

project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) The Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below, (DEIR, p. 5.12-46.) to reduce noise from nighttime operations.

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Traffic: The *Revised Traffic Impact Analysis, Sycamore Canyon Industrial Buildings 1 & 2*, or TIA, (DEIR Appendix J) was prepared to evaluate the effect of Project-generated traffic on nine local intersections and six freeway on- and off-ramps under the following scenarios.

- Existing (baseline) plus Project (E+P) (2015);
- Existing plus traffic from 2% ambient growth (ambient) plus Project (E+A+P) (2018) with and without improvements; and
- Existing plus ambient plus Project plus traffic from cumulative development projects (E+A+P+C).

All local intersections will operate at an acceptable LOS with Project-generated traffic under each of the above scenarios. (DEIR, pp. 5.16-29–5.16-30, 5.16-33–5.16-34, 5.16-38–5.16-45, 5.16-56–5.16-57.)

With regard to the freeway on- and off-ramps, because the LOS will be exceeded as a result of ambient growth and cumulative development, i.e., without the Project, the Project's contribution is considered significant for the following ramps: (DEIR, pp. 5.16-31–5.16-32, 5.16-34–5.16-48, 5.16-56–5.16-57.)

- I-215 Northbound off-ramp at Eastridge-Eucalyptus during the PM peak hour for the Existing plus Ambient Growth plus Project condition.
- I-215 Northbound on-ramp at Fair Isle-Box Springs during the AM and PM Peak hours for the Existing plus Ambient Growth plus Cumulative Development plus Project condition (Cumulative).

To restore satisfactory operations to the freeway ramps, the Riverside County Transportation Commission (RCTC) I-215 North Project and one mainline mixed flow lane for northbound I-215 at Fair Isle Drive-Box Springs Drive on-ramp are required to be completed. However, because the freeway facilities are under the jurisdiction of Caltrans and no mechanism to contribute fair share toward a required improvement is currently available, Project impacts are considered significant and unavoidable until improvements are funded or constructed with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, pp. 5.16-56–5.16-57.)

### **Response to Comment 6-B:**

This comment, which does not address any environmental issues, is noted.

### **Response to Comment 6-C:**

With regard to Project noise, please refer to Response to Comment 6-A.

With regard to balancing growth, the Project site and surrounding area has been the subject of City planning efforts since the early 1980s, beginning with an economic revitalization study which identified the site as a potentially significant development opportunity in economic revitalization. Accordingly, in 1984, the *Sycamore Canyon Business Park Specific Plan* (SCBPSP) was approved by the City to ensure efficient, orderly, and attractive development of

a planned industrial park consisting of approximately 920 acres of industrial and commercial uses and a 480-acre wilderness park. (DEIR, p. 3-6.) The Project site is designated as Industrial in the SCBPSP; therefore, the proposed logistics center Project at this site is consistent with the SCBPSP. (DEIR, p. 5.10-8.) Thus, construction and operation of the proposed Project will not result in a loss of existing or planned natural habitat within the Sycamore Canyon Wilderness Park, as designated by the SCBPSP and *Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat and Updated Conceptual Development Plan*. The proposed distribution center at the Project site is consistent with the vision for the site outlined in the City's General Plan and the *Sycamore Canyon Business Park Specific Plan* (SCBPSP).

With regard to the proximity of the buildings to the adjacent residences, subsequent to the original application submittal, the site plan was revised to reduce the size of Building 2 from 420,604 square feet (SF) to 362,174 SF and increase the setback from the northern property line. (DEIR, pp. 8.3-8-5.) Building 2 is proposed to be located 100 feet south of the northerly property line. Within this 100-foot wide setback there is 64 feet of landscaping, a 30-foot wide drive aisle for use by passenger vehicles only, and an additional 6 feet of landscaping. (DEIR, p. 3-35.) Building 2 does not propose any dock doors (i.e., no cross docks), truck or vehicle parking, or truck movement on the north side of the building, so as to locate these activities away from the Sycamore Highlands Neighborhood and reduce noise from these types of operations. (DEIR **Figure 3-10 – Site Plan**.) The Project's grading plan is designed to minimize visibility of Building 1 and Building 2 from the adjacent neighborhood through the use of site grading and building height differences. (DEIR, p. 5.1-7.) Along the westerly boundary of the Project site, the proposed landscaping and Mitigation Area, range in a combined width from 90 to 120 feet. (DEIR **Figure 5.11 – Conceptual Landscape Plan**)

The Project will also implement mitigation measure **MM AES 1**, which states: (DEIR, pp. 5.12-19, 5.12-31-5.12-33.)

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

Furthermore, truck idling at the Project site will be limited to three minutes, pursuant to revised Mitigation Measures AQ-13 and AQ-22.

The Project includes City Design Review and will implement mitigation measure **MM AES 9** to ensure that the buildings are attractively designed. (DEIR, p. 5.1-35)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 6-D:**

This comment letter along with the responses will be provided to decision-makers and become part of the Project's record. This comment, which does not identify any environmental issues or impacts, is noted.

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## Comment Letter 7 – Rick Wade

7

September 10, 2016

City of Riverside  
Community & Economic Development  
Department of Planning Division  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92522

**RECEIVED**  
SEP 13 2016  
Community & Economic  
Development Department

Attn: Ms. Patricia Brenes , Principal Planner

**Re: Draft EIR: Sycamore Canyon Business Park Buildings 1 and 2**

References: Building 1: 1,012,995 S.F. Building 2: 420,604 S.F.

Submitted are my comments regarding proposed project noted above: My residence is located directly to the west of Building 2 to the southwest corner. My comments reflect Building 2;

7-A

1. The elevation of the tilt-up is much higher than the elevation of Building 1: I request that the elevation of Building 2 MATCH the elevation of Building 2;
2. The elevation should also match the elevations of Big 5 [1,000,000 S.F.] warehouse directly East of my property as well as the new tilt-ups recently constructed to the north of Big 5.

7-B



Rick Wade

6058 Cannich Road  
Riverside, CA 92507

## Response to Comment Letter 7 – Rick Wade

### **Response to Comment 7-A:**

The location of the commenter's residence in relationship to the Project site is noted.

### **Response to Comment 7-B:**

*Note: It is assumed that the commenter intended item 1 in this comment to read as follows: "...I request that the elevation of Building 2 MATCH the elevation of Building 1." It is also assumed that the "new tilt-ups recently constructed to the north of Big 5" is referring to the CT Sycamore Center Project north of Dan Kipper Drive and east of the Project site.*

Matching the elevations of Building 1 and Building 2 with each other as well as the elevation of the existing Big 5 warehouse is infeasible mainly due to the slope of the existing terrain of the Project site.

Building 1 is proposed to be 41-feet high from a pad elevation that ranges from 1,561-feet at the south end of the building to 1,568-feet at the north end of the building (above Mean Sea Level (MSL)). Building 2 is proposed to be 37-feet high from a pad elevation that ranges from 1,594-feet at the northwest corner to an elevation of 1,590-feet at the northeast corner (above MSL). With regard to the commenter's request to match the elevations of Building 1 and Building 2, there is a consistent elevation change of roughly 50 feet from the north end (the higher end) of the Project site to the south end (the lower end). To match the elevations of Building 1 and Building 2, a large amount of soil would have to be exported to level the site. Due to the existing granite material that lays a few feet beneath the existing terrain, a major blasting operation would be needed to remove the granite material to place the buildings at roughly the same elevation. This would necessitate a greater number of truck trips during construction to haul the exported soil off site in addition to creating noise and vibration impacts associated with the needed blasting operation. It should be noted that blasting is also prohibited by mitigation measure **MM NOI 12**. (DEIR, p. 5.12-46.)

**MM NOI 12:** No blasting shall take place on the Project site.

With regards to the commenter's suggestion to match the Big 5 building height of 41.5-feet above the finished pad, while Big 5's graded pad is roughly the same elevation above MSL as proposed Building 1's pad, the existing street elevations in Lance Drive as well as the existing terrain of the Project site make this infeasible. Lance Drive is approximately 25–30 feet higher than the existing yard elevations within the Big 5 building site. Matching the Big 5 building heights would render a large portion of the Project site unusable, due to the needed grade transition buffers to achieve the elevations needed. This large amount of grading, and the underlying granite, would entail a greater number of truck trips during construction to haul the exported soil off site in addition to creating noise and vibration impacts associated with the needed blasting operation. Pursuant to the DEIR, blasting is prohibited by mitigation measure **MM NOI 12**. (DEIR, p. 5.12-46.)

With regard to the CT Sycamore Center Project (the “new tilt-ups recently constructed” north of Big 5), the pads are at elevations ranging from 1,545 (easterly pad for Building 1) to 1,568-foot (westerly pad for Building 5) (above MSL) and the Building 1 (easterly building) is approximately 37-feet tall with the other four buildings at 41-feet tall. Although the proposed Project will be at an elevation 22 to 26-feet higher than Building 5 of the CT Sycamore Center Project, proposed Building 2 is setback an additional 50-feet (100-feet total) from the residential property line and it has been designed to reduce the feeling and appearance of massing and/or bulkiness. The Project will implement mitigation measures **MM AES 9** and **MM AES 11** which state: (DEIR, p. 5.1-35.)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

**MM AES 11:** In order to avoid the appearance of a flat wall, as part of the Design Review process prior to the issuance of a grading permit, revised plans showing the incorporation of design features such as articulation and the use of color on the 14-foot-tall wall proposed along the east side of the truck parking and loading docks east of Building 1 shall be submitted for review and approval by Design Review staff.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report.

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# Comment Letter 8 – California Department of Transportation

8

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr. Governor

**DEPARTMENT OF TRANSPORTATION**  
DISTRICT 8  
PLANNING (MS 722)  
464 WEST 4<sup>th</sup> STREET, 6<sup>th</sup> Floor  
SAN BERNARDINO, CA 92401-1400  
PHONE (909) 383-4557  
FAX (909) 383-5936  
TTY (909) 383-6300  
www.dot.ca.gov/dist8



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SEP 13 2015

Community & Economic  
Development Department

September 12, 2016

City of Riverside  
Community & Economic  
Development Department  
Kyle Smith, Senior Planner  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92522

Sycamore Canyon Business Park Buildings 1 and 2 (RIV 215 PM 37.56)

Mr. Smith,

We have completed our initial review for the above mentioned proposal to construct and operate approximately 1.4 million square feet of light industrial office and warehousing contained within two buildings on site. Building 1 will consist of 10,000 square feet of office space with 1,002,995 square feet of warehouse with 72 dock doors. Building 2 will consist of 410,604 square feet of warehouse with 48 dock doors.

8-A

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. Under the California Environmental Quality Act (CEQA), we are required to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS.

8-B

We recommend the following:

**Traffic Study**

- Please use Standard Traffic Signal Sequencing.
- Table 5-3: Intersection Levels of Service – Existing Plus Ambient Growth Plus Project Conditions (2018) – Why are the delays at the intersection of I-215 Northbound Ramps (NS)/Fair Isle Drive-Box Springs Road (EW) less than or equal to the Existing Plus Project Conditions (2015) at PM Conditions (Table 5-1) of 19.4 sec compared with 19.7 sec, and 19.6 sec compared with 19.6 sec?

8-C

8-D

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"*

Mr. Smith  
September 12, 2016  
Page 2

- Table 5-4: Freeway Segment Levels of Service – Existing Plus Ambient Growth Plus Project Conditions (2018) – Why are the densities at the segment of I-215 Northbound/Fair Isle Drive-Box Springs On, less than for the Existing Plus Project Conditions (2015) on Table 5-2 of 23.7 pc/mi/ln compared with 32.7 pc/mi/ln, and 23.9 pc/mi/ln compared with 32.8 pc/mi/ln? 8-E
- Table 5-6: Intersection Levels of Service – Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (2018) – Why are these delays at the intersection of I-215 Northbound Ramps (NS)/Fair Isle Drive-Box Springs Road (EW) less than the Existing Plus Ambient Growth Plus Project Conditions (2018) on Table 5-3 of 19.1 sec compared with 19.4 sec, and 19.0 sec compared with 19.6 sec? 8-F
- Table 5-6: Intersection Levels of Service – Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (2018) – Why are the delays at the intersection of I-215 Northbound Ramps (NS)/Eastridge Avenue-Eucalyptus Avenue (EW) less than the Existing Plus Ambient Growth Plus Project Conditions (2018) on Table 5-3 of 22.7 sec compared with 23.8 sec, and 22.3 sec compared with 23.5 sec? 8-G
- Page 7 under High-Cube Warehouse/Distribution Center Land Use. Project Trip Generation, the truck rate for high-cube warehouse, which is based on the weighted average rates, provided in the Trip Generation. Although the County’s ‘Traffic Impact Analysis Preparation Guide (2008) Section 10.10 Special Uses – Truck Intensive Uses’ clearly states that the County does not use rates for truck intensive uses other than ITE; traffic studies for similar projects (within the Inland Empire) have incorporated the results from the Fontana Truck Trip Generation Study; and more recently, from the NAIOP Study. 8-H
- Page 8 under Principle Findings, according to the City of Riverside Traffic Impact Analysis Guidelines, Exhibit F: Please provide Exhibit F under this title. 8-I
- Page (14) as stated under “Site Access” no vehicle type restrictions are proposed on Lance Drive and with limited access to and from Dan Kipper Drive. Please explain how would this project limits the access to or from Dan Kipper Drive. 8-J
- Page (17) under title “Study Freeway Segments” refers to Appendix A for correspondence from Caltrans but Appendix A- page 7 “Study Freeway Segments” is blank. I-215 Southbound, Eastridge Ave-Eucalyptus Ave Off-Ramp is missing. I-215 Northbound, Fair Isle Dr-Box spring Rd Off-Ramp is missing. 8-K

*“Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California’s economy and livability”*

Mr. Smith  
September 12, 2016  
Page 3

- Page (17) under title “Existing Traffic Volume” states that existing traffic counts increased since counts were taken during the summer hours, while schools were not in session. Please explain how the methodology was used to increase the existing counts. Even though Appendix C shows higher counts under PCE worksheets but there is no way to know how these numbers were increased. 8-L
- Page (18) Figure 3-A depicts Existing Roadway System. The SB Off-Ramp to WB Eastridge Ave controlled by Stop Sign not by traffic signal. 8-M
- Page (24) explain why few different Peak Hour factors in Appendix E was used to calculate LOS in PTV Vistro software. 8-N
- Page (25) the freeway segment LOS shown on Table 3-6 are based upon freeway volumes. Please provide sources and plots with (readable traffic volumes) showing AADT and AM/PM Peak Hours for all modeled years Existing, Plus Ambient Growth, Plus Project, Plus Cumulative and Passenger Car Equivalent (PCE). 8-O
- Page (30) under “Project Trip Distribution” Figure 4-A depicts directional distribution traffic (PCE - Outbound) from the project. The figure shows that 100% cars /trucks will use Sierra Ridge Drive. Please explain how and what method of traffic control this project will use to stop cars/trucks from using Dan Kipper Drive for outbound traffic. Figure 4-B shows 20% of inbound traffic using Dan Kipper to the project. 8-P
- Page (46) under LOS-Existing plus Ambient Growth plus Project Conditions (2018) indicates that freeway segments operate at LOS of D or better. Please show any graphs or congestion monitoring plots that shows the LOS D or better for the NB I-215 from Eucalyptus Ave to Box Spring road during the peak hours. Please check the level of service calculation worksheet in Appendix E page 312 indicates that the number of lanes on the freeway is 3 and the length of first accel/decel lane is 530 8-Q

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Talvin Dennis at (909) 806-3957 or myself at (909) 383-4557 for assistance. 8-R

Sincerely,



MARK ROBERTS  
Office Chief  
Intergovernmental Review, Community and Regional Planning

*“Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California’s economy and livability”*

## **Response to Comment Letter 8 – California Department of Transportation**

### **Response to Comment 8-A:**

The City appreciates the California Department of Transportation's (Caltrans') review of the Draft Environmental Impact Report (DEIR). Subsequent to preparation of the traffic impact analysis, the size of Building 2 was reduced to 362,174 square feet (SF) consisting of 10,000 SF of office space with 362,174 SF of logistics/warehouse with 49 dock doors. However, this reduction in building size did not change the conclusions of the Traffic Impact Analysis (TIA) or DEIR with regard to significance or mitigation. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 8-B:**

Caltrans' responsibility with regard to California Environmental Quality Act (CEQA) review is noted. The analysis in Section 5.16 – Transportation/Traffic of the DEIR and the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) with regard to freeway impacts was based on Caltrans methodology. Caltrans was consulted during preparation of the TIA (DEIR Appendix J, p. 1-2 and attached e-mails in Attachment 8.1 on the pages following these responses to comments.) and at Caltrans' request, the TIA included merge/diverge analysis for the following freeway segments:

#### I-215 Northbound

1. Eastridge Ave-Eucalyptus Avenue Off-Ramp
2. Eastridge Ave-Eucalyptus Avenue On-Ramp
3. Fair Isle Dr-Box Springs Road On-Ramp

#### I-215 Southbound

4. Sycamore Canyon Boulevard Off-Ramp
5. Truck Bypass-Eastridge Avenue-Eucalyptus Ave Off-Ramp Weaving Section
6. Eastridge Ave-Eucalyptus Avenue On-Ramp (DEIR, p. 5.16-6)

Copies of the email communication between the TIA preparer and Caltrans is included in DEIR Appendix J. A copy of this correspondence is included as Attachment 8.1 on the pages following these responses to comments. Additionally, the significance determination with regard to levels of service (LOS) for State Highways is based on Caltrans' measures of effectiveness (MOEs). (DEIR, pp. 5.16-20.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 8-C:**

As indicated on page 3-6 of the TIA (DEIR Appendix J) and in several places in DEIR Section 5.16 – Transportation/Traffic, the software used to conduct the traffic analysis is PTV Vistro. PTV Vistro analyzes level of service based on the methodology in the Highway Capacity Manual (HCM) 2010 and uses standard traffic signal sequencing with rings and barriers,

protective, permitted and split phasing, etc. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-D:**

The slight decrease or constant delay is reasonable because level of service (LOS) is calculated as an average delay for all of the vehicles in the intersection. Ambient growth increases the number of vehicles making all turns, including those vehicles going through or those vehicles that have relatively less delay, which can cause the delay to remain approximately the same or slightly reduced. These delays do not result in a change in the LOS stated in the DEIR. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-E:**

The LOS analysis has been reviewed and it was determined there was a computational error in the modeling software. As a result DEIR **Table 5.16-K – Freeway Segment Level of Service E+A+P (2018)** will be revised in the Final EIR (FEIR) to change the AM Peak Hour Density for I-215 Northbound Fair Isle-Box Springs Drive for: (i) the Existing + Ambient Growth (E+A) condition from 23.7 pc/mi/ln to 34.5 pc/mi/ln and (ii) the Existing + Ambient + Project (E+A+P) condition from 23.9 pc/mi/ln to 34.6 pc/mi/ln as shown on the following page. The new text is shown as double underlined and the text to be deleted is shown as ~~strikethrough~~.

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**Table 5.16-K – Freeway Segment Level of Service<sup>a</sup> E+A+P (2018)**

Freeway Direction of Travel From/To or Junction	Segment Type	Lanes		Without Project (E+A)				With Project (E+A+P)							
				AM Peak Hour		PM Peak Hour		AM Peak Hour				PM Peak Hour			
		Main	Ramp	Density <sup>b</sup> (pc/mi/ln)	LOS	Density <sup>b</sup> (pc/mi/ln)	LOS	Mainline Volume	Ramp Volume	Density <sup>b</sup> (pc/mi/ln)	LOS	Mainline Volume	Ramp Volume	Density <sup>b</sup> (pc/mi/ln)	LOS
<b>I-215 Northbound</b>															
1. Eastridge-Eucalyptus Off	Diverge	3	1	32.1	D	<b>35.5</b>	<b>E</b>	4860	698	32.2	D	5641	709	35.6	<b>E</b>
2. Eastridge-Eucalyptus On	Merge	3	1	25.9	C	31.3	D	4163	368	26.0	C	4932	581	31.6	D
3. Fair Isle-Box Springs On <sup>c</sup>	Merge	4	1	<del>34.5</del> 23.7	D	27.6	C	6167	1417	<del>34.6</del> 23.9	D	7308	720	28.0+	D
<b>I-215 Southbound</b>															
4. Sycamore Canyon Boulevard Off	Basic	5	NA	13.8	B	21.8	C	4810	NA	14.0	B	7176	NA	21.9	C
5. Truck Bypass /Eastridge Off	Weave	4	1	27.1	C	31.6	D	4867	1114	27.3	C	5714	1136	31.7	D
		4	2					5554	427			5901	949		
6. Eastridge-Eucalyptus On	Merge	3	1	25.9	C	31.3	D	4447	402	25.9	C	4768	884	31.4	D

Notes:

- a Source: TIA, Table 5-4– Freeway Segment Levels of Service – Existing Plus Ambient Growth Plus Project Phase Conditions (2018), Appendix J
- b Density and LOS were calculated in the TIA using HCS 2010 (version 6.0, 2014). Per the 2010 Highway Capacity Manual, freeway segment density and LOS are shown for merge and diverge segments, weaving segments, and basic segments.
- c HOV lanes and HOV volumes not included in the mainline volume
- + Density is above LOS threshold, Number has been rounded down to the nearest tenth.

These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-F:**

See Response to Comment 8-D. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-G:**

The LOS analysis has been reviewed and it was determined there was a computational error in the modeling software. As a result, **DEIR Table 5.16-J – Intersection LOS, Existing Plus Ambient Growth Plus Project Conditions (E+A+P) (2018)** will be revised in the FEIR to change the Delay at the intersection of the I-215 Ramps (NS)/Eastridge Avenue–Eucalyptus Avenue (EW) for: (i) the E+A condition from 23.8 sec to 20.0 sec and the (ii) E+A+P condition from 23.5 sec to 21.7 sec as shown below. These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

**Table 5.16-J – Intersection LOS, Existing Plus Ambient Growth Plus Project Conditions<sup>a</sup> (E+A+P) (2018)**

Intersection	Peak Hour	Without Project (E+A)			With Project (E+A+P)		
		Traffic Control <sup>b</sup>	Delay (sec)	LOS	Traffic Control <sup>b</sup>	Delay (sec)	LOS
1. I-215 Northbound Ramps (NS) / Fair Isle Drive – Box Springs Road (EW)	AM	TS	39.6	D	TS	39.9	D
	PM		19.4	B		19.6	B
2. Sycamore Canyon Boulevard (NS) / Fair Isle Drive (EW)	AM	TS	28.2	C	TS	28.2	C
	PM		27.2	C		27.6	C
3. Sycamore Canyon Boulevard (NS) / I-215 Southbound Ramps (EW)	AM	TS	18.8	B	TS	19.2	B
	PM		12.3	B		12.3	B
4. Sycamore Canyon Boulevard (NS) / Dan Kipper Drive (EW)	AM	OWSC	12.5	B	OWSC	12.7	B
	PM		12.3	B		12.4	B
5. Sycamore Canyon Boulevard (NS) / Box Springs Boulevard (EW)	AM	TS	15.8	B	TS	15.9	B
	PM		12.4	B		12.4	B
6. Sycamore Canyon Boulevard (NS) / Sierra Ridge Drive (EW)	AM	TS	10.7	B	TS	13.1	B
	PM		11.3	B		14.1	B

Intersection	Peak Hour	Without Project (E+A)			With Project (E+A+P)		
		Traffic Control <sup>b</sup>	Delay (sec)	LOS	Traffic Control <sup>b</sup>	Delay (sec)	LOS
7. Sycamore Canyon Boulevard (NS) / Eastridge Avenue (EW)	AM	TS	35.5	D	TS	44.6	D
	PM		24.5	C		25.4	C
8. Box Springs Boulevard (NS) / Eastridge Avenue (EW)	AM	TS	31.8	C	TS	31.8	C
	PM		28.8	C		29.4	C
9. I-215 Ramps (NS) / Eastridge Avenue-Eucalyptus Avenue (EW)	AM	TS	<u>20.0</u>	C	TS	<u>21.7</u>	C
	PM		<del>23.8</del> 22.5	C		<del>23.5</del> 22.7	C

Notes:

a Source: TIA, Table 5-3 – Intersection Levels of Service – Existing Plus Ambient Growth Plus Project Conditions (2018), Appendix J

b TS = Traffic Signal; OWSC = One way stop controlled

Delay and LOS were calculated in the TIA using Vistro (version 3.00, 2014) for signalized and unsignalized intersections. Per the 2010 Highway Capacity Manual, overall average intersection delay and LOS are shown for intersections with a traffic signal or all-way stop control. For intersections with cross-street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown.

DEIR Table 5.16-N – Intersection LOS, Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) (2018) will also be revised in the FEIR to change the Delay at the intersection of the I-215 Ramps (NS)/Eastridge Avenue-Eucalyptus Avenue (EW) for: (i) the Existing + Ambient Growth + Cumulative (E+A+C) condition from 22.7 sec to 20.8 sec and the (ii) Existing + Ambient Growth + Cumulative + Project (E+A+C+P) condition from 22.3 sec to 21.7 sec. Table 5.16-N will also be revised to change the Delay Due to Project at this intersection from -0.4 sec to 0.9 sec as shown below.

**Table 5.16-N – Intersection LOS, Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions<sup>a</sup> (E+A+C+P) (2018)**

Intersection	Peak Hour	Without Project (E+A+C)			With Project (E+A+C+P)			Delay Due to Project (sec)
		Traffic Control <sup>b</sup>	Delay <sup>c</sup> (sec)	LOS	Traffic Control <sup>b</sup>	Delay <sup>c</sup> (sec)	LOS	
1. I-215 Northbound Ramps (NS) / Fair Isle Drive – Box Springs Road (EW)	AM	TS	40.5	D	TS	40.8	D	0.3
	PM		19.1	B		19.0	B	-0.1

Intersection	Peak Hour	Without Project (E+A+C)			With Project (E+A+C+P)			Delay Due to Project (sec)
		Traffic Control <sup>b</sup>	Delay <sup>c</sup> (sec)	LOS	Traffic Control <sup>b</sup>	Delay <sup>c</sup> (sec)	LOS	
2. Sycamore Canyon Boulevard (NS) / Fair Isle Drive (EW)	AM	TS	29.5	C	TS	29.6	C	0.1
	PM		29.5	C		30.0	C	0.5
3. Sycamore Canyon Boulevard (NS) / I-215 Southbound Ramps (EW)	AM	TS	20.0	B	TS	20.4	C	0.4
	PM		12.4	B		12.5	B	0.4
4. Sycamore Canyon Boulevard (NS) / Dan Kipper Drive (EW)	AM	OWSC	52.9	<b>F</b>	OWSC	53.8	<b>F</b>	0.9
	PM		27.5	D		28.4	D	
5. Sycamore Canyon Boulevard (NS) / Box Springs Boulevard (EW)	AM	TS	18.0	B	TS	18.1	B	0.1
	PM		13.6	B		13.7	B	0.1
6. Sycamore Canyon Boulevard (NS) / Sierra Ridge Drive (EW)	AM	TS	11.1	B	TS	13.7	B	2.6
	PM		11.2	B		14.1	B	2.9
7. Sycamore Canyon Boulevard (NS) / Eastridge Avenue (EW)	AM	TS	41.8	D	TS	53.0	D	11.2
	PM		24.6	C		26.1	C	1.5
8. Box Springs Boulevard (NS) / Eastridge Avenue (EW)	AM	TS	32.2	C	TS	32.1	C	-0.1
	PM		36.2	D		36.9	D	0.7
9. I-215 Ramps (NS) / Eastridge Avenue-Eucalyptus Avenue (EW)	AM	TS	<u>20.8</u>	C	TS	<u>21.7</u>	C	<u>0.9</u>
	PM		<u>22.7</u>			<u>22.3</u>		<u>-0.4</u>
			22.5	C		22.7	C	0.2

Notes:

a Source: TIA, Table 5-3 ~~6~~– Intersection Levels of Service – Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (2018), Appendix J

b TS = Traffic Signal; OWSC = One way stop controlled

c Per the 2010 Highway Capacity Manual, overall average intersection delay and LOS are shown for intersections with a traffic signal or all-way stop control. For intersections with cross-street stop control, the delay and LOS for the worst individual movement (or movements sharing a single lane) are shown.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 8-H:**

The City of Riverside is the lead agency for the proposed Project, not the County; thus, the TIA was prepared using the City of Riverside Traffic Impact Analysis Preparation Guide, December

2014. (DEIR, pp. 5.16-4, 5.16-25, 5.16-27; DEIR Appendix J, pp. 1-2, 3-1, 3-8.) The Project truck trip generation used in the TIA is based on the ITE 9<sup>th</sup> Edition Trip Generation Manual's truck trip generation for high-cube warehouse. The Fontana Truck Trip Generation Study, specifically cited as a source for truck axle splits in the ITE Manual, was then used to split the projected number of trucks into different kinds of trucks to estimate the equivalent PCE. This use of the Fontana truck study is noted as a footnote under TIA Table 4-1 – Trip Generation Rates in addition to DEIR **Table 5.16-E – Trip Generation Rates**. (DEIR, pp. 5.16-18; DEIR Appendix J, p. 4-1.) The City has accepted the use of the Fontana Study for splitting the types of trucks. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 8-I:**

It is assumed this comment's reference to page 8 is to TIA page 1-2 (which is page 8 of the PDF file of the TIA).

The City of Riverside Traffic Impact Analysis Guidelines, Appendix F states:

*City of Riverside allows Level of Service (LOS) D to be used as the maximum acceptable threshold for the study intersections and roadways of Collector or higher classification. LOS C is to be maintained on all street intersections. For projects in conformance with the General Plan, a significant impact occurs at a study intersection when the peak hour LOS falls below C, or D per CCM-2.3 as noted below. For projects that propose uses or intensities above that contained in the General Plan, a significant impact at a study intersection is when the addition of project related trips causes either peak hour LOS to degrade from acceptable (LOS A thru D) to unacceptable levels (E or F) or the peak hour delay to increase as follows:*

*LOS A/B = By 10.0 seconds*

*LOS C = By 8.0 seconds*

*LOS D = By 5.0 seconds*

*LOS E = By 2.0 seconds*

*LOS F = By 1.0 seconds*

*City of Riverside General Plan 2025 Policy CCM-2.3:*

*Maintain LOS D or better on Arterial Streets wherever possible. At key locations, such as City Arterials that are used by regional freeway bypass traffic and at heavily traveled freeway interchanges, allow LOS E at peak hours as the acceptable standard on a case-by-case basis.*

This text is also included on pages 3-8 – 3-9 of the TIA (DEIR Appendix J, pp. 3-8 – 3-9) and on page 5.16-25 of the DEIR. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-J:**

Building 1 will have two driveways along Lance Drive and Building 2 will have one driveway along Lance Drive. Building 1 and Building 2 will have full ingress and right-out only egress at each of their individual project driveways. (DEIR, pp. 5.16-26.)

The Project will not allow passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

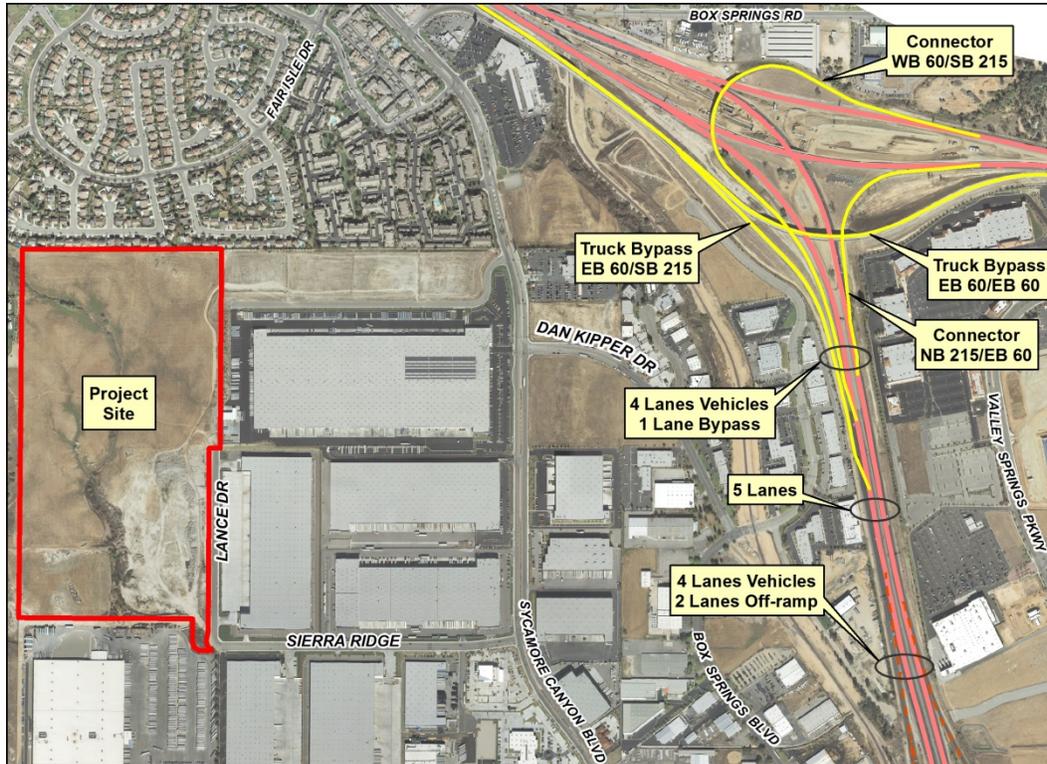
**Response to Comment 8-K:**

The correspondence regarding the freeway segments to be studied is found on pages 13 and 14 of Appendix A of the TIA (which is Appendix J of the DEIR). The correspondence consists of e-mails between Caltrans (Mark Roberts) and the TIA preparer, Albert A. Webb Associates (Grace Cheng). A copy of this correspondence is included as Attachment 8.1 on the pages following these responses to comments.

With regard to the I-215 SB Eastridge-Eucalyptus Ave Off-Ramp, due to the nature of the geometry, the off-ramp is considered as a weaving segment<sup>1</sup> with the existing truck ramp at the State Route (SR) 60/I-215 Interchange. The weaving segment is created when the southbound truck bypass lane at the SR 60/I-215 interchange joins the four lane SB I-215 mainline resulting in the addition of a fifth lane (4 lanes mainline plus 1 lane bypass). The I-215 SB Eastridge-Eucalyptus Ave Off-Ramp is a two-lane off-ramp and a four-lane mainline continuing south as shown below.

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<sup>1</sup> A weaving segment is a merge segment (on-ramp) that is closely followed by a diverge segment (off-ramp) and the two are connected by a continuous auxiliary lane. (DEIR, p. 5.16-6.)



With regard to the I-215 Northbound Fair Isle Dr-Box Spring Rd Off-Ramp, the ramp is not included in the TIA because the City and the TIA preparer determined no inbound or outbound Project traffic would use this off-ramp based on the geographical location of the site, the type of land uses in the study area, access and proximity to the regional freeway system, existing roadway system, existing traffic patterns, and existing and future land uses. Given the proximity of Sycamore Canyon Boulevard and Sierra Ridge Drive to the Eastridge-Eucalyptus Avenue/I-215 Interchange it is a reasonable assumption that vehicles, trucks in particular, would utilize this freeway ramp rather than the Fair Isle Drive-Box Springs/I-215 interchange. (See **DEIR Figure 5.16-4 – Project Trip Distribution (Passenger Cars - Inbound)** and **DEIR Figure 5.16-6 – Project Trip Distribution (Trucks - Inbound).**)

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the TIA, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle Drive/Box Springs Road interchange.

Thus, it is reasonable to expect that outbound cars and trucks will use the Eastridge Avenue-Eucalyptus Avenue interchange.

**Response to Comment 8-L:**

Existing AM and PM peak period intersection turning movement counts were conducted in July 2015 and are included in Appendix C to the TIA. The counts were increased per agreement with the City of Riverside since counts were taken during the off-school period of July 2015. (DEIR, p. 5.16-17; DEIR Appendix J, p. 3-2.) The following are the edits to the counts listed by intersection number. The counts used in the TIA were increased (based on older counts taken when school was in session) to simulate vehicles travelling through the intersections from residential neighborhoods to nearby schools.

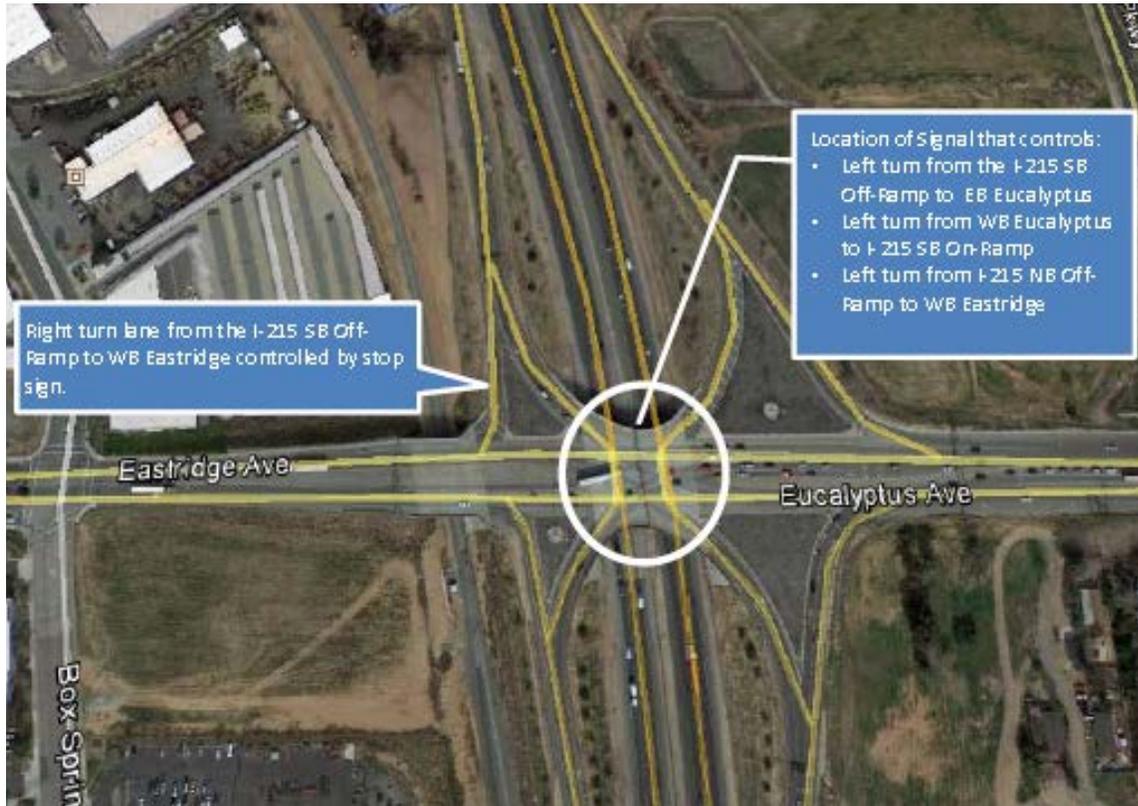
Intersection	Increase in Counts
1. I-215 Northbound Ramps (NS) / Fair Isle Drive-Box Springs Road (EW)	+200 WBR in AM
2. Sycamore Canyon Boulevard (NS) / Fair Isle Drive (EW)	+200 NBT in AM
3. Sycamore Canyon Boulevard (NS) / I-215 Southbound Ramps (EW)	+200 NBT in AM
4. Sycamore Canyon Boulevard (NS) / Dan Kipper Drive (EW)	+200 NBT in AM
5. Sycamore Canyon Boulevard (NS) / Box Springs Boulevard (EW)	+200 NBT in AM
6. Sycamore Canyon Boulevard (NS) / Sierra Ridge Drive (EW)	+200 NBT in AM
7. Sycamore Canyon Boulevard (NS) / Eastridge Avenue (EW)	+200 NBT in AM +300 WBL in PM
8. Box Springs Boulevard (NS) / Eastridge Avenue (EW)	+300 WBT in PM
9. I-215 Ramps (NS) / Eastridge Avenue-Eucalyptus Avenue (EW)	+300 SBR in PM

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-M:**

As shown in the aerial photograph below, although the intersection as a whole is controlled by a traffic signal (or signals), the right turn lane from the I-215 SB Off-Ramp is controlled by a stop sign. The TIA evaluated LOS for the study intersections using PTV Vistro 3.00 traffic modeling software, which is based upon the Transportation Research Board (TRB) Highway Capacity Manual 2010 (HCM2010) methodologies. (DEIR Appendix J, p. 3-6.) Although PTV

Vistro does not display how the right turn is controlled but rather how the intersection as a whole is controlled; this does not change the results of the analysis because right turn movements rarely contribute to intersection delay, which is what LOS measures. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.



Source of Aerial Imagery: GoogleEarth

### **Response to Comment 8-N:**

As discussed in Response to Comment 8-L, existing counts were taken at the study intersections and an existing peak hour factor obtained. This is the peak hour factor used in the analysis. However, in some cases, when the volume from ambient growth, or Project traffic, or cumulative development projects or some combination thereof, is significantly increased from the existing peak hour volume, the intersection may not operate in the same manner as in the existing condition. Therefore, the default peak hour factor (0.92) was used as prescribed in the HCM 2010 Volume 1, Chapter 6, Appendix A's reference to the NCHRP Report 599. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 8-O:**

Caltrans publishes existing hourly volumes on freeways in California on the Caltrans PeMS Web site ([pems.dot.ca.gov](http://pems.dot.ca.gov)). Freeway volumes used in the TIA were from the PeMS Website

except for the truck ramp between the Fair Isle-Box Springs Road exit and the Eastridge-Eucalyptus exit. Counts were taken at this truck ramp with approval from Caltrans. These counts were included in Appendix C of the TIA. The AM and PM Peak used in the TIA are underlined in red on the tables on the following page.

Since Caltrans does not publish counts in future scenarios, volumes in future scenarios were estimated based on the build-up model, using the same trip generation, trip distribution, modal split, and trip assignment assumptions as used for the proposed Project and cumulative projects in the LOS analysis for the intersections. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

*Remainder of page intentionally left blank.*

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Counts by Hour

Northbound

			Midnight	1 AM	2 AM	3 AM	4 AM	5 AM	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	NOON	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	TOTAL FOR DAY		
R36.5	<u>818606</u>	ALLESSANDRO BLVD	Mainline	0.0	1,023	763	667	764	1,541	3,228	3,863	4,406	4,569	4,209	4,070	4,122	4,335	4,549	4,959	5,291	<u>5,313</u>	5,197	4,617	3,764	3,287	2,905	2,254	1,619	81,315
R37.2	<u>818223</u>	EUCALYPTUS AVE S/O	Mainline	0.0	1,023	763	667	764	1,541	3,228	3,863	4,406	<u>4,569</u>	4,209	4,070	4,122	4,335	4,549	4,959	5,291	<u>5,313</u>	5,197	4,617	3,764	3,287	2,905	2,254	1,619	81,315
R37.6	<u>819086</u>	EUCALYPTUS AVE N/O	Mainline	0.0	1,519	1,510	1,622	2,012	2,989	4,004	3,680	3,298	3,420	3,697	3,636	3,582	3,620	3,757	3,707	3,820	3,869	3,774	3,055	2,649	2,384	2,315	1,997	1,754	71,670
R38.4	<u>818223</u>	60/215 SEPARATION	Mainline	66.7	989	891	1,040	1,783	3,616	4,754	4,272	3,705	3,886	4,249	4,427	4,268	4,393	4,563	4,606	4,656	4,690	4,570	3,694	2,982	2,379	2,198	1,735	1,352	79,698
R38.627	<u>801577</u>	BOX SPRINGS	Mainline	100.0	1,066	769	883	1,634	3,811	5,035	5,529	<u>5,903</u>	5,157	5,445	5,657	5,787	6,184	6,483	6,696	6,546	<u>6,947</u>	6,696	6,014	5,053	4,213	3,613	2,570	1,648	109,339
R38.627	<u>801579</u>	BOX SPRINGS	On Ramp	N/A	102	68	80	107	287	441	977	1,176	966	752	506	530	561	672	642	646	<u>681</u>	676	491	331	267	216	170	101	11,446
R38.627	<u>811866</u>	BOX SPRINGS	Off Ramp	N/A	15	4	2	6	26	29	65	50	84	57	55	59	61	75	70	81	69	107	78	56	62	41	33	26	1,211
R38.627	<u>816134</u>	BOX SPRINGS	HOV	100.0	92	61	56	226	983	1,407	1,616	1,629	1,476	1,241	934	831	987	1,237	1,143	1,144	977	1,059	879	675	474	442	258	133	19,960
R9.426	<u>819964</u>	CENTRAL AVE SB ON	Mainline	100.0	780	669	789	1,791	4,496	5,734	5,779	5,662	5,211	5,364	5,012	4,848	5,136	5,523	5,570	5,427	5,310	5,173	4,222	3,455	2,669	2,473	1,755	1,164	94,012

Note: The volumes underlined in red were used in the TIA.

Counts by Hour

Southbound

			Midnight	1 AM	2 AM	3 AM	4 AM	5 AM	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	NOON	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	TOTAL FOR DAY		
R36.5	<u>818607</u>	ALLESSANDRO BLVD	Mainline	0.0	1,023	763	667	764	1,541	3,228	3,863	4,406	4,569	4,209	4,070	4,122	4,335	4,549	4,959	5,291	<u>5,313</u>	5,197	4,617	3,764	3,287	2,905	2,254	1,619	81,315
R37.2	<u>818222</u>	EUCALYPTUS AVE S/O	Mainline	0.0	1,023	763	667	764	1,541	3,228	3,863	4,406	4,569	4,209	4,070	4,122	4,335	4,549	4,959	5,291	5,313	5,197	4,617	3,764	3,287	2,905	2,254	1,619	81,315
R37.991	<u>816155</u>	S/O 60/215 IC	Mainline	0.0	1,365	1,022	885	1,018	2,053	4,299	5,147	5,878	6,094	5,608	5,428	5,495	5,779	6,060	6,614	7,056	7,087	6,934	6,155	5,013	4,382	3,874	3,008	2,159	108,411
R38.4	<u>818225</u>	60/215 SEPARATION	Mainline	0.0	1,460	1,220	1,133	1,282	1,762	2,426	3,118	3,508	3,162	3,260	3,218	3,536	3,694	3,867	4,024	4,085	4,469	4,431	4,258	3,679	3,444	3,061	2,430	1,814	72,341
R38.627	<u>819956</u>	BOX SPRINGS	HOV	100.0	335	315	351	613	1,289	1,538	1,278	1,099	1,013	1,321	1,513	1,502	1,587	1,554	1,558	1,596	1,542	1,473	1,298	1,145	937	855	650	459	26,821
R38.627	<u>819957</u>	BOX SPRINGS	Mainline	100.0	1,254	964	807	1,069	1,878	3,018	4,239	4,692	4,025	4,155	3,903	4,244	4,706	4,890	5,166	5,412	5,971	5,895	5,368	4,461	4,054	3,506	2,559	1,821	88,057
R38.774	<u>816150</u>	BOX SPRINGS SB ON	Mainline	100.0	1,300	895	711	826	1,484	2,707	4,056	4,392	4,496	4,185	4,074	4,636	5,029	5,235	5,725	5,864	6,749	6,630	5,976	5,166	4,676	3,921	2,819	1,896	93,448
R38.774	<u>819905</u>	BOX SPRINGS SB ON	HOV	99.7	106	47	35	36	77	147	284	315	366	451	545	636	709	724	874	928	1,081	1,033	856	723	598	351	194	12,129	
R38.774	<u>820164</u>	BOX SPRINGS SB ON	Mainline	100.0	83	92	60	84	166	269	310	371	310	275	252	278	297	323	356	338	304	349	291	292	274	248	170	122	5,914
R9.426	<u>816106</u>	CENTRAL AVE SB ON	Mainline	100.0	1,681	1,267	1,097	1,297	2,089	3,558	4,939	5,327	4,886	5,180	5,140	5,648	5,945	6,124	6,483	6,407	7,038	6,796	6,605	5,779	5,450	4,577	3,450	2,490	109,253

Note: The volumes underlined in red were used in the TIA.

**Response to Comment 8-P:**

As part of the TIA scoping process, a preliminary analysis was done in regard to the proposed Project using Dan Kipper Drive as a point of egress for passenger cars and/or trucks. Based on future nearby development of the area, the existing and future geometry of the intersection and nearby intersections, the City determined that traffic leaving the Project site would have a right-out-only egress onto Lance Drive. (DEIR, pp. 5.16-10, 5-16-26.)

Building 1 will have two driveways along Lance Drive and Building 2 will have one driveway along Lance Drive. Building 1 and Building 2 will have full ingress and partial right-out only egress at each of their individual project driveways. (DEIR, pp. 5.16-26.)

The Project will limit passenger car and truck egress onto Dan Kipper Drive by installing small barriers (“pork chops”) at the all three driveways which will limit left-out turns onto Lance Drive. This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.)

The commenter is correct that TIA Figure 4-B (DEIR **Figure 5.16-6 – Project Trip Distribution (Passenger Cars - Inbound)**) show that 20% of the inbound passenger cars will use Dan Kipper Drive. Access to the site from Dan Kipper Drive is not being restricted because this will not adversely affect the LOS at Dan Kipper Drive/Sycamore Canyon Boulevard.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-Q:**

Based on correspondence with Caltrans, the scope of the traffic study only included freeway ramps and not the mainline between the freeway ramps. For the NB I-215 segment from Eucalyptus Ave to Box Springs Road, only the off-ramp at Eucalyptus Ave was analyzed, using that off-ramp provides the most direct access to the Project site. A vehicle using the NB I-215 Eastridge-Eucalyptus Off-Ramp would exit the freeway, travel west on Eastridge Avenue and proceed north on Sycamore Canyon Boulevard to Sierra Ridge Drive before turning west onto Lance Drive. This route includes only one signalized intersection at Sycamore Canyon Boulevard/Eastridge Avenue. A vehicle using the NB I-215 Alessandro Boulevard Off-Ramp would exit I-215, travel west on Alessandro Boulevard, proceed north on Sycamore Canyon Boulevard to Sierra Ridge Drive before turning west onto Lance Drive. This route includes three signalized intersections: Alessandro Boulevard/Sycamore Canyon Boulevard-Meridian Parkway, Sycamore Canyon Boulevard/Cottonwood Avenue, Sycamore Canyon Boulevard/Eastridge Avenue. Because outbound traffic is precluded from making left turns onto Lance Drive, outbound traffic will take Lance Drive south to Sierra Ridge Drive to Sycamore Canyon Boulevard. Because of the proximity of the Sierra Ridge Drive/Sycamore

Canyon Boulevard intersection to the I-215 Eastridge-Eucalyptus interchange, it is that likely vehicles will use that interchange instead of the I-215 Alessandro interchange. (See DEIR **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, **DEIR Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**, **DEIR Figure 5.16-5 – Project Trip Distribution (Trucks – Outbound)**, and **DEIR Figure 5.16-6 – Project Trip Distribution (Trucks – Inbound)**.) The analysis for the Eucalyptus Avenue off-ramp has been included in the traffic study with existing geometrics of 3 lanes and an approximately 530 foot accel/decel lane.

The mainline freeway was not analyzed and the Box Springs Road off-ramp was not analyzed because, as discussed in Response to Comment 8-K there will be no Project traffic using the off-ramp and, this off-ramp cannot be reached via NB I-215.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 8-R:**

The City appreciates Caltrans' review and comments they have provided on the DEIR. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Attachment 8.1: Email correspondence between WEBB Associates and Caltrans**

Caltra

**From:** Grace Cheng  
**Sent:** Friday, July 10, 2015 11:25 AM  
**To:** 'Roberts, Mark B@DOT'  
**Subject:** RE: Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hi Mark,

Thanks for the quick reply. We will include the merge/diverge analysis for Box Springs & Eucalyptus. The project won't be sending any trips to Alessandro so that ramp wouldn't need to be included in the analysis. For the ambient growth rate, we'll take a look at the RivTAM model which is based on the SCAG model, since that is what the Riverside County uses for their modelling. I'll get back to you on what that turns out to be. Thanks.



**Grace Lin Cheng, MS | MCP | PE** - Associate Engineer  
Albert A. Webb Associates  
3788 McCray Street, Riverside, CA 92506  
t: 951.320.6038  
e: [grace.cheng@webbassociates.com](mailto:grace.cheng@webbassociates.com) w: [www.webbassociates.com](http://www.webbassociates.com)  
[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [YouTube](#)

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**From:** Roberts, Mark B@DOT [<mailto:mark.roberts@dot.ca.gov>]  
**Sent:** Thursday, July 09, 2015 9:28 AM  
**To:** Grace Cheng  
**Subject:** RE: Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hello

I concur with the intersections to be studied.

Our Traffic Operations Division will also likely ask for a merge/diverge analysis for the affected Freeway ramps (Box Springs, Eucalyptus and Allesandro).

Related to the use of 2% growth rate assumption I'd prefer you use the 2012 SCAG RTP Model or other model based on the SCAG Model (if 2% is what you derive from the SCAG Model) then I concur as well.

\*\*\*\*\*

Caltrans  
District 8 (San Bernardino and Riverside Counties)  
Mark Roberts  
Office of Intergovernmental Review, Community and Regional Planning  
Senior Transportation Planner, AICP  
464 West 4th Street, 6th Floor, MS 725  
San Bernardino, CA 92401-1400

(909) 383-4557

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**From:** Grace Cheng [<mailto:grace.cheng@webbassociates.com>]  
**Sent:** Wednesday, July 08, 2015 11:54 AM  
**To:** Roberts, Mark B@DOT  
**Subject:** Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hi Mark,

Attached is a preliminary scoping agreement for a proposed project in the City of Riverside, located in the Sycamore Canyon Business Park area. As a part of the traffic study, we will be studying the I-215 freeway ramps at Fair Isle/Box Springs and Eucalyptus. Please review the scoping agreement and provide any comments you may have. Would these intersections be evaluated under a required level of service of D?  
Thanks.



Grace Lin Cheng, MS | MCP | PE - Associate Engineer  
Albert A. Webb Associates  
3788 McCray Street, Riverside, CA 92506  
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e: [grace.cheng@webbassociates.com](mailto:grace.cheng@webbassociates.com) w: [www.webbassociates.com](http://www.webbassociates.com)  
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## Comment Letter 9 – Johnson & Sedlack

9

**Johnson & Sedlack**  
ATTORNEYS AT LAW

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Carl T. Sedlack, Esq. Retired  
Abigail A. Smith, Esq.  
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Abby@socialceqa.com  
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Kendall@socialceqa.com  
Telephone: (951) 506-9925  
Facsimile: (951) 506-9725

*VIA E-MAIL and U.S. MAIL*

September 14, 2016

City of Riverside  
Community & Economic Development Dept., Planning Division  
Attn: Patricia Brenes, Principal Planner  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, California 92522  
pbrenes@riversideca.gov

**RECEIVED**  
SEP 15 2016  
Community & Economic  
Development Department

To the City of Riverside:

**Re: Request for Extension of Public Comment Period – Sycamore Canyon Business Park Buildings 1 and 2 Draft EIR (SCH # 2015081042)**

On behalf of the Sycamore Highlands Community Action Group, I am writing to request an extension of the public comment period for the Sycamore Canyon Business Park Buildings 1 and 2 Draft Environmental Impact Report (SCH # 2015081042). Notwithstanding the availability of the Draft EIR on or about August 10, 2016, the Draft EIR's Technical Appendices were not initially made available to the public through the City's website. Residents only received a copy of the Appendices on **August 25, 2016**.

9-A

Therefore, in order to have adequate time to review the substantial technical information supporting the Draft EIR, we request a brief, 15-day extension of the public comment period which currently closes on September 23, 2016.

Thank you for your consideration of this request.

Sincerely,

*Abigail Smith*

Abigail Smith  
JOHNSON & SEDLACK

## **Response to Comment Letter 9 – Johnson & Sedlack**

### **Response to Comment 9-A:**

The commenter's assertion that the Draft Environmental Impact Report's (DEIR) technical appendices were not initially made available to the public through the City's website is incorrect. The technical appendices were available on the City's website, at the City of Riverside Community & Development Department, and at the Main and Orange Terrace libraries on August 10, 2016. Nonetheless, the public comment period on the DEIR was extended to October 7, 2016.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 10 – Maureen Clemens

10

Patricia Brenes, Principal Planner  
3900 Main Street  
Riverside, CA 92522

9/14/16

**RECEIVED**

SEP 15 2016

Community & Economic  
Development Department

Re: Sycamore Canyon Business Park Building 1 and 2

Dear Ms. Brenes

I am enclosing a Location Map for you to study and I mean STUDY so you can see how many homes are impacted by the number of existing warehouses. You can wake up at 4:30 AM and if your windows are open you will hear the hum and beep, beep of Semi Tractor Trailer Trucks. You don't have to be directly in back of these warehouses you can be as far away as Lochmoor close to Central Avenue sound really carries up here.

10-A

This map does not show the warehouse that is closely and I mean closely behind the homes on Stockport. If you have a two story home on Stockport you will be looking at giant wall from your second story, which is usually your master bedroom.

10-B

If you go out in the early morning or mid-day or evening on Sycamore Canyon Blvd. you will encounter at least eight trucks in a one block area. These trucks were meant to enter and exit at Eastridge. They do not, they constantly enter and exit the Fair Isle Box Spring exit and entrance and have been known to go as far as Central to enter the 60 freeway.

10-C

I advise you to have a look, a good look at the Good Neighbor Guidelines adopted by the city on October 14<sup>th</sup>, 2008. Also you might want to review the City's Mission Statement: The City of Riverside is committed to providing high quality municipal services to ensure a safe, inclusive and **livable** community.

10-D

Sincerely,

Maureen Clemens  
6012 Abernathy Dr.  
Riverside, CA 92507



*Showing no release*

**Figure 2 - Location Map**  
Sycamore Canyon Business Park Buildings 1 and 2



## Response to Comment Letter 10 – Maureen Clemens

*Note: This is the second comment letter from Ms. Clemens. She is also the author of Comment Letter 6. This comment letter raises the issues of noise and traffic as did the previous letter.*

### **Response to Comment 10-A:**

The existing warehouses depicted on the provided map went through separate California Environmental Quality Act review processes at the time they were proposed. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

To thoroughly evaluate the proposed Project's construction and operational noise impacts on the surrounding residences as part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (the NIA), over 30 receptor locations were modeled (see DEIR **Figures 5.12-5 through 5.12-8**). Without mitigation, Project operational noise levels are expected to range between 30 dBA  $L_{eq}$  and 52 dBA  $L_{eq}$  at nearby sensitive receptors and up to 55 dBA  $L_{eq}$  along the westerly property line. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Noise Levels (Leq) No Mitigation**.) Therefore, unmitigated operational noise will not exceed the City's daytime exterior noise standards of 55 dBA  $L_{eq}$ . However, the Project's operational noise levels will exceed the nighttime exterior noise standard of 45 dBA  $L_{eq}$  along the western project boundary and certain single-family detached residential dwelling units adjacent to the northwest corner of the Project site as shown on DEIR **Figure 5.12-5 – Noise Levels (Leq) No Mitigation**. (DEIR, p. 5.12-27.)

In order to mitigate Project operational noise levels to the City's nighttime residential standard of 45 dBA  $L_{eq}$  at the affected sensitive receptors, a ten-foot noise barrier is required along the perimeter of the outdoor use areas per mitigation measure **MM NOI 16** below. This barrier is required at the top of the slope because the residences are at a higher elevation than the Project site. (DEIR, p. 5.12-28, 5.12-31, 5.12-34.)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the Project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square

foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate. (DEIR, p. 5.12-47.)

In addition to the noise barrier described in **MM NOI 16**, the use of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line (see **DEIR Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**) will be limited as indicated in mitigation measure **MM NOI 15** below: (DEIR, p. 5.12-28, 4.12-34.)

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**. (DEIR, p. 5.12-46.)

With construction of the proposed ten-foot barrier in **MM NOI 16** and the nighttime restrictions in **MM NOI 15**, interior and exterior nighttime noise levels at the residences adjacent to the Project site are not expected to exceed the City's exterior or interior nighttime noise standard. (DEIR, pp. 5.12-28, 5.12-34.)

Thus, although it is acknowledged that truck-related noise will be audible in the residences adjacent to and in the vicinity of the Project site, implementation of DEIR mitigation measures **MM NOI 13**, **MM NOI 14**, and **MM AQ 14** (below) in addition to **MM NOI 15** and **MM NOI 16** would reduce the Project's operational noise levels to be compliant with City code.

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine

noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system. (DEIR, p. 5.12-46.)

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-46.)

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language. (DEIR, p. 5.12-47.)

Nonetheless, because the residences west of the Project site are at a higher elevation than the Project site, the ten-foot tall barrier described in **MM NOI 16** is required on private property at the eastern edge of the residential lots, not at the property line at the bottom of the slope. Therefore, if the property owners do not allow for installation of this noise barrier, operational noise at two residences (Receptor Numbers 3 and 4, as shown on DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation** and DEIR **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation** will exceed the City's nighttime exterior noise standard of 45 dBA  $L_{eq}$  and operational noise impacts may be significant as disclosed in the DEIR. (DEIR, p. 5.12-28.) Although this impact is significant and unavoidable, with feasible mitigation incorporated, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 10-B:**

The existing warehouse located behind the homes on Stockport Drive was recently constructed and received separate approvals from the City Planning Commission on April 23, 2015. The proposed Project does not introduce building walls in close proximity to houses along Stockport Drive. The northern wall of Building 2 is located 100 feet south of the residential lots situated to the north of the Project site. There is 64 feet of landscaping between the northern property line of Parcel 2, a 30-foot-wide drive aisle north of Building 2, and an

additional 6-foot-wide landscape area between the drive aisle and the building (DEIR, **Figure 3-10 – Proposed Site Plan**).

With regard to the view from residences adjacent to the Project site, line of sight exhibits were prepared to evaluate the post-Project view (once all landscaping is mature) of the Project site from the residences to the north and northwest of the Project site and from the Sycamore Canyon Wilderness Park (DEIR, **Figures 3-14a through 3-14c – Line of Sight Exhibit**). Although the top of Building 2 will be visible from the second story of the residences to the north of the Project site, even once landscaping is mature, mitigation measure **MM AES 9** (below) will be implemented. This mitigation measure requires the north elevation of Building 2 and the west elevation of Building 1, the portions of the buildings that will be visible to the residences and users of Sycamore Canyon Wilderness Park, to include design elements, such as articulation to create pockets of light and shadow, designed to break up the long expanse of wall surface. This design shall be reviewed and approved by Design Review staff prior to Grading Permit Issuance. (DEIR, pp. 5.1-28 – 5.1-29.)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow. (DEIR, p. 5.1-35.)

Additionally, mitigation measure **MM AES 1** (below) requires the developer to install an 8-foot tall decorative (on both sides) block wall between the Project site and the residential properties to the north and northwest to provide a better visual appearance. The design and materials of this wall shall be subject to the approval of the Community and Economic Development Department Planning Division and the Parks, Recreation, and Community Services Department. (DEIR, p. 5.1-27)

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer

shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 10-C:**

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as "pork chops") at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA, which is, DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-

Ramp. (**DEIR Figure 5.16-1 – Study Area**; DEIR, p. 5.16-4.) All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA. This table is included as Attachment 10.1 to this response.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than the Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 10-D:**

The City adopted its *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72) Because each Project and property have different characteristics and circumstances, the City's

*Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. A screening HRA was prepared for the proposed Project in June 2016 (included as Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR).

None of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the Project vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. On January 9, 2017 the City submitted the New Modeling to SCAQMD for review. (DEIR, pp. 5.3-33 - 5.3-34, FEIR Attachment A.1, FEIR Attachment A.2.) On January 18, 2017, SCAQMD provided an e-mail to the City indicating they have no further comments on the HRA analysis.

Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. The site has been designed in order to minimize impacts on the adjacent residential areas, including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City’s *Good Neighbor Guidelines*.

The commenter notes the City’s Mission Statement: The City of Riverside is committed to providing high quality municipal services to ensure a safe, inclusive and livable community. The proposed Project has incorporated various Project design features that are consistent with, and in furtherance of, the City’s Mission Statement, such as no loading docks or cross dock facilities on the north of Building 2 adjacent to residences, the parking lot to accommodate users of the Sycamore Canyon Wilderness Park, the man-made earthen trail across the middle of the subject site in an east to west direction that leads into the adjacent Sycamore Canyon Wilderness Park to the west of the Project site, extensive tree planting, and the relocation of wetland area to blend with the Sycamore Canyon Wilderness Park.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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**Attachment 10.1: Roadway Segment Average Daily Traffic from Appendix C of the TIA**

Roadway Segment Average Daily Traffic (not PCE)

Street	From	To	Project Only					Cumulative (2018) Only										
			Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)						
Fairisle Drive-Box Springs Road	Sycamore Canyon Boulevard	I-215 Northbound Ramps	111	4	5	14	134	1515	11	5	14	1545						
Sycamore Canyon Boulevard	Fairisle Drive	I-215 Southbound Ramps	335	4	5	14	358	1358	25	13	34	1430						
Sycamore Canyon Boulevard	I-215 Southbound Ramps	Dan Kipper Drive	372	8	10	28	418	1522	30	16	42	1610						
Sycamore Canyon Boulevard	Dan Kipper Drive	Box Springs Boulevard	223	4	5	14	246	1505	52	47	120	1724						
Sycamore Canyon Boulevard	Box Springs Boulevard	Sierra Ridge Drive	223	4	5	14	246	1443	65	54	137	1699						
Sycamore Canyon Boulevard	Sierra Ridge Drive	Eastridge Avenue	1120	148	198	526	1992	1419	64	54	136	1673						
Eastridge Avenue	Sycamore Canyon Boulevard	Box Springs Boulevard	820	124	165	444	1554	1187	52	46	116	1401						
Eastridge Avenue	Box Springs Boulevard	I-215 Ramps	820	124	165	444	1554	2228	159	97	243	2727						

Street	From	To	Existing					Existing Plus Project										
			Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)						
Fairisle Drive-Box Springs Road	Sycamore Canyon Boulevard	I-215 Northbound Ramps	12075	410	30	175	12690	12185	414	35	189	12824						
Sycamore Canyon Boulevard	Fairisle Drive	I-215 Southbound Ramps	14530	400	25	200	15155	14865	404	30	214	15513						
Sycamore Canyon Boulevard	I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	13390	13157	208	110	333	13808						
Sycamore Canyon Boulevard	Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	12925	12553	204	95	309	13171						
Sycamore Canyon Boulevard	Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	9940	9548	154	40	344	10186						
Sycamore Canyon Boulevard	Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	11220	11835	288	258	831	13212						
Eastridge Avenue	Sycamore Canyon Boulevard	Box Springs Boulevard	12300	130	50	600	13080	13120	254	216	1044	14634						
Eastridge Avenue	Box Springs Boulevard	I-215 Ramps	14175	130	35	690	15030	14995	254	201	1134	16584						

Street	From	To	Existing Plus Ambient Growth (2018)					Existing Plus Ambient Growth (2018) Plus Project					Existing Plus Ambient Growth (2018) Plus Cumulative Projects					Existing Plus Ambient (2018) Plus Cumulative Plus Proj				
			Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)	Pass. Cars	2 Axle Trucks (not PCE)	3 Axle Trucks (not PCE)	4+ Axle Trucks (not PCE)	Total (not PCE)
Fairisle Drive-Box Springs Road	Sycamore Canyon Boulevard	I-215 Northbound Ramps	12800	435	32	185	13453	12911	439	37	200	13587	14315	446	37	200	14998	14426	450	42	214	15132
Sycamore Canyon Boulevard	Fairisle Drive	I-215 Southbound Ramps	15402	424	27	212	16065	15737	428	32	226	16423	16760	449	40	246	17495	17095	453	45	260	17853
Sycamore Canyon Boulevard	I-215 Southbound Ramps	Dan Kipper Drive	13552	212	105	323	14193	13924	220	116	351	14611	15074	242	122	365	15803	15445	250	132	393	16221
Sycamore Canyon Boulevard	Dan Kipper Drive	Box Springs Boulevard	13080	212	95	313	13700	13303	216	100	327	13945	14585	264	142	433	15424	14808	268	147	447	15670
Sycamore Canyon Boulevard	Box Springs Boulevard	Sierra Ridge Drive	9991	159	37	350	10537	10214	163	42	364	10783	11434	224	91	487	12235	11657	228	96	501	12482
Sycamore Canyon Boulevard	Sierra Ridge Drive	Eastridge Avenue	11358	148	64	323	11893	12478	296	262	849	13885	12777	212	118	459	13966	13897	360	316	965	15558
Eastridge Avenue	Sycamore Canyon Boulevard	Box Springs Boulevard	13038	138	53	635	13865	13858	262	219	1080	15419	14225	190	99	752	15266	15045	314	265	1196	16820
Eastridge Avenue	Box Springs Boulevard	I-215 Ramps	15025	138	37	731	15932	15845	262	203	1175	17485	17254	297	134	974	18659	18074	421	300	1418	20213



### Comment Letter 11 – Maureen Clemens

11

Community & Economic Development Department  
THE PLANNING COMMISSION  
3900 Main Street  
Riverside, CA 92502

9/15/16

RECEIVED

SEP 16 2016

Community & Economic  
Development Department

Re: Sycamore Canyon Business Park Building 1 and 2

THE ENTIRE PLANNING COMMISSION: (who ever you may be)

I am enclosing a Location Map for you to study and I mean STUDY so you can see how many homes are impacted by the number of existing warehouses. You can wake up at 4:30 AM and if your windows are open you will hear the hum and beep, beep of Semi Tractor Trailer Trucks. You don't have to be directly in back of these warehouses you can be as far away as Lochmoor close to Central Avenue, sound really carries up here.

11-A

This map does not show the warehouse that is closely and I mean closely behind the homes on Stockport. If you have a two story home on Stockport you will be looking at a giant wall from your second story, which is usually your master bedroom.

11-B

If you go out in the early morning or mid-day or evening on Sycamore Canyon Blvd. you will encounter at least eight trucks in a one block area. These trucks were meant to enter and exit at Eastridge. They do not, they constantly enter and exit the Fair Isle Box Spring exit and entrance and have been known to go as far as Central to enter the 60 freeway.

11-C

I advise you to have a look, a good look at the Good Neighbor Guidelines adopted by the city on October 14<sup>th</sup>, 2008. Also you might want to review the City's Mission Statement: The City of Riverside is committed to providing high quality municipal services to ensure a safe, inclusive and livable community.

11-D

Sincerely,  
*Maureen Clemens*  
Maureen Clemens  
6012 Abernathy Dr.  
Riverside, CA 92507  
*enclosure*

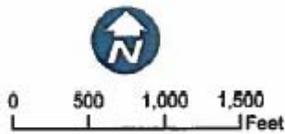
RECEIVED

SEP 16 2016

Community & Economic  
Development Department



**Figure 2 - Location Map**  
Sycamore Canyon Business Park Buildings 1 and 2



## **Response to Comment Letter 11 – Maureen Clemens**

*Note: This is the third comment letter from Ms. Clemens. She is also the author of Comment Letters 6 and 10. Comment Letter 11 is identical to Comment Letter 10, except it is addressed to the Planning Commission.*

### **Response to Comments 11-A through 11-D:**

Comment noted, please see Response to Comments 10-A to 10-D. This comment letter does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report.

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## Comment Letter 12 – Marla Diaz

12

City of  
Riverside  
September 21, 2016  
Community Development Department Planning Division  
Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042).

12-A

I can't believe that Riverside the city that strives to be about community is even thinking about putting another warehouse behind Sycamore Community.

I have a warehouse behind my home. Our home consists of me, my husband and 2 children. We already hear the 24 hour business of Big5 and have the light of the new warehouse shine through my children's window. The noise is very loud at night and my children are having a problem sleeping. If these two buildings are approved I can only imagine the noise my kids will have to deal with.

12-B

I work in distribution and know firsthand that fork lifts are noisy and there will be pollution. Also I see trailers parked on street waiting over the weekend for facilities to open. Who knows what these out of state truckers will bring to our COMMUNITY.

12-C

Please keep in mind the metro now is open and this will make it easy for truck drivers to pick up and drop off street walkers and make it easy for drug transactions. I see this in Ontario all the time.

12-D

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns described above. I believe that the draft EIR should be rewritten and alternate mitigation strategies (including NO development) should be considered.

12-E

Sincerely,

*Marla Diaz*  
1572 Stockport Dr.  
92507

## Response to Comment Letter 12 – Marla Diaz

### **Response to Comment 12-A:**

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City's *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14)

The Project currently proposed at the site is consistent with the GP 2025 and SCBPSP. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 12-B:**

The comment regarding existing noise from the Big 5 warehouse is noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential light and noise impacts. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. These measurements are taken to quantify the existing noise in the area so that the anticipated noise from the construction and operation of the proposed Project can be evaluated. The results of this monitoring is reported in **DEIR Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from existing adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) The NIA also quantified potential noise impacts associated with construction and operation of the proposed Buildings 1 and 2. (DEIR Appendix I.)

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) The Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below (DEIR, p. 5.12-46.) to reduce noise from nighttime operations.

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

As a result of implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit the noise barrier per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

The Project will introduce new sources of light in the form of security lighting, internal roadway and parking lot lighting within the Project site for public safety and operation of the proposed structures. The proposed lighting at the Project site has been designed in accordance with all applicable City codes to minimize spillover. Impacts with regard to new sources of light and glare were determined to be less than significant through compliance with the City's Zoning Code, mitigation measures **MM AES 10** and **MM HAZ 4**, any other applicable lighting requirements and regulations, and compliance with Staff Recommended Conditions of Approval modified below: (DEIR, pp. 5.1-29-5.1-31.)

**MM AES 10:** To ~~eliminate~~ reduce light spill and glow into the residential backyards to the north, lighting mounted on the north wall of Building 2 shall be placed on this wall as low as feasible to provide the required security lighting.

**MM HAZ 4:** The following additional MARB-required risk-reduction Project design features shall be incorporated into Project design:

- The Project will not include:
  - Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or FAA-approved obstruction lighting;
  - Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport;
  - Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area;
  - Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; or
  - Although such uses are not anticipated, in Building 1: Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities,

congregate care facilities, places of assembly, noise sensitive outdoor nonresidential uses and hazards to flight are prohibited.

- Any outdoor lighting that is installed will be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting will be downward facing;
- March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result;
- No skylights will be included;
- Exterior walls will consist of 8-inch-thick solid grouted, 4-hour rated concrete masonry;
- Building roof will consist of structural steel columns and steel roof structure framing elements, including structural steel decking;
- Use of windows will be limited to only the structures' main entrances;
- The structure will incorporate an enhanced fire sprinkler system to exceed California Fire Code requirements; and
- The structure will include emergency exits that exceed the exit requirements set forth by the Riverside County Fire Code by approximately 15 to 20 percent.
- The applicant will not propose any uses prohibited or discouraged in Compatibility Zones C1 or D. (DEIR, p. 5.1-36.)

With regard to lighting and the height of any light poles adjacent to the residences to the north, Staff recommended the following Condition of Approval, which has been modified as follows in the Errata to the DEIR:

An exterior lighting plan shall be submitted to Design Review staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lot shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties, and public rights-of-ways. No light spill shall be permitted on the MSHCP Conservation Area (Sycamore Canyon Wilderness Park). If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed fourteen (14) feet in height ~~twenty feet (20)~~ in height, including the height of any concrete or other base material within the 100-foot setback between Building 2 and the residential properties adjacent to the north property line and shall not exceed 20

feet in height, including the height of any concrete or other base material,  
elsewhere on the property.

For the reasons set forth above, impacts with regard to Project lighting will be less than significant with mitigation. (DEIR, p. 5.1-31.)

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 12-C:**

Comment noted. Pursuant to mitigation measure **MM AQ 15** in the DEIR, forklifts and other service equipment used at the site shall be electric or compressed natural gas-powered. This will reduce the amount of pollution produced by use of this equipment at the site and will result in quieter operation.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 12-D:**

Comment noted. It is uncertain what the commenter is referring to by “the metro is now open.” Additionally, there is no evidence provided that truck drivers using the Project site will engage in illegal activities. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis” (CEQA Guidelines, § 15088(c)). These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted (CEQA Guidelines, § 15088(c)). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

The DEIR fully addresses and compares the impacts associated with the proposed Project. The impact analysis and significance conclusions presented in the DEIR are based upon and supported by substantial evidence, including the technical analyses (i.e., traffic, noise, air quality, greenhouse gas emissions, biology, hydrology, land use consistency, and cultural resources) provided as appendices to the DEIR. The technical information is summarized and presented in the body of the DEIR, thus providing in full the factual basis for the conclusions. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because

such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment” (CEQA Guidelines, § 15064(f)(6)). The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview.” (*Anderson First Coalition v. City of Anderson* [2005] 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)].)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 12-E:**

The DEIR was prepared in accordance with the requirements of the State CEQA Guidelines and the City’s local guidelines for implementing CEQA. The DEIR contains a thorough analysis of the Project’s potential environmental impacts, including impacts related to noise and light and as addressed in Response to Comments 12-A through 12-C above.

CEQA requires the lead agency to consider a range of alternatives to the Project (State CEQA Guidelines Section § 15126.6(a)). According to this section of the State CEQA Guidelines, “...an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.” An EIR is not required to consider alternatives which are infeasible. Four alternatives were identified but rejected from detailed consideration because they either: failed to meet basic project objectives, were infeasible, or would not avoid significant environmental impacts. The alternatives rejected from detailed consideration included:

- Original Project as Submitted: The Project Applicant originally proposed a two building logistics center totaling 1.43 million square feet; however, during preparation of the DEIR the Project Applicant received feedback from the City, encouraging additional setback and landscaping as well as a reduction in the size of Building 2 due to various environmental impacts. Thus, the Project was redesigned to reduce environmental impacts and the original 1.43 million square foot Project has been withdrawn from consideration.

- Alternative Location 1: Palmyrita Avenue/Michigan Avenue: Alternative Location 1 was rejected from further analysis in the DEIR because the site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Also, Alternative Location 1 is located further from Interstate 215 and State Route 60, which could cause greater transportation impacts.
- Alternative Location 2: Meridian Business Park, Phase 3: Alternative Location 2 was rejected from further analysis in the DEIR because this location is outside of the City's jurisdictional boundary and owned by another party, which means that securing the needed entitlements for development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site.
- Alternative Location 3: property along Alessandro Boulevard within the Sycamore Canyon Business Park Specific Plan: All of the vacant parcels along Alessandro Boulevard and within the SCBPSP are owned by other entities and are either currently under construction or are too small for the proposed Project. The larger properties fronting Alessandro Boulevard are also owned by other property owners and are oddly shaped, which makes assemblage difficult. These properties are also traversed by drainages under the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, making development difficult. (DEIR, pp. 8-6 – 8-9.)

The DEIR also contained detailed consideration of three alternatives to the proposed Project, as summarized below.

Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by State CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some degree. (DEIR, p. 8-16.) Section 15126.6(f)(1) of the State CEQA Guidelines states that, among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form or another. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

Pursuant to State CEQA Guidelines Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should also be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The GP 2025 designates the Project site for Business/Office Park and the SCBPSP designates the site as Industrial, which permits the logistics center use proposed by the Project as well as industrial

and business office use, manufacturing, publishing and printing, research office and laboratory uses. Under Alternative 2, the Project site would be developed with approximately 1.37 million SF of manufacturing uses. (DEIR, p. 8-16.)

Alternative 2 would generate approximately twice as many trips as the proposed Project and none of this alternative's environmental impacts would be decreased in comparison to the proposed Project. Additionally, this alternative does not meet any of the Project objectives associated with development and operation of a logistics center. Therefore, this alternative was rejected as infeasible. (DEIR, pp. 8-24 – 8-25.)

Alternative 3, the reduced density alternative, would reduce the building floor area by 30 percent of that proposed in the original 1.43 million SF project. The reduced density alternative could be realized by scaling down both proposed buildings. (DEIR, p. 8-25.)

Because Alternative 3 reduces development by 30 percent in comparison to the proposed Project, this alternative would have reduced impacts to air quality, greenhouse gas emissions, noise, and transportation/traffic. However, this alternative does not reduce the Project's significant and unavoidable impacts to air quality, noise, or transportation/traffic to a less than significant level. Additionally, Alternative 3 meets most of the Project objectives to a lesser degree than that of the proposed Project. The feasibility of this alternative is further reduced due to economic concerns: unless site coverages reaches at least 45 percent, the rate of return from the lease would be too low to justify the risk and cost of investment and there would be a loss of economies of scale in the construction of smaller buildings, which would drive the rate of return on investment to below zero. Thus, Alternative 3 is rejected as infeasible. (DEIR, p. 8-33.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 13 – Ric Wade

13

**Brenes, Patricia**

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**From:** ric wade <waderic1028@att.net>  
**Sent:** Wednesday, September 21, 2016 9:07 PM  
**To:** Brenes, Patricia  
**Subject:** [External] Comments Re: Sycamore Canyon Business Park Buildings 1 and 2

September 21, 2016

13-A

My property, 6058 Cannich Road, Riverside, is directly impacted by noises that will come from the 1.3 million square foot warehouses proposed to be constructed. Contrary to the noise studies noted in the DEIR, no comments were stated regarding sound and ground vibration that occurs from semi-trailers being dropped to the surface from the trailer forklifts. When winds come from the south or east, this noise increases substantially to our property.

Another observation during my morning walks in the Sycamore trails, I am seeing semi trucks now coming down Lochmoor street as a means of avoiding the congestion of cars and trucks on Sycamore Canyon road and Eastridge as well as the gridlock each morning on the 215S and 60E connectors.

13-B

Rick Wade  
6058 Cannich Road

## Response to Comment Letter 13 – Ric Wade

### **Response to Comment 13-A:**

The commenter's concerns are noted. With regard to exposure to persons from groundborne vibration (annoyance) Table 1 in the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (DEIR Appendix I) (the "NIA") presents "Vibration Source Levels for Construction Equipment" (Federal Transit Administration 2006). DEIR **Table 5.12-I – Vibration Source Levels for Construction Equipment** includes the same information. NIA Table 2 and DEIR **Table 5.12-H – Typical Human Reaction and Effect on Buildings Due to Groundborne Vibration** includes "Typical Human Reaction and Effect on Buildings due to Groundborne Vibration (Caltrans 2002). The NIA acknowledges that vibratory construction equipment may annoy persons within 100 feet of on-site Project construction.

Use of a vibratory roller, which may occur within 25 feet of an adjacent receptor could generate up to 0.21 PPV (94 VdB) at a distance of 25 feet; and operation of a large bulldozer (0.089 PPV (87 VdB) at a distance of 25 feet (two of the most vibratory pieces of construction equipment) for a few days. Groundborne vibration at sensitive receptors associated with this equipment would drop off as the equipment moves away. For example, as the vibratory roller moves further than 100 feet from the sensitive receptors, the vibration associated with it would drop below 75 VdB. The use of vibratory construction equipment will be short term and temporary and the DEIR includes mitigation measures **MM NOI 6** and **MM NOI 9** to minimize vibration impacts.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-45.)

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible. (DEIR, p. 5.12-46.)

Further, any annoyance would only occur during site grading and preparation activities as trailer trucks are prohibited from use of the driveway located between the sensitive receptors located north of the Project site and the proposed building and sensitive receptors upslope and to the west of the Project site are too far away to be affected.

With regard to sound associated with trailer hitching and unhitching, the Project's operational noise levels shown on DEIR **Figure 5.12-5 – Project Operational Noise Levels (Leq) No Mitigation** and **Figure 5.12-6 – Project Operational Noise Levels (Leq) with Mitigation** includes all noise associated with Project operations including: vehicles arriving, trucks and trailers moving around the Project site, back-up beepers, hitching and unhitching of trailers, and the movement of trailers into the loading docks averaged over a one hour period. The NIA

and DEIR also evaluated and disclosed maximum noise levels ( $L_{max}$ ) resulting from trailers hitching and unhitching. As stated on page 5.12-34 of the DEIR, the maximum noise event from the dock areas without mitigation could reach up to 63 dBA  $L_{max}$  at the nearest sensitive receptor, which does not exceed the City's daytime or nighttime noise standards. Additionally, the Project will implement mitigation measure **MM NOI 15**, which limits the use of the loading area and trailer parking located south of Building 2 and within 360 feet of the western property line. With implementation of mitigation measure **MM NOI 15** (listed below), noise impacts will be reduced to less than significant for all sensitive receptors except for the following two receptors: receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich).

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**. (DEIR, p. 5.12-46.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 13-B:**

The commenter's observation regarding trucks on Lochmoor Drive is noted; however, these trucks are not related to the proposed Project.

With regard to the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Boulevard, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as "pork chops") at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From

the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 14 – Alec Gerry

14

### **Brenes, Patricia**

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**From:** Alec Gerry <alecg@ucr.edu>  
**Sent:** Wednesday, September 21, 2016 11:26 PM  
**To:** Brenes, Patricia; sycamorehighlands@yahoo.com  
**Subject:** [External] Mega warehouses proposed for Sycamore Canyon Business Park

City of Riverside

Community Development Department Planning Division

Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042).

14-A

My family already suffers from warehouse noise, particularly in the nighttime and very early morning hours (2am-6am is the worst!). Yet the nearest warehouse to me (Big 5) is approximately 2,000 feet away from my home. Much of the early morning noise comes from the Ralphs facility which is over 2,700 feet from my home. Sound travels very far in the canyon and into the residential homes due to the geography of the area. The acoustics of this area were not well modeled in the EIR - in fact the noise monitoring in the EIR was frankly a joke with sound not measured at locations where and during environmental conditions when noise would be expected to be most severe. I can tell you that warehouse noises are much greater on cloudy nights, high humidity nights, and nights when the wind blows toward the north. These were not the conditions when noise was monitored. If my children, my wife, and I are already awakened many nights by warehouse noise (backup alarms and truck horns) when warehouses are over 2,000 feet away, it can only be anticipated that noise will be much worse if the new MEGA warehouses are built just 700 or so feet away from my home. And I cannot even imagine the torture of being one of the closest homes to the Business Park!!

I want to also state that the traffic patterns mentioned in the draft EIR are inaccurate. Many trucks travel north on Sycamore Canyon Blvd from the warehouses (not just the 5% modeled). Also, many of the warehouses in the area currently vacant so their truck traffic is not included in any traffic analysis, but when these warehouses are filled, the number of truck visits per day will be well more than what is modeled in the EIR. We already have very heavy traffic on Sycamore Canyon Blvd and the Box Springs entrance and exit from the 60 freeway. This will only be worse if the two proposed warehouses are constructed. In fact, trucks already are coming into our community looking for short cuts around the traffic jams on Sycamore Canyon Blvd.

14-B

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns above. I believe that the draft EIR should be reconsidered and alternate mitigation strategies (including NO development) should be considered.

14-C

Sincerely,

**Dr. Alec C. Gerry**  
**Professor of Veterinary Entomology**  
**UC Extension Specialist in Veterinary Entomology**  
**(951) 827-7054**  
**[www.veterinaryentomology.ucr.edu](http://www.veterinaryentomology.ucr.edu)**

## Response to Comment Letter 14 – Alec Gerry

### **Response to Comment 14-A:**

The comment regarding existing noise from the Big 5 warehouse is noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. The results of this monitoring is reported in Draft Environmental Impact Report (DEIR) **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that change in the noise levels resulting from Project implementation would be overstated. Existing noise levels in the Project vicinity were measured on five separate days in December 2015. (DEIR, Table 5.12-B.) These measurements consist of three 10-minute, short-term, noise measurements and two 24-hour, long-term, noise measurements. Noise measurement locations were chosen to reflect different existing noise environments from the residents to the northwest of the Project site as well as residents to the north of the Project site. It is important to note that, in selecting the locations for ambient monitoring, locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to an increase in noise associated with the Project. Again, the purpose of the ambient noise measurements is to provide a basis for the comparison of noise with and without the Project; thus, longer term measurements are not necessary. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City's Noise Ordinance or applicable standards.

Regarding meteorological conditions, precipitation, rain, snow, or fog, has an insignificant effect on sound levels although the presence of precipitation will affect humidity and may also affect wind and temperature gradients. (Sound Propagation.<sup>1</sup>) As sound travels through the atmosphere, it is affected by temperature, humidity, and wind currents, which can change the speed and direction of sound. Just as light bends when traveling through a prism, sound bends as a result of the varying atmospheric properties. Sound waves tend to bend toward

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<sup>1</sup> Sound Propagation website. (Available at [https://www.sfu.ca/sonic-studio/handbook/Sound\\_Propagation.html](https://www.sfu.ca/sonic-studio/handbook/Sound_Propagation.html), accessed November 27, 2016.)

cooler temperatures and away from warmer temperatures. For example, on a typical summer afternoon, because air temperatures generally decrease with altitude, sound generated at ground level would bend upward towards the cooler air. For a person at the same level as the sound, the sound waves are bending up and over the person listening, creating what is known as a shadow zone. When this occurs, a noise source may be visible at a distance but be perceived as quieter than expected. When the air temperature is cooler close to the ground than it is at higher altitudes, such as late at night or over calm lakes or icy surfaces, the sound waves bend closer to the ground and if the ground is reflective, the sound bounces off the ground and may propagate (travel) further than expected. (Cowan,<sup>2</sup> pp. 11, 19-21.) Because the effects of temperature gradients are more important over long distances (Caltrans TeNS<sup>3</sup>), these gradients would not substantially change the results of the NIA.

Generally speaking, wind currents allow sound to travel further than expected when the sound is being emitted in the same direction as the wind (downwind) and sound will travel a shorter distance than expected when the sound is being emitted in the direction against the wind (upwind). (Cowan, p. 21.)

The NIA used SoundPLAN to model the Project’s construction and operational noise. SoundPLAN allows the user to input humidity and temperature into the model. For purposes of the NIA, modeled temperature was 66 degrees Fahrenheit (66° F) and 49 percent humidity. According to Weather Underground, the average temperature for the City of Riverside is 69° F and average humidity is 49.7 percent. Between November 2015 and November 2016, the highest temperature in Riverside was 114° F and the lowest temperature was 33° F. To evaluate the effects of changes in temperature and humidity referenced in the commenter’s comment, four new modeling runs were prepared assuming: (i) temperature at 33° F and 0% humidity, (ii) temperature at 33° F and 100% humidity, (iii) temperature at 114° F and 0% humidity, and (iv) temperature at 114° F and 100% humidity. The results of this analysis, which does not change or materially impact the conclusions set forth in the NIA and DEIR, is summarized in the table below and shown on the attached figures.

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity (Figure A)	Noise Level at 33° F and 100% humidity (Figure B)	Noise Level at 114° F and 0% humidity (Figure C)	Noise Level at 114° F and 100% humidity (Figure D)
1 first floor	43	42	43	41	41
1 second floor	45	44	45	43	44
2 first floor	30	30	30	30	30
2 second floor	32	32	32	32	32
3 first floor	45	45	45	44	44

<sup>2</sup> Cowan refers to the *Handbook of Environmental Acoustics*, published by John Riley & Sons, Inc., 1994.

<sup>3</sup> Caltrans TeNS refers to the Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013. (Available at [http://www.dot.ca.gov/hq/env/noise/pub/TeNS\\_Sept\\_2013B.pdf](http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf), accessed November 27, 2016.)

<b>Receptor No. per DEIR Figure 5.12-5</b>	<b>Noise Level per DEIR Figure 5.12-5</b>	<b>Noise Level at 33° F and 0% humidity (Figure A)</b>	<b>Noise Level at 33° F and 100% humidity (Figure B)</b>	<b>Noise Level at 114° F and 0% humidity (Figure C)</b>	<b>Noise Level at 114° F and 100% humidity (Figure D)</b>
3 second floor	49	48	49	48	48
4 first floor	48	47	48	47	47
4 second floor	52	51	52	51	51
5 first floor	49	49	49	49	49
5 second floor	50	49	50	49	49
6 first floor	43	43	43	43	43
6 second floor	44	43	44	43	43
7 first floor	38	38	38	38	38
7 second floor	39	39	39	39	39
8 first floor	33	33	33	33	33
8 second floor	35	35	35	35	35
9 first floor	35	35	35	34	35
9 second floor	37	37	37	36	36
10 first floor	39	38	39	37	38
10 second floor	41	40	41	39	40
11 first floor	33	33	33	33	33
11 second floor	35	35	35	35	35
12 first floor	31	31	32	31	32
12 second floor	34	34	34	34	34
13 first floor	30	30	30	30	30
13 second floor	32	32	32	32	32
14 first floor	31	31	31	31	31
14 second floor	33	33	33	33	33
15 first floor	32	31	32	32	32
15 second floor	34	34	34	34	34
16 first floor	31	31	31	31	31
16 second floor	34	33	34	34	34
17	30	30	30	30	30
18 first floor	44	43	44	43	43
18 second floor	45	44	45	44	44
19 first floor	43	43	43	42	42
19 second floor	43	43	43	43	43
20 first floor	31	31	31	31	31
20 second floor	37	37	37	37	37
21 first floor	34	34	34	34	34
21 second floor	39	39	39	38	38
22	36	36	36	36	36
23 first floor	36	36	36	35	36
23 second floor	37	37	38	37	37
24 first floor	33	32	33	32	32

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity (Figure A)	Noise Level at 33° F and 100% humidity (Figure B)	Noise Level at 114° F and 0% humidity (Figure C)	Noise Level at 114° F and 100% humidity (Figure D)
24 second floor	35	34	35	34	34
25 first floor	31	30	31	30	31
25 second floor	34	34	34	34	34
26 first floor	29	29	29	29	29
26 second floor	32	32	32	32	32
27 first floor	32	32	32	32	32
27 second floor	34	33	33	33	33
28 first floor	31	31	31	31	31
28 second floor	34	34	34	34	34
29 first floor	30	30	30	30	30
29 second floor	33	33	33	33	33
30 first floor	31	31	31	31	32
30 second floor	35	35	35	34	35
31	48	48	48	48	48
32	47	47	47	47	47
33	38	38	38	37	37
34	55	54	54	54	54

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City’s daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays from the standards of the Noise Code. Pursuant to this new Ordinance, the construction noise from the Project, would not have resulted in a significant impact.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site’s northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise

levels in excess of standards established in the Riverside Municipal Code, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all

receptors except two residences located northwest of the Project site. Because these residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 14-B:**

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

With respect to the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Boulevard, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA, which is, DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. (**DEIR Figure 5.16-1 – Study Area**; DEIR, p. 5.16-4.) All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at the Fair Aisle Drive off ramps than the Eastridge Avenue off-ramps; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive.

The TIA studied several development scenarios, including the Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+P+C). In order to quantify potential cumulative impacts and in compliance with State CEQA Guidelines Section 15130(b)(1)(A), a list of past, present, and probable future projects that may potentially have a cumulative impact on traffic was developed based on consultation with City of Riverside and City of Moreno Valley staff (**DEIR, Figure 5.16-9**). This list of projects includes several warehouses, and associated traffic, that have been recently constructed or are planned in the vicinity of the Project site.

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 14-C:**

The DEIR was prepared in accordance with the requirements of the State CEQA Guidelines and the City's local guidelines for implementing CEQA. The DEIR contains a thorough analysis

of the Project's potential environmental impacts, including impacts related to noise and light and as addressed in Response to Comments 12-A through 12-C above.

CEQA requires the lead agency to consider a range of alternatives to the Project (State *CEQA Guidelines* Section § 15126.6(a). According to this section of the State *CEQA Guidelines*, "...an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." An EIR is not required to consider alternatives which are infeasible. Four alternatives were identified but rejected from detailed consideration because they either: failed to meet basic project objectives, were infeasible, or would not avoid significant environmental impacts. The alternatives rejected from detailed consideration included:

- Original Project as Submitted: The Project Applicant originally proposed a two building logistics center totaling 1.43 million square feet; however, during preparation of the DEIR the Project Applicant received feedback from the City encouraging additional setback and landscaping as well as a reduction in the size of Building 2 due to various environmental impacts. Thus, the Project was redesigned to reduce environmental impacts and the original 1.43 million square foot Project has been withdrawn from consideration.
- Alternative Location 1: Palmyrita Avenue/Michigan Avenue: Alternative Location 1 was rejected from further analysis in the DEIR because the site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Also, Alternative Location 1 is located further from Interstate 215 and State Route 60, which could cause greater transportation impacts.
- Alternative Location 2: Meridian Business Park, Phase 3: Alternative Location 2 was rejected from further analysis in the DEIR because this location is outside of the City's jurisdictional boundary and owned by another party, which means that securing the needed entitlements for development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site.
- Alternative Location 3: property along Alessandro Boulevard within the *Sycamore Canyon Business Park Specific Plan*: All of the vacant parcels along Alessandro Boulevard and within the *SCBPSP* are owned by other entities and are either currently under construction or are too small for the proposed Project. The larger properties fronting Alessandro Boulevard are also owned by other property owners and are oddly shaped, which makes assemblage difficult. These properties are also traversed by drainages under the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, making development difficult. (DEIR, pp. 8-6 – 8-9.)

The DEIR also contained detailed consideration of three alternatives to the proposed Project, as summarized below.

Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by State CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some degree. (DEIR, p. 8-16.) Section 15126.6(f)(1) of the State CEQA Guidelines states that, among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form or another. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

Pursuant to State CEQA Guidelines Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should also be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The GP 2025 designates the Project site for Business/Office Park and the *SCBPSP* designates the site as Industrial, which permits the logistics center use proposed by the Project as well as industrial and business office use, manufacturing, publishing and printing, research office and laboratory uses. Under Alternative 2, the Project site would be developed with approximately 1.37 million SF of manufacturing uses. (DEIR, p. 8-16.)

Alternative 2 would generate approximately twice as many trips as the proposed Project and none of this alternative's environmental impacts would be decreased in comparison to the proposed Project. Additionally, this alternative does not meet any of the Project objectives associated with development and operation of a logistics center. Therefore, this alternative was rejected as infeasible. (DEIR, pp. 8-24 – 8-25.)

Alternative 3, the reduced density alternative, would reduce the building floor area by 30 percent of that proposed in the original 1.43 million SF project. The reduced density alternative could be realized by scaling down both proposed buildings. (DEIR, p. 8-25.)

Because Alternative 3 reduces development by 30 percent in comparison to the proposed Project, this alternative would have reduced impacts to air quality, greenhouse gas emissions, noise, and transportation/traffic. However, this alternative does not reduce the Project's significant and unavoidable impacts to air quality, noise, or transportation/traffic to a less than significant level. Additionally, Alternative 3 meets most of the Project objectives to a lesser degree than that of the proposed Project. The feasibility of this alternative is further reduced due to economic concerns: unless site coverages reaches at least 45 percent, the rate of return from the lease would be too low to justify the risk and cost of investment and there would be a loss of economies of scale in the construction of smaller buildings, which would drive the rate

of return on investment to below zero. Thus, Alternative 3 is rejected as infeasible. (DEIR, p. 8-33.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

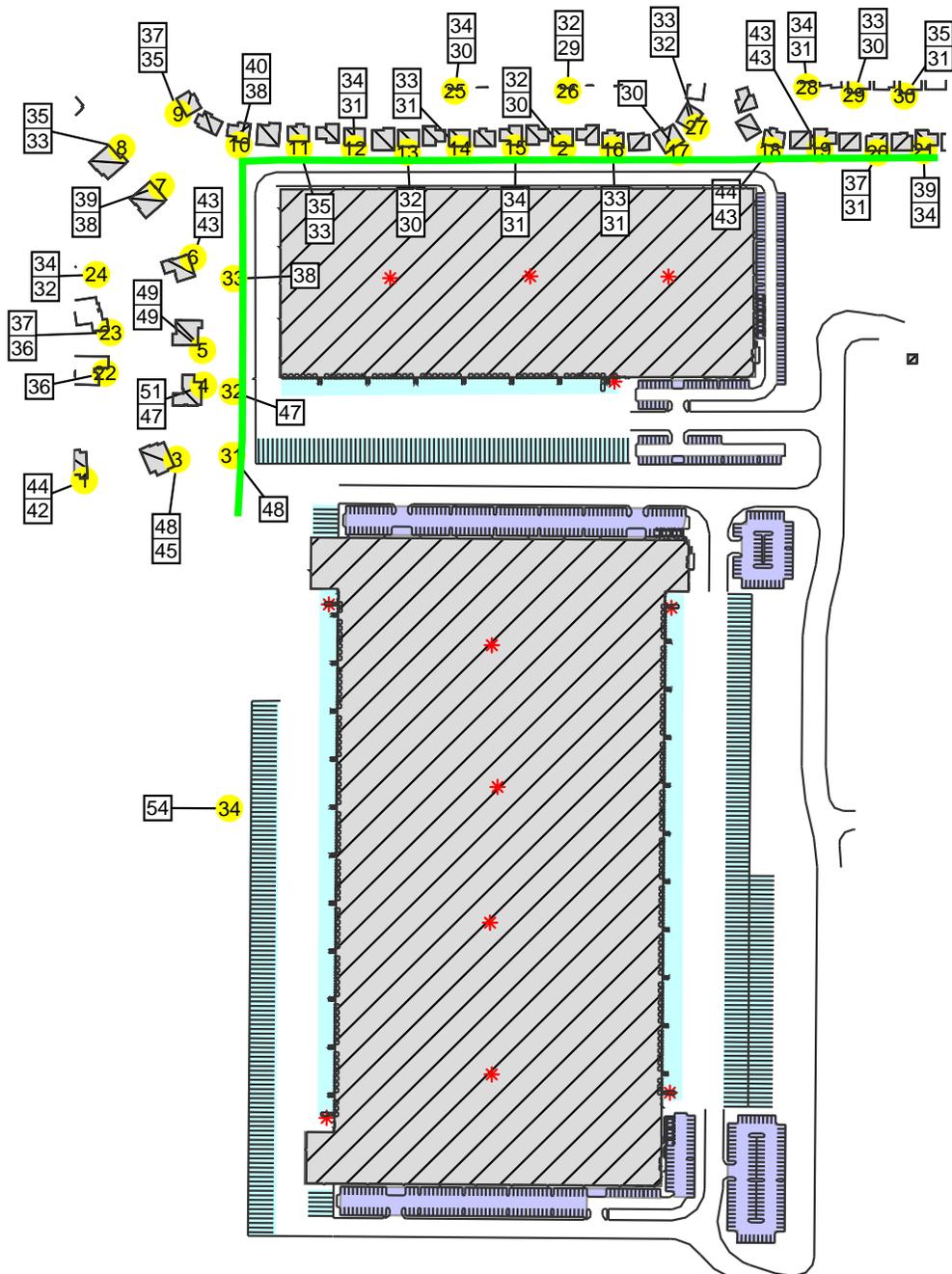


Figure A  
Operational Noise Levels (Leq)  
No Mitigation  
33 degrees F 0% Humidity

Signs and symbols

- Perimeter Wall
- Receiver
- \* HVAC & Trash Compactors
- Loading/Unloading Areas  
Trailer Parking
- Parking Lots - Peak Hour Traffic

Level tables

35	35
2	35
1	35

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



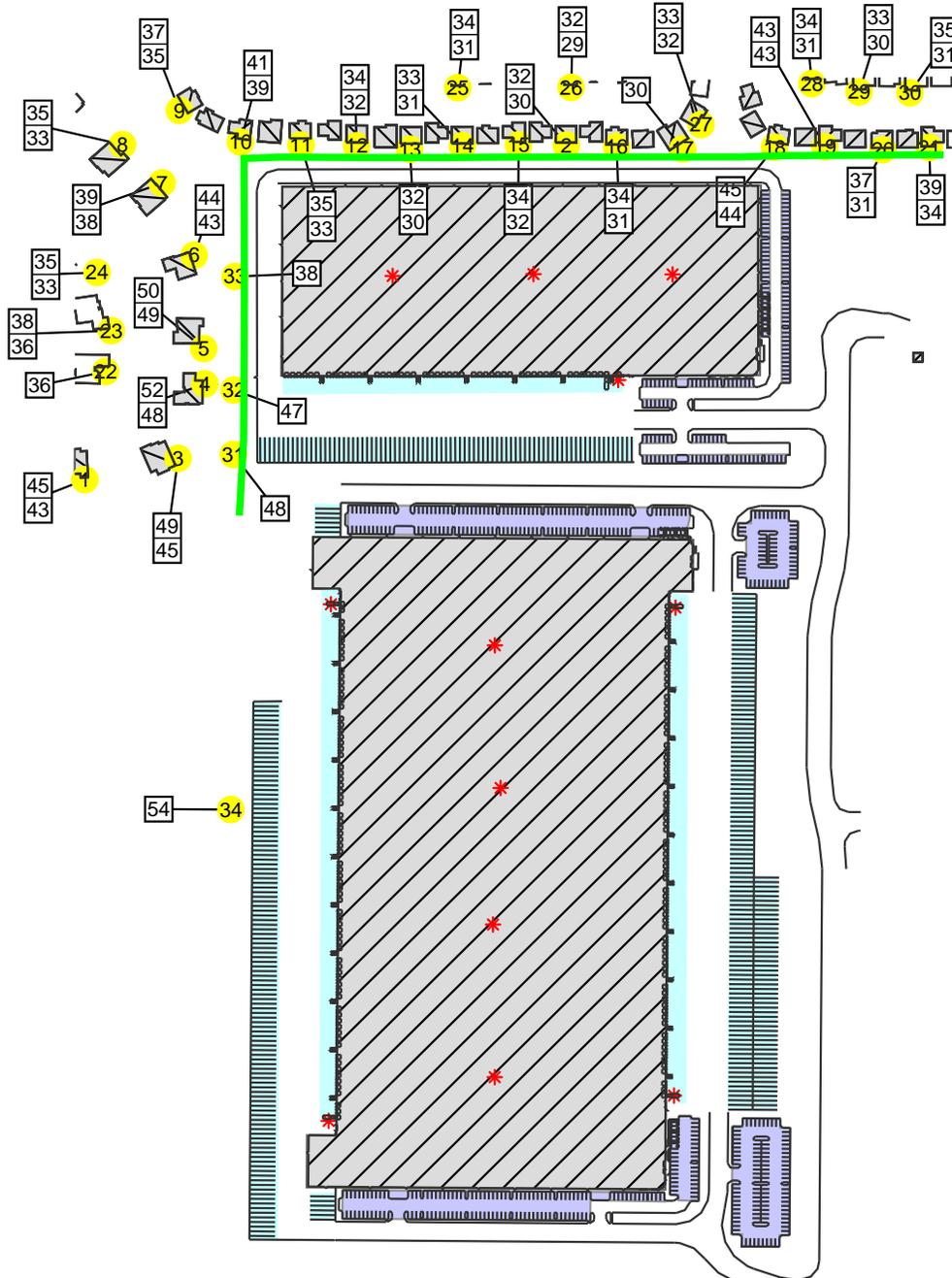


Figure B  
Operational Noise Levels (Leq)  
No Mitigation  
33 degrees F 100% Humidity

Signs and symbols

-  Perimeter Wall
-  Receiver
-  HVAC & Trash Compactors
-  Loading/Unloading Areas  
Trailer Parking
-  Parking Lots - Peak Hour Traffic

Level tables

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



KUNZMAN ASSOCIATES, INC.  
OVER 40 YEARS OF EXCELLENT SERVICE

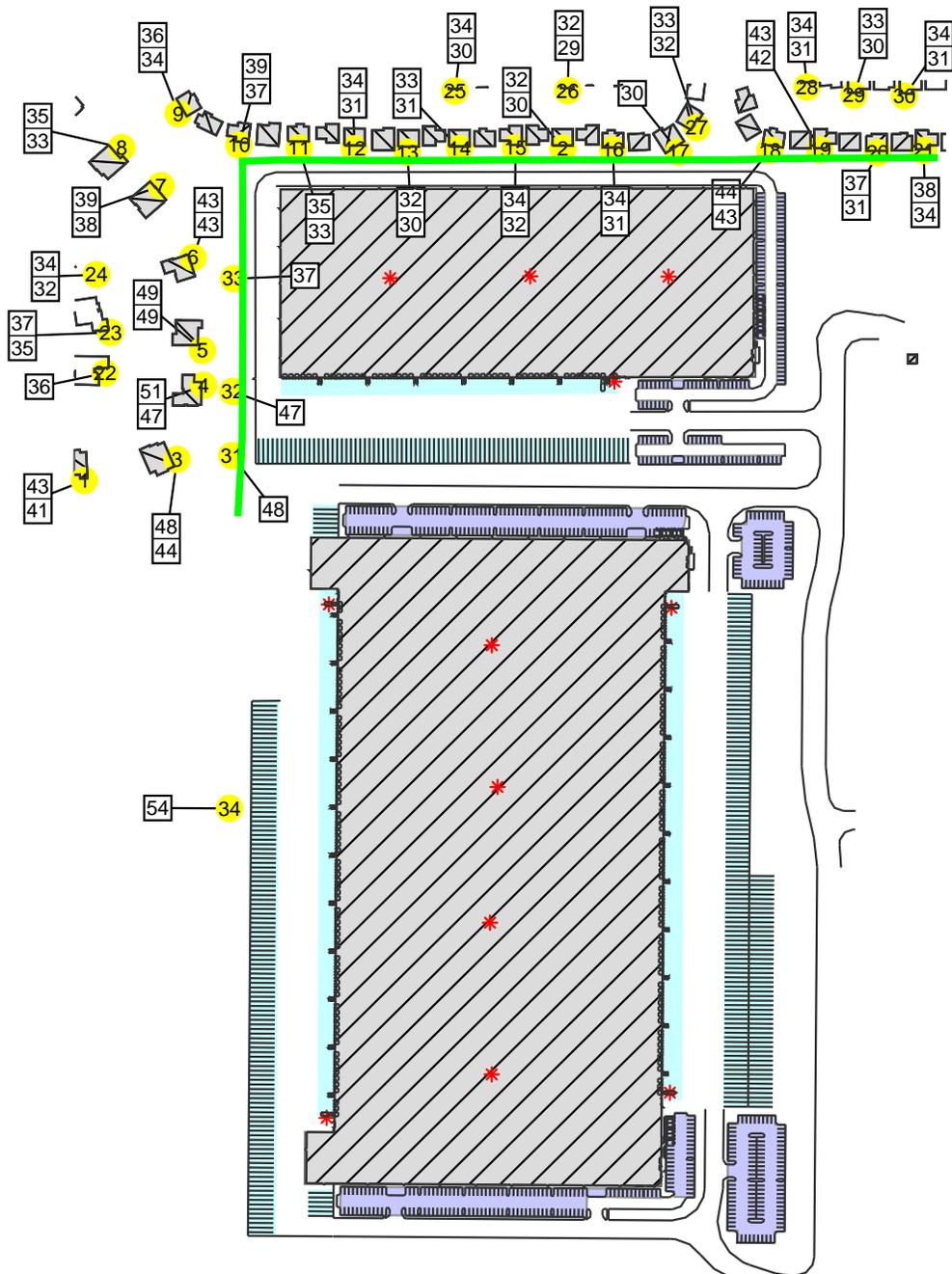


Figure C  
Operational Noise Levels (Leq)  
No Mitigation  
114 degrees F 0% Humidity

Signs and symbols

- Perimeter Wall
- Receiver
- \* HVAC & Trash Compactors
- Loading/Unloading Areas  
Trailer Parking
- Parking Lots - Peak Hour Traffic

Level tables

3	50	55
2	50	51
1	57	59

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



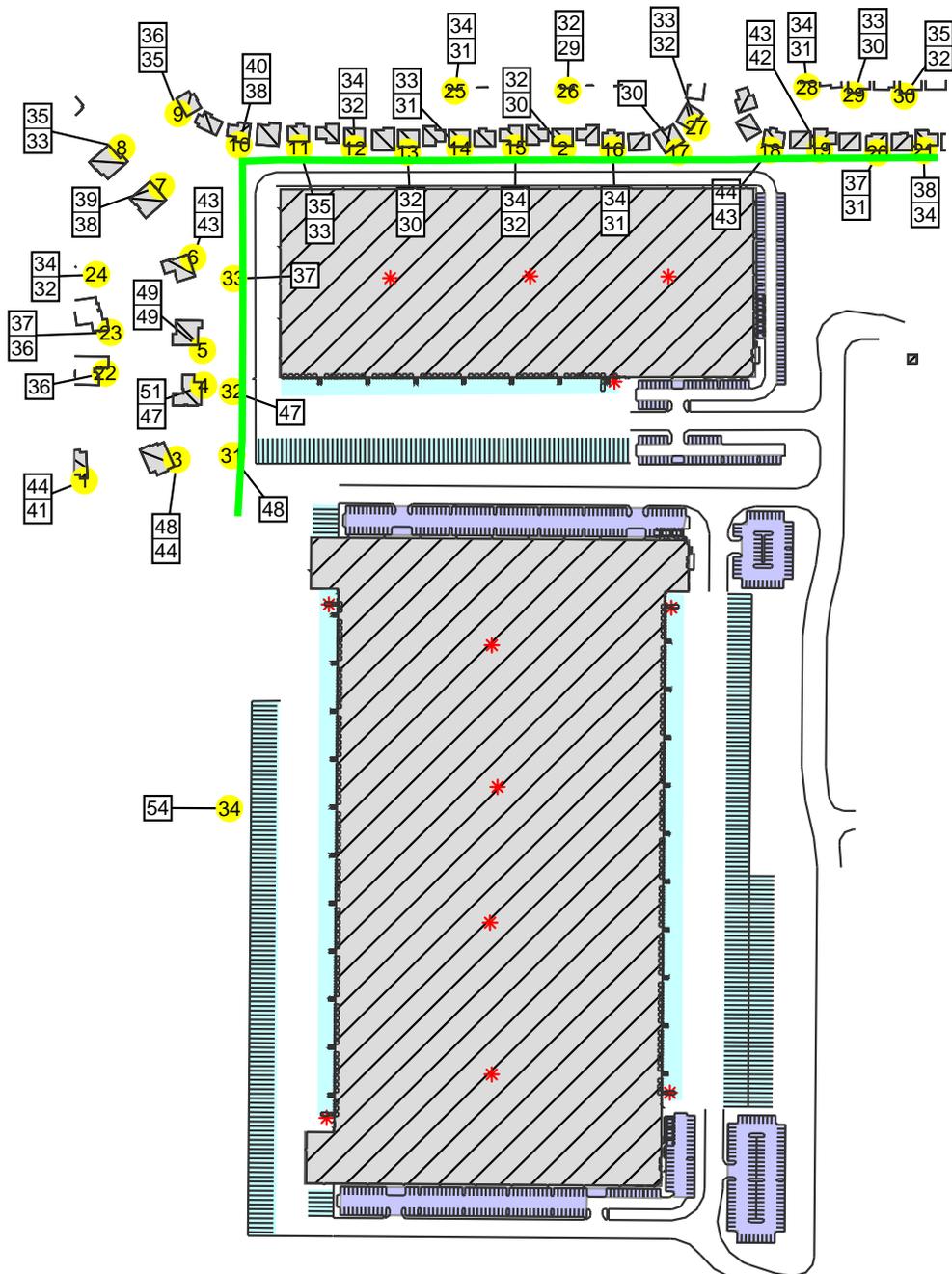


Figure D  
Operational Noise Levels (Leq)  
No Mitigation  
114 degrees 100% Humidity

Signs and symbols

- Perimeter Wall
- Receiver
- \* HVAC & Trash Compactors
- Loading/Unloading Areas  
Trailer Parking
- Parking Lots - Peak Hour Traffic

Level tables

35	35
2	35
1	35

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



## Comment Letter 15 – Alec Gerry

15

### **Brenes, Patricia**

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**From:** Alec Gerry <alecgerry@sbcglobal.net>  
**Sent:** Thursday, September 22, 2016 6:57 AM  
**To:** Brenes, Patricia  
**Subject:** [External] Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042).

City of Riverside  
Community Development Department Planning Division  
Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042).

15-A

My family already suffers from warehouse noise, particularly in the nighttime and very early morning hours (2am-6am is the worst!). Yet the nearest warehouse to me (Big 5) is approximately 2,000 feet away from my home. Much of the early morning noise comes from the Ralphs facility which is over 2,700 feet from my home. Sound travels very far in the canyon and into the residential homes due to the geography of the area. The acoustics of this area were not well modeled in the EIR - in fact the noise monitoring in the EIR was frankly a joke with sound not measured at locations where and during environmental conditions when noise would be expected to be most severe. I can tell you that warehouse noises are much greater on cloudy nights, high humidity nights, and nights when the wind blows toward the north. These were not the conditions when noise was monitored. If my children, my wife, and I are already awakened many nights by warehouse noise (backup alarms and truck horns) when warehouses are over 2,000 feet away, it can only be anticipated that noise will be much worse if the new MEGA warehouses are built just 700 or so feet away from my home. And I cannot even imagine the torture of being one of the closest homes to the Business Park!!

I want to also state that the traffic patterns mentioned in the draft EIR are inaccurate. Many trucks travel north on Sycamore Canyon Blvd from the warehouses (not just the 5% modeled). Also, many of the warehouses in the area currently vacant so their truck traffic is not included in any traffic analysis, but when these warehouses are filled, the number of truck visits per day will be well more than what is modeled in the EIR. We already have very heavy traffic on Sycamore Canyon Blvd and the Box Springs entrance and exit from the 60 freeway. This will only be worse if the two proposed warehouses are constructed. In fact, trucks already are coming into our community looking for short cuts around the traffic jams on Sycamore Canyon Blvd.

15-B

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns above. I believe that the draft EIR should be reconsidered and alternate mitigation strategies (including NO development) should be considered.

15-C

Sincerely,

Alec Gerry  
6017 Cannich Road  
Riverside, CA 92507

## **Response to Comment Letter 15 – Alec Gerry**

*Note: This is the second comment letter from Mr. Gerry. He is also the author of Comment Letter 14. Comment Letter 15 is identical to Comment Letter 14, except it was sent from a different email address.*

### **Response to Comments 15-A through 15-C:**

Comment noted, see Responses to Comment 14-A through 14-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report.

## Comment Letter 16 – Jesus Galvan

16

September 22, 2016

City of Riverside  
Community and Economic Development  
Department, Planning Division  
Attn: Patricia Barnes

**RECEIVED**  
SEP 27 2016  
Community & Economic  
Development Department

Subject: Comments to Draft Environmental Impact Report (DEIR); Clearinghouse no. 2015081042

Patricia:

Here are my comments to the DEIR:

- |   |   |      |
|---|---|------|
| 1 | Table 1-B-DEIR Impact Summary Matrix. Aesthetics "Substantially degrade the existing visual character or quality of the site and its surroundings"- More than just including trees to block out the view of building 2 needs to be done to address this issue. Building 2 can be graded in such a way to avoid it towering 30 feet in view of the homes. By grading, the building profile could be reduced to below a standard home fence.  | 16-A |
| 2 | Choosing "Alternative 3, Reduced Density" would substantially reduce the impacts to adjacent homes by eliminating building 2 and still provide plenty of building space.  | 16-B |
| 3 | Table 5.1-A- Line of Sight Analysis: Section D-D is wrong. Due to the existing topography the view of the building will be significant. The top of building 2 will be approximately 40 to 50 feet in the Air! And just because the views of existing industrial buildings east and south of the project site exist, as stated in section D-D, does not justify the construction of additional industrial buildings! The reasoning for this project based on past injustices is wrong. | 16-C |
| 4 | Page 5.1-27: 1 <sup>st</sup> paragraph. As stated before, because this proposed project is consistent with "other large-scale logistics and industrial uses adjacent to the east and south" does not justify new construction that will substantially impact further residences. The City allowed the views and value of several homes in this area to be destroyed once and shouldn't allow this to happen again.  | 16-D |
| 5 | Page 5.1-27: 1 <sup>st</sup> paragraph. Classifying the prior use of the project area as "the Rocks" is wrong. Just look and the included pictures in the DEIR.   | 16-E |

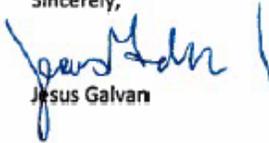
6 Page 5.1-27: 1<sup>st</sup> paragraph. Justifying the project by stating that illegal dumping will be eliminated is a weak excuse.

16-F

If you have any question for me, please give me a call at 909-214-6022.

16-G

Sincerely,



Jesus Galvan

## Response to Comment Letter 16 – Jesus Galvan

### **Response to Comment 16-A:**

The Project will require three grading exceptions to implement the Project's proposed grading plan because the Riverside Municipal Code permits a maximum of 20-foot high slopes and benches are not normally permitted. (DEIR, p. 3-22.) The Project's grading plan has been designed to minimize views of Building 1 and Building 2 from the neighboring residences; however, it is not feasible to safely grade the site to have the building profile reduced to below a standard home fence. In addition, due to the existing granite material that lays a few feet beneath the existing terrain, a major blasting operation would be needed to remove the granite material to place the buildings below the height of the standard rear yard fence. This would necessitate a greater number of truck trips during construction to haul the exported soil off site in addition to creating noise and vibration impacts associated with the blasting operation. Blasting is prohibited by mitigation measure **MM NOI 12**. (DEIR, p. 5.12-46.)

**MM NOI 12:** No blasting shall take place on the Project site.

In addition to the proposed landscaping, Building 2 will be articulated along its northern edge, the edge of the building visible to the residences, to offset the appearance of the building. The Project proponents will also be required to install an 8-foot tall decorative (on both sides) block wall between the Project site and the residential properties. (DEIR, p. 5.1-9.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 16-B:**

Alternative 3 – Reduced Density Alternative would reduce development by 30 percent compared to the proposed Project, reducing site coverage (or the percentage of the site that is covered in buildings) from 45 percent to 31 percent. Due to scarcity of sites of this size, the attendant land cost of sites this size, and the low Inland Empire market lease rates for product of this type, unless site coverage reaches at least 45 percent, the rate of return from the lease would be too low to justify the cost and risk of investment. The feasibility of this alternative is further impacted by economies of scale in the construction of smaller buildings, which would drive the return on investment to below zero. Further, a survey of industrial buildings in the Inland Empire submarket indicates that there is a very low availability of buildings in the 1,000,000-square foot size range and a high availability of buildings in the 700,000 and 300,000 square foot size ranges. Therefore, a reasonable developer would not take the risk to develop the reduced density alternative and this Alternative 3 was rejected as infeasible. (DEIR, p. 8-33.) Additionally, Alternative 3 would not meet all the Project objectives.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 16-C:**

The residences at Section D-D of the Line of Sight Exhibit are located downslope from the proposed Buildings 1 and 2. Additionally, the northern wall of Building 2 is located 100 feet south of the residential lots located to the north of the Project site. Within the 100-foot building setback, there is 64 feet of landscaping adjacent to and between the northern property line of Parcel 2, and the 30-foot-wide drive aisle north of Building 2. There is then an additional 6-foot-wide landscape area between the drive aisle and the northern edge of Building 2. (DEIR, **Figure 3-10 – Proposed Site Plan.**) As shown on **Figure 3-13A – Line of Sight Exhibit**, the line of sight for Section D-D shows that the trees (once matured) within the 64-foot landscape buffer would screen the views of the proposed Building 2 from the ground level as well as from second stories.

Appendix G of the State CEQA Guidelines state that a significant impact will occur if a project would “substantially degrade the *existing* visual character or quality of the site and its surroundings” (emphasis added). Therefore, because analysis in this section considers the significance of the *change* of the views it is necessary to consider the existing warehouses as part of the existing visual character of the site and its surroundings. The proposed Buildings 1 and 2 would be contiguous with views of existing industrial buildings east and south of the Project site and would not substantially impact the character or quality of the site and its surroundings as seen by viewers. (DEIR, p. 5.1-27.) Additionally, the proposed Buildings 1 and 2 will be designed to be architecturally consistent with modern light industrial logistics centers and other structures within the Sycamore Canyon Business Park.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 16-D:**

Comment noted. In 1984, the *Sycamore Canyon Business Park Specific Plan (SCBPSP)* was approved by the City to ensure efficient, orderly, and attractive development of a planned industrial park consisting of approximately 920 acres of industrial and commercial uses and a 480-acre wilderness park. (DEIR, p. 3-6.) The Project site is designated as Industrial in the SCBPSP; therefore, the proposed Project at this site is consistent with the SCBPSP. (DEIR, p. 5.10-8.) Regarding justification of the Project based on existing warehouses in the vicinity, see [Response to Comment 16-C](#) above. Further, the Project has been designed to minimize visual impacts to the residences, including installation of a two-sided decorative wall, a 64-foot wide landscaped area, and a 100-foot setback of Building 2 from the property line abutting the residential areas and the Project site. [The site’s grading plan and site plan have been designed so as to minimize visual impacts to the residences from Building 1.](#)

Economic issues, such as home values, are not an environmental issue and not within the scope of analysis for an Environmental Impact Report. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does

not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis” (CEQA Guidelines, § 15088(c)). These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted (CEQA Guidelines, § 15088(c)). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

The DEIR fully addresses and compares the impacts associated with the Project. The impact analysis and significance conclusions presented in the DEIR are based upon and supported by substantial evidence, including the technical analyses (i.e., traffic, noise, air quality, greenhouse gas emissions, biology, hydrology, land use consistency, and cultural resources) provided as appendices to the DEIR. The technical information is summarized and presented in the body of the DEIR, thus providing in full the factual basis for the conclusions. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.” (CEQA Guidelines, § 15064(f)(6).) The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview.” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)].) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 16-E:**

The Project site was previously used for a surface mining operation to excavate primarily decomposed granite for exporting and using the overburdened soils for on-site fill. There are several large rocks leftover in this portion of the Project site as a result of these mining operations. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 16-F:**

Comment noted. The mention of illegal dumping was related to documenting the existing visual conditions of the site. The City views illegal dumping as bringing decay and blight into the City's neighborhoods thus creating public health hazards. Once constructed, the Project will eliminate the illegal dumping that has occurred in the past and thereby prevent the further incursion of decay and blight into the City. (DEIR, p. 5.1-27.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 16-G:**

Comment noted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 17 – Lisa Newhall

17

### **Brenes, Patricia**

---

**From:** Mark Newhall <Lnewhall30@charter.net>  
**Sent:** Thursday, September 22, 2016 10:43 AM  
**To:** Brenes, Patricia  
**Subject:** [External] Concerns Regarding Warehoused in Sycamore Canyon Business Park

City of Riverside  
2016  
Community Development Department Planning Division  
Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

September 22,

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042).

17-A

This development is literally going to be in my back yard. Because of its proximity, I have concerns listed below:

The noise from the 24/7 trucks coming in and out was not adequately addressed. Currently we hear back up beeping and horns honking throughout the night from the warehouses that are already in existence (Big Five) and farther away. I'm not sure how the noise level may already be acceptable and the addition of 2 more warehouses will continue to be acceptable. I can't have my windows open at night with all of the beeping and honking going on. And because we are up higher than the warehouses, the amphitheater effect of sound rising is even more amplified!

The traffic on Sycamore Canyon and Fair Isle is already horrible. Trucks that are supposed to only use Eastridge as an exit do not, and the big rigs on our streets add to the mess of traffic and pollution by their having to idle while waiting for traffic to move or when they run into the convenience store or fast food restaurant. In addition, because the roads are narrow, you can't see around these big rigs in order to safely get around. The amount of trucks and the pollution they bring are not what should be in a residential neighborhood.

17-B

Also, these buildings are not what I want to be looking at when I am in my back yard. These warehouses will block part of my view of the city lights, and having to look at the roof tops is not appealing as there is not much they can do to make them aesthetically pleasing.

17-C

All of these factors regarding the warehouses bring down the value of my home and impact the health and safety of my family and neighbors.

17-D

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns described above. I believe that the draft EIR should be rewritten and alternate mitigation strategies (especially including NO development) should be considered.

17-E

Sincerely,

Lisa Newhall  
6040 Cannich Road, Riverside 92507

## Response to Comment Letter 17 – Lisa Newhall

### **Response to Comment 17-A:**

The comment regarding existing noise from the Big 5 warehouse is noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the Draft Environmental Impact Report (DEIR).

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. These measurements are taken to quantify the existing noise in the area so that the anticipated noise from the construction and operation of the proposed Project can be evaluated. The results of this monitoring is reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, ambient noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that change in the noise levels resulting from Project implementation would be overstated. Existing noise levels in the Project vicinity were measured on five separate days in December 2015. (DEIR, **Table 5.12-B**.) These measurements consist of three 10-minute, short-term, noise measurements and two 24-hour, long-term, noise measurements. Noise measurement locations were chosen to reflect different existing noise environments from the residents to the northwest of the Project site as well as residents to the north of the Project site. It is important to note that, in selecting the locations for ambient monitoring, locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to an increase in noise associated with the Project. Again, the purpose of the ambient noise measurements is to provide a basis for the comparison of noise with and without the Project; thus, longer term measurements are not necessary. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City's Noise Ordinance or applicable standards.

The NIA also quantified potential noise impacts associated with construction and operation of the proposed Buildings 1 and 2. (DEIR Appendix I)

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent

feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the City’s Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site’s northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division. **MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and

soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the

anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 17-B:**

Traffic: With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as "pork chops") at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

With respect to the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Boulevard, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA, which is DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. **(DEIR Figure 5.16-1 – Study Area; DEIR, p. 5.16-4.)** All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than the Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle

and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive.

The TIA studied several development scenarios, including the Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+P+C). In order to quantify potential cumulative impacts and in compliance with State CEQA Guidelines Section 15130(b)(1)(A), a list of past, present, and probable future projects that may potentially have a cumulative impact on traffic was developed based on consultation with City of Riverside and City of Moreno Valley staff (DEIR, Figure 5.16-9). This list of projects includes several warehouses, and associated traffic, that have been recently constructed or are planned in the vicinity of the Project site.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Air Quality:** The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (DEIR, p. 5.3-27). (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or

covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be revised in the FEIR as shown below.<sup>1</sup>

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to three ~~five~~ minutes or less in excess of ~~pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

Mitigation measures **MM AQ 22** and **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that ~~CARB diesel idling times cannot exceed three minutes~~ regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications.

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<sup>1</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

The records shall be maintained on site and be made available for inspection by the City.

- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 17-C:**

With regard to the view from residences adjacent to the Project site, line of sight exhibits were prepared to evaluate the post-Project view (once all landscaping is mature) of the Project site from the residences to the north and northwest of the Project site and from the Sycamore Canyon Wilderness Park (DEIR, **Figures 3-14a through 3-14c – Line of Sight Exhibit**).

Although the top of Building 2 will be visible from the second story of the residences to the north of the Project site, even once landscaping is mature, mitigation measure **MM AES 9**

(below) will be implemented. This mitigation measure requires the north elevation of Building 2 and the west elevation of Building 1, the portions of the buildings that will be visible to the residences and users of Sycamore Canyon Wilderness Park, to include design elements, such as articulation to create pockets of light and shadow, designed to break up the long expanse of wall surface. This design shall be reviewed and approved by Design Review staff prior to Grading Permit Issuance. (DEIR, pp. 5.1-28 – 5.1-29.)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow. (DEIR, p. 5.1-35.)

Additionally, mitigation measure **MM AES 1** (below) requires the Applicant to install an 8-foot tall decorative (on both sides) block wall between the Project site and the residential properties to the north and northwest to provide a better visual appearance. The design and materials of this wall shall be subject to the approval of the Community and Economic Development Department Planning Division and the Parks, Recreation, and Community Services Department. (DEIR, p. 5.1-27)

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

Additionally, there is a 100 foot setback between Building 2 and the residences to the north. The 100 foot setback includes 64 feet of landscaping adjacent to the northern property line of

Parcel 2, a 30-foot-wide drive aisle north of Building 2, and an additional 6-foot-wide landscape area between the drive aisle and the building (DEIR, **Figure 3-10 – Proposed Site Plan**). The 100 foot setback and landscaping will screen the Project from the residences.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 17-D:**

Comment noted. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis” (CEQA Guidelines 15088(c)). These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted (CEQA Guidelines, 15088(c)). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

The DEIR fully addresses and compares the impacts associated with the Project. The impact analysis and significance conclusions presented in the DEIR are based upon and supported by substantial evidence, including the technical analyses (i.e., traffic, noise, air quality, greenhouse gas emissions, biology, hydrology, land use consistency, and cultural resources) provided as appendices to the DEIR. The technical information is summarized and presented in the body of the DEIR, thus providing in full the factual basis for the conclusions. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.” (CEQA Guidelines, § 15064(f)(6).) The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. Economic and social impacts of proposed projects, therefore, are outside CEQA’s

purview.” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)].)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 17-E:**

The DEIR was prepared in accordance with the requirements of the State CEQA Guidelines and the City’s local guidelines for implementing CEQA. The DEIR and contains a thorough analysis of the Project’s potential environmental impacts, including impacts related to noise, traffic, and aesthetics as addressed in Response to Comments 17-A through 17-C above.

CEQA requires the lead agency to consider a range of alternatives to the Project (CEQA Guidelines Section§ 15126.6(a)). According to this section of the State CEQA Guidelines, “...an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.” An EIR is not required to consider alternatives which are infeasible. Four alternatives were identified but rejected from detailed consideration because they either: failed to meet basic project objectives, were infeasible, or would not avoid significant environmental impacts. The alternatives rejected from detailed consideration included:

- Original Project as Submitted: The Project Applicant originally proposed a two building logistics center totaling 1.43 million square feet; however, during preparation of the DEIR the Project Applicant received feedback from the City encouraging additional setback and landscaping as well as a reduction in the size of Building 2 due to various environmental impacts. Thus, the Project was redesigned to reduce environmental impacts and the original 1.43 million square foot Project has been withdrawn from consideration.
- Alternative Location 1: Palmyrita Avenue/Michigan Avenue: Alternative Location 1 was rejected from further analysis in the DEIR because the site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Also, Alternative Location 1 is located further from Interstate 215 and State Route 60, which could cause greater transportation impacts.
- Alternative Location 2: Meridian Business Park, Phase 3: Alternative Location 2 was rejected from further analysis in the DEIR because this location is outside of the City’s jurisdictional boundary and owned by another party, which means that securing the needed entitlements for development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site.
- Alternative Location 3: property along Alessandro Boulevard within the *Sycamore Canyon Business Park Specific Plan*: All of the vacant parcels along Alessandro Boulevard and within the *SCBPSP* are owned by other entities and are either currently under construction or are too small for the proposed Project. The larger properties

fronting Alessandro Boulevard are also owned by other property owners and are oddly shaped, which makes assemblage difficult. These properties are also traversed by drainages under the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, making development difficult. (DEIR, pp. 8-6 – 8-9.)

The DEIR also contained detailed consideration of three alternatives to the proposed Project, as summarized below.

Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by State CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some degree. (DEIR, p. 8-16.) Section 15126.6(f)(1) of the State CEQA Guidelines states that, among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form or another. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

Pursuant to State CEQA Guidelines Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should also be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The GP 2025 designates the Project site for Business/Office Park and the *SCBPSP* designates the site as Industrial, which permits the logistics center use proposed by the Project as well as industrial and business office use, manufacturing, publishing and printing, research office and laboratory uses. Under Alternative 2, the Project site would be developed with approximately 1.37 million SF of manufacturing uses. (DEIR, p. 8-16.)

Alternative 2 would generate approximately twice as many trips as the proposed Project and none of this alternative's environmental impacts would be decreased in comparison to the proposed Project. Additionally, this alternative does not meet any of the Project objectives associated with development and operation of a logistics center. Therefore, this alternative was rejected as infeasible. (DEIR, pp. 8-24 – 8-25.)

Alternative 3, the reduced density alternative, would reduce the building floor area by 30 percent of that proposed in the original 1.43 million SF project. The reduced density alternative could be realized by scaling down both proposed buildings. (DEIR, p. 8-25.)

Because Alternative 3 reduces development by 30 percent in comparison to the proposed Project, this alternative would have reduced impacts to air quality, greenhouse gas emissions,

noise, and transportation/traffic. However, this alternative does not reduce the Project's significant and unavoidable impacts to air quality, noise, or transportation/traffic to a less than significant level. Additionally, Alternative 3 meets most of the Project objectives to a lesser degree than that of the proposed Project. The feasibility of this alternative is further reduced due to economic concerns: unless site coverages reaches at least 45 percent, the rate of return from the lease would be too low to justify the risk and cost of investment and there would be a loss of economies of scale in the construction of smaller buildings, which would drive the rate of return on investment to below zero. Thus, Alternative 3 is rejected as infeasible. (DEIR, p. 8-33.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 18 – Maureen Clemens

18

### **Brenes, Patricia**

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**From:** Maureen Clemens <maureenclemens@att.net>  
**Sent:** Thursday, September 22, 2016 6:10 PM  
**To:** Brenes, Patricia  
**Subject:** [External] Sycamore Canyon Business Park Bldgs 1&2 SCHNO. 2015081042

Ms. Brenes: Once again , you need to know that the propped development mentioned is totally unacceptable and the simple reasons being, additional noise issues, ungodly traffic not to mention more pollution that can currently be tolerated. I have lived here since 1999 and I am currently 80 years old and I will not allow this development to ruin this pleasant and neighborly environment with more hideous bulings encroching on this lovely community.

18-A

## Response to Comment Letter 18 – Maureen Clemens

*Note: This is the fourth comment letter from Ms. Clemens. She is also the author of Comment Letters 6, 10, and 11. This comment letter raises the issues of air quality, noise, and traffic as did the previous letters.*

### **Response to Comment 18-A:**

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City’s Sycamore Canyon Business Park Specific Plan (SCBPSP), which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The proposed Project is consistent with the planned use at the site in both the GP 2025 and SCBPSP. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: To thoroughly evaluate the proposed Project’s construction and operational noise impacts on the surrounding residences, the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (the NIA), modeled over 30 receptor locations (see DEIR **Figures 5.12-5 through 5.12-8**). Without mitigation, Project operational noise levels are expected to range between 30 dBA  $L_{eq}$  and 52 dBA  $L_{eq}$  at nearby sensitive receptors and up to 55 dBA  $L_{eq}$  along the westerly property line. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Noise Levels (Leq) No Mitigation**.) Therefore, unmitigated operational noise will not exceed the City’s daytime exterior noise standards of 55 dBA  $L_{eq}$ . However, the Project’s operational noise levels will exceed the nighttime exterior noise standard of 45 dBA  $L_{eq}$  along the western project boundary and at certain single-family detached residential dwelling units adjacent to the northwest corner of the Project site as shown on DEIR **Figure 5.12-5 – Noise Levels (Leq) No Mitigation**. (DEIR, p. 5.12-27.)

In order to mitigate Project operational noise levels to the City’s nighttime residential standard of 45 dBA  $L_{eq}$  at the two affected sensitive receptors, a ten-foot noise barrier is required along the perimeter of the outdoor use areas per mitigation measure **MM NOI 16** below. This barrier is required at the top of the slope because the residences are at a higher elevation than the Project site. (DEIR, p. 5.12-28, 5.12-31, 5.12-34.)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be

accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the Project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate. (DEIR, p. 5.12-47.)

In addition to the noise barrier described in **MM NOI 16**, the use of the loading area and trailer parking located just south of Building 2 within 360 feet of the western property line (see DEIR **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**) will be limited as indicated in mitigation measure **MM NOI 15** below: (DEIR, p. 5.12-28, 4.12-34.).

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**. (DEIR, p. 5.12-46.)

With construction of the proposed ten-foot barrier in **MM NOI 16** and the nighttime restrictions in **MM NOI 15**, interior and exterior nighttime noise levels at the residences adjacent to the Project site are not expected to exceed the City's exterior or interior nighttime noise standard. (DEIR, pp. 5.12-28, 5.12-34.)

Although it is acknowledged that truck-related noise will be audible in the residences adjacent to and in the vicinity of the Project site, implementation of DEIR mitigation measures **MM NOI 13**, **MM NOI 14**, and **MM AQ 14** (below) in addition to **MM NOI 15** and **MM NOI 16** would reduce the Project's operational noise levels to be compliant with City code.

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically

considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system. (DEIR, p. 5.12-46.)

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-46.)

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language. (DEIR, p. 5.12-47.)

Nonetheless, because the residences west of the Project site are at a higher elevation than the Project site, the ten-foot tall wall described in **MM NOI 16** is required on private property at the eastern edge of the residential lots, not at the property line at the bottom of the slope. Therefore, if the property owners do not allow for installation of this noise barrier, operational noise at two residences (Receptor Numbers 3 and 4, as shown on DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation** and DEIR **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**) will exceed the City's nighttime exterior noise standard of 45 dBA  $L_{eq}$  and operational noise impacts may be significant as disclosed in the DEIR. (DEIR, p. 5.12-28.) Although this impact is significant and unavoidable, with feasible mitigation incorporated, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Traffic: With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into

consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange. Thus, the majority of traffic generated at the Project site is expected to use Sierra Ridge Drive to Sycamore Canyon Boulevard to Eastridge Avenue which will provide on/off ramp access to Interstate 215. (DEIR, p. 5.16-26)

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA, which is DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. (**DEIR Figure 5.16-1 – Study Area**; DEIR, p. 5.16-4.) All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than the Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive.

The TIA studied several development scenarios, including the Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+P+C). In order to quantify potential cumulative impacts and in compliance with State CEQA Guidelines Section 15130(b)(1)(A), a list of past, present, and probable future projects that may potentially have a cumulative impact on traffic was developed based on consultation with City of Riverside and City of Moreno Valley staff (DEIR, **Figure 5.16-9**). This list of projects includes several warehouses, and associated traffic, that have been recently constructed or are planned in the vicinity of the Project site.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Air Quality:** The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even

after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (DEIR, p. 5.3-27). (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project's landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be revised in the FEIR as shown below.<sup>1</sup>

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to three ~~five~~ minutes or less in excess of ~~pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

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<sup>1</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes and to reflect the Project design feature that all medium- and heavy-duty trucks entering the site will be year 2010 or equivalent, mitigation measures **MM AQ 22** and **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 19 – Linda Scott

19

### Brenes, Patricia

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**From:** Linda G Scott <linda.scott1@ucr.edu>  
**Sent:** Thursday, September 22, 2016 10:45 AM  
**To:** Brenes, Patricia  
**Subject:** [External] More Warehouse in Sycamore Canyon

City of Riverside  
Community Development Department Planning Division  
Attn: Patricia Brenes, Principal Planner

September 21, 2016

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042). The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns described below. I believe that the draft EIR should be rewritten and alternate mitigation strategies (including NO development) should be considered.

19-A

Let me begin by stating that I have just learned of this and can't believe that my area is going to have even more truck traffic than it does now. Every time I get onto the freeway at the Fair Isle entry to the 60/215 freeway entrance there are at least two large trucks getting on the freeway at the same time. I am always afraid that I will be crushed or run over by these trucks or will not be able to get into the correct lane because the trucks are slow and the traffic on the freeway is already driving at 70 mph. This is without the current mega warehouse! I shutter to think what it will be like when those warehouses are built. Is there no way that these trucks can't be forced to use the Eastridge entry and exit points? What is also disturbing about the trucks is just the sheer volume that this will create on the 60/215 freeway coming up the hill from the University towards San Diego/Indio. It is already a nightmare. None of my family members will drive on the freeway to get to my house anymore. They take surface streets because they are afraid of all of the trucks creeping up the hill. I drive it every day and still find it difficult to maneuver.

19-B

Often I think of moving simply because of the amount of truck traffic in this area. I hope that there is something you can do about this increasing problem. I love my house and Riverside but I can only take so much.

19-C

Sincerely,

Linda G. Scott  
5563 Applecross Drive  
Riverside, CA 92507

## Response to Comment Letter 19 – Linda Scott

### **Response to Comment 19-A:**

The Draft Environmental Impact Report (DEIR) was prepared in accordance with the requirements of the *State CEQA Guidelines* and the City's local guidelines for implementing CEQA. The DEIR contains a thorough analysis of the Project's potential environmental impacts, including impacts related to traffic as addressed in Response to Comments 19-B and 19-C below.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 19-B:**

Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project Applicant to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts to Caltrans facilities are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although this impact is significant and unavoidable, with feasible mitigation incorporated, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action.

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as "pork chops") at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.)

From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA (see, DEIR Appendix J), included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. **(DEIR Figure 5.16-1 – Study Area; DEIR, p. 5.16-4.)** All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than the Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive.

The TIA studied several development scenarios, including the Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+P+C). In order to quantify potential cumulative impacts and in compliance with State *CEQA Guidelines* Section 15130(b)(1)(A), a list of past, present, and probable future projects that may potentially have a cumulative impact on traffic was developed based on consultation with City of Riverside and City of Moreno Valley staff (DEIR, Figure 5.16-9). This list of projects includes several warehouses, and associated traffic, that have been recently constructed or are planned in the vicinity of the Project site.

With regard to the existing condition of trucks using residential streets in the Project area, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 19-C:**

Comment noted. Refer to Response to Comment 19-B above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 20 – John and Teresa Denham

20

**Brenes, Patricia**

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**From:** Teresa Denham <taddenham@aol.com>  
**Sent:** Thursday, September 22, 2016 11:43 AM  
**To:** Brenes, Patricia  
**Subject:** [External] Draft EIR

City of Riverside  
Community Development Department Planning Division

Ms. Benes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042)

20-A

Since 1999 when we purchased our home in the Sycamore Highlands Community we have heard noises from the Kroger and Pepsi warehouses that keep us awake at night and this has only increased since adding additional warehouses. The distance is 1 mile from my home to those f. The acoustics in the canyon is allowing us to hear this noise.

Traffic has also increased on Sycamore Canyon and Fair Isle with trucks from these warehouse using the on ramp at Box Springs/Fair Isle to avoid traffic on the 215. Just recently I counted 10 trucks coming down Sycamore Canyon to Fair Isle. It is just too much traffic, too much pollution!

20-B

The Developer drawings appear to represent the view from one of the westernmost homes on Sutherland which would be least impacted by warehouse height rather than representing homes on the eastern side of Sutherland which will be most impacted aesthetically by the height difference between the home and warehouse.

20-C

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns described above. I believe that the draft EIR should be rewritten and alternate strategies (including NO development) should be considered.

20-D

Sincerely,

John & Teresa Denham  
1347 Sutherland Drive  
Riverside, CA 92507

Sent from [Mail](#) for Windows 10

## Response to Comment Letter 20 – John and Teresa Denham

### **Response to Comment 20-A:**

Comment noted. The comment regarding existing noise from the Kroger (Ralph's) and Pepsi warehouses are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. These measurements are taken to quantify the existing noise in the area so that the anticipated noise from the construction and operation of the proposed Project can be evaluated. The results of this monitoring are reported in Draft Environmental Impact Report (DEIR) **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) The NIA also quantified potential noise impacts associated with construction and operation of the proposed distribution center Buildings 1 and 2. (DEIR Appendix I.)

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below. (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the

Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all

receptors except two residences located northwest of the Project site. Because these residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit pursuant to mitigation measure **MM NOI 16**, the Project's operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner authorizing, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

It is noted that the acoustics in the canyon are affecting noise impacts. The Noise Model used for this project, SoundPLAN, is a three-dimensional noise model that takes into consideration the acoustic effects of existing and proposed topography as well as existing and proposed

buildings. So, any sound reflection associated with the proposed Buildings 1 and 2 was taken into consideration.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 20-B:**

Traffic: Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project Applicant to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although this impact is significant and unavoidable, with feasible mitigation incorporated, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action.

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp

design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA, which is, DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. (**DEIR Figure 5.16-1 – Study Area**; DEIR, p. 5.16-4.) All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than the Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive.

The TIA studied several development scenarios, including the Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+P+C). In order to quantify potential cumulative

impacts and in compliance with State *CEQA Guidelines* Section 15130(b)(1)(A), a list of past, present, and probable future projects that may potentially have a cumulative impact on traffic was developed based on consultation with City of Riverside and City of Moreno Valley staff (DEIR, Figure 5.16-9). This list of projects includes several warehouses, and associated traffic, that have been recently constructed or are planned in the vicinity of the Project site.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Air Quality:** The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (DEIR, p. 5.3-27). (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored "cool" roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC)

equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be revised in the FEIR as shown below.<sup>1</sup>

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less ~~in excess of~~pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

Mitigation measures **MM AQ 22** and **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the ~~requirement that~~CARB diesel idling times cannot exceed three minutes~~regulations~~, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.

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<sup>1</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 20-C:**

Commenter notes that the residences on the eastern side of Sutherland Drive will be most impacted by implementation of the proposed Project. Cross sectional line of sight exhibits were prepared for four locations to represent the view from four representative residential locations adjacent to the Project site. (DEIR, **Figures 3-10 – Proposed Site Plan and 3-13a – Line of Sight Exhibit**, Sections A-A (in the vicinity of 6050 Cannich Road), B-B (in the vicinity of 1443 Sutherland Drive), C-C (in the vicinity of 1465 Sutherland Drive), and D-D (in the vicinity of 6071 Kendrick Drive).) As discussed in the DEIR and shown on DEIR **Figure 3-13a**, Section A-A (6050 Cannich Road) is the line of sight of the northwestern portion of the Project site from

the vicinity of 6050 Cannich Road, which is west of the Project site. All the residences along Cannich Road are at a higher elevation than the Project site. (DEIR, pp. 5.1-14–5.1-15.)

Sections B-B (1443 Sutherland Drive), C-C (1465 Sutherland Drive), and D-D (6071 Kendrick Drive), as shown on DEIR **Figure 3-13a – Line of Sight Exhibit**, are from residences to the north. As discussed in the DEIR and shown on **Figure 3-13a**, the rear yards of these residences are either below or at grade with the Project site in the post-Project condition (i.e., after grading).

Section B-B (1443 Sutherland Drive) as shown on DEIR **Figure 3-13a**, is from the vicinity of 1443 Sutherland Drive. As discussed in the DEIR and shown on **Figure 3-13a**, Section B-B depicts the line of sight from a residences and rear yards that are at approximately the same finished grade as the Project site. (DEIR, pp. 5.1-15–5.1-16.) Section C-C (1465 Sutherland Drive) as shown on DEIR **Figure 3-13a**, is from 1465 Sutherland Drive. As discussed in the DEIR and shown on **Figure 3-13a**, Section C-C depicts the line of sight from residences and rear yards that are slightly below the Project site's finished grade. (DEIR, pp. 5.1-15–5.1-16.) Section D-D (6071 Kendrick Drive), as shown on DEIR **Figure 3-13a** is from the vicinity of 6071 Kendrick Drive (where Stockport Drive turns north). As discussed in the DEIR and shown on **Figure 3-13a**, the residence and flat portion of the rear yard in Section D-D are located downslope from the finished grade at the Project site and proposed buildings.

It is also important to note that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. Within this 100-foot setback, there will be 64 feet of landscaping adjacent to the property line, a 30-foot-wide drive aisle and a 6-foot-wide landscape area adjacent to Building 2. (see DEIR, **Figure 3-10 – Proposed Site Plan**). As shown on DEIR **Figure 3-13a, Line of Sight Exhibit**, the line of sight for Sections B-B through Section D-D shows that the trees (once matured) within the proposed 64-foot landscape buffer would screen the views of the proposed Building 2 from the ground level as well as from second stories.

In addition to these Line of Sight Exhibits, the DEIR Aesthetics Section includes photo simulations for line of sight locations A-A, B-B and C-C (DEIR **Figures 5.1-2a thru 5.1-2c**). These photo simulations show the view from the second story windows of the residences and shows the decrease in size, due to the increased setback and shielding as a result of the landscaped buffer.

Additionally, the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. Within this 100-foot setback, there is 64 feet of landscaping between the northern property line, abutting the residences, a 30-foot-wide drive aisle north of Building 2, and an additional 6-foot-wide landscape area between the drive aisle and the building (DEIR, **Figure 3-10 – Proposed Site Plan**). As shown on **Figure 3-13a, Sight -- Line of Exhibit**, the line of sight for Section D-D shows that the trees (once matured) within the 64-foot landscape buffer would screen the views of the proposed Building 2 from the ground level as well as from break up the views from the second stories.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 20-D:**

The DEIR was prepared in accordance with the requirements of the *State CEQA Guidelines* and the City's local guidelines for implementing CEQA and contains a thorough analysis of the Project's potential environmental impacts, including impacts related to noise, aesthetics, and traffic as addressed in Response to Comments 20-A through 20-C above.

CEQA requires the lead agency to consider a range of alternatives to the Project (*State CEQA Guidelines* Section § 15126.6(a)). According to this section of the *State CEQA Guidelines*, "...an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." An EIR is not required to consider alternatives which are infeasible. Four alternatives were identified but rejected from detailed consideration because they either: failed to meet basic project objectives, were infeasible, or would not avoid significant environmental impacts. The alternatives rejected from detailed consideration included:

- Original Project as Submitted: The Project Applicant originally proposed a two-building logistics center totaling 1.43 million square feet; however, during preparation of the DEIR the Project Applicant received feedback from the City encouraging additional setback and landscaping as well as a reduction in the size of Building 2 due to various environmental impacts. Thus, the Project was redesigned to reduce environmental impacts and the original 1.43 million square foot Project has been withdrawn from consideration.
- Alternative Location 1: Palmyrita Avenue/Michigan Avenue: Alternative Location 1 was rejected from further analysis in the DEIR because the site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Also, Alternative Location 1 is located further from Interstate 215 and State Route 60, which could cause greater transportation impacts.
- Alternative Location 2: Meridian Business Park, Phase 3: Alternative Location 2 was rejected from further analysis in the DEIR because this location is outside of the City's jurisdictional boundary and owned by another party, which means that securing the needed entitlements for development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site.
- Alternative Location 3: property along Alessandro Boulevard within the *Sycamore Canyon Business Park Specific Plan*: All of the vacant parcels along Alessandro Boulevard and within the *SCBPSP* are owned by other entities and are either currently under construction or are too small for the proposed Project. The larger properties fronting Alessandro Boulevard are also owned by other property owners and are oddly shaped, which makes assemblage difficult. These properties are also traversed by

drainages under the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, making development difficult. (DEIR, pp. 8-6 – 8-9.)

The DEIR also contained detailed consideration of three alternatives to the proposed Project, as summarized below.

Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by State CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some degree. (DEIR, p. 8-16.) Section 15126.6(f)(1) of the State CEQA Guidelines states that, among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form or another. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

Pursuant to State CEQA Guidelines Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should also be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The GP 2025 designates the Project site for Business/Office Park and the *SCBPSP* designates the site as Industrial, which permits the logistics center use proposed by the Project as well as industrial and business office use, manufacturing, publishing and printing, research office and laboratory uses. Under Alternative 2, the Project site would be developed with approximately 1.37 million SF of manufacturing uses. (DEIR, p. 8-16.)

Alternative 2 would generate approximately twice as many trips as the proposed Project and none of this alternative's environmental impacts would be decreased in comparison to the proposed Project. Additionally, this alternative does not meet any of the Project objectives associated with development and operation of a logistics center. Therefore, this alternative was rejected as infeasible. (DEIR, pp. 8-24 – 8-25.)

Alternative 3, the reduced density alternative, would reduce the building floor area by 30 percent of that proposed in the original 1.43 million SF project. The reduced density alternative could be realized by scaling down both proposed buildings. (DEIR, p. 8-25.)

Because Alternative 3 reduces development by 30 percent in comparison to the proposed Project, this alternative would have reduced impacts to air quality, greenhouse gas emissions, noise, and transportation/traffic. However, this alternative does not reduce the Project's significant and unavoidable impacts to air quality, noise, or transportation/traffic to a less than

significant level. Additionally, Alternative 3 meets most of the Project objectives to a lesser degree than that of the proposed Project. The feasibility of this alternative is further reduced due to economic concerns: unless site coverages reaches at least 45 percent, the rate of return from the lease would be too low to justify the risk and cost of investment and there would be a loss of economies of scale in the construction of smaller buildings, which would drive the rate of return on investment to below zero. Thus, Alternative 3 is rejected as infeasible. (DEIR, p. 8-33.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 21 – Yang Li

21

### **Brenes, Patricia**

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**From:** Yang Li <yli036@ucr.edu>  
**Sent:** Thursday, September 22, 2016 4:05 PM  
**To:** Brenes, Patricia  
**Subject:** [External] Concerning the Warehouses in the Sycamore Canyon Business Park

City of  
Riverside  
22, 2016

September

Community Development Department Planning Division

Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

Dear Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042).

21-A

I am extremely concerned with the safety issues about the warehouse. Once it is built, there is very little control as to what will be stored there. To my knowledge, there will be regulations and the companies need to report or get certain kind of permit to store stuff. But these are just regulations. They are not going to be enough to ensure safety to our houses. In case anything goes wrong, such as, the air conditioner in one corner of the warehouse may go off without anyone's notice in the mid of the night, and the temperature may trigger some dangerous electronic devices or certain dangerous chemicals and lead to disastrous consequences. Another example: A company may acquire a permit to store one kind of stuff, but secretly, replace it with a more dangerous product hiding inside of some packages. No one will no. No one will tear up all the boxes to examine and make sure. And I could go on and on and list countless examples like this. Regulations or any kind of safety precautions will not be enough. No one could guarantee that these situations will not happen.

The only way to ensure safety is to not build such a warehouse so close to a residential area. No one could bear the consequence if anything goes wrong in the warehouse.

21-B

I am also concerned with the air quality during construction period and when it is in real use. Hazardous chemicals may be released from the construction of the warehouse. The window of our bedroom, our bathroom, and our toilet room, will be directly facing the construction site. Even when the construction is finished, the outside of the walls will still be releasing hazardous chemicals from the paint. Unfortunately, the unusually high temperature of riverside adds greatly to this danger. Moreover, we as residents, ridiculously, have no control of what will be stored in the warehouse. If the

21-C

chemicals, or any products stored in the warehouse are releasing dangerous gases, we will be the ones suffering from it. It is not possible for us to run through air quality examinations for all the potentially harmful gas. It is not possible for us to go inside these warehouses and make sure they follow all the rules meticulously. It is also not possible for the city to make sure that every minute, every second, the warehouse is running perfectly. Therefore, it is not acceptable to have a warehouse built in the back area of our houses.

↑  
21-C  
cont.

Please, do not let them build any warehouse that is near any residential area, for the health and welfare of the city residents, for the health and welfare of anyone who is currently living in riverside and for anyone who may want to move here, and for the children who will grow up in this residential area and in the city of riverside.

21-D

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns described above. I believe that the draft EIR should be rewritten and alternate mitigation strategies (including NO development) should be considered.

21-E

Sincerely,

Yang Li

1459 Sutherland Dr,

Riverside, CA 92507

## **Response to Comment Letter 21 – Yang Li**

### **Response to Comment 21-A:**

Because the exact tenants of the buildings are not known at this time, there is the potential that hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products may be stored and transported in conjunction with the proposed logistics center use. These hazardous materials would only be stored and transported to and from the site. Manufacturing and other chemical processing will not be permitted under the provisions of the Sycamore Canyon Business Park Specific Plan. (DEIR, p. 5.8-17) As part of the Tenant Improvement Process the City requires all businesses that handle, store, and/or use hazardous materials equal to or greater than 500 pounds, 200 cubic feet and/or 55 gallons at standard temperature and pressure or 5 gallons, 50 pounds or 20 cubic feet of an EHS (Extremely Hazardous Substance) to submit their Business Emergency Plan electronically in the California Environmental Reporting System (CERS), <http://cers.calepa.ca.gov>. This is pursuant to the State mandate requiring all businesses to submit their Business Emergency Plans electronically. First time user/handlers must submit their completed business emergency plan within thirty (30) days of becoming a user/ handler. Any business who does not submit by their assigned due dates may be subject to administrative penalties. These businesses are inspected annually by the Fire Department.

Although the overall quantity of hazardous materials and waste generated in the Project area may increase as a result of implementation of the proposed Project, all new implementing development that will handle or use hazardous materials would be required to comply with the regulations, standards, and guidelines established by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside related to storage, use, and disposal of hazardous materials. (DEIR, p. 5.8-18.) Both the federal and state governments require all businesses that handle more than a specified amount of hazardous materials to submit a hazardous material business plan (HMBP) to a regulating agency to enable a quick and accurate evaluation of each situation for an appropriate response in the event of an emergency. It is not anticipated that the tenants of the building would handle enough hazardous materials to necessitate preparation of an HMBP; however, any new business that meets the specified agency criteria would be required to submit an HMBP. Compliance with the environmental regulations as required by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside would minimize hazardous risks.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 21-B:**

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP), and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land**

**Use Designation Map, DEIR Figure 3-5 – Zoning Map.)** Development of the Project site is also guided by the City's *Sycamore Canyon Business Park Specific Plan (SCBPSP)*, which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14)

The proposed Project is consistent with the GP 2025 and SCBPSP.

Additionally, the City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, the site has been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

This comment expresses concerns about safety related to the Project. Although not an environmental issue under the California Environmental Quality Act (CEQA), at some locations in the vicinity of the proposed Project, there are projected increases in vehicular volumes. Where there are more vehicles, there is the potential for more conflicts between vehicles and other travel modes, such as pedestrians, equestrians, and bicyclists. All Project-related improvements will be designed and installed in accordance with existing design standards and would not introduce hazardous design elements, such as sharp curves, or increase safety hazards. Sight-lines along the roadway connections are not impeded, and the City traffic engineers did not identify problems with visibility in the area. Speed limits are planned in accordance with standard street design criteria, and no new significant impacts would occur. Any project-related improvements or mitigations would be designed to current standards. In addition, the City has the ability to add or widen sidewalks, crosswalks (at stop-controlled and signalized intersections), and bicycle lanes to accommodate the other travel modes in a safe manner and also to respond to design elements and circulation conditions through the Neighborhood Traffic Management Program.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 21-C:**

**Air Quality:** The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air

quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (DEIR, pp. 5.3-26–5.3-27, 5.3-30, 5.3-35–5.3-40) Mitigation measures **MM AQ 13**, **MM AQ 22**, and **MM AQ 23** were modified and new text is shown as double underlined (sample text) and the text to be deleted is shown as strikethrough (~~sample text~~). These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored "cool" roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less in excess of pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

*In addition to the Project design features, the following mitigation measures shall be implemented during Project operations to minimize air quality impacts.*

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the CARB diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck~~

~~replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29) The amount of pollution that would be released from the outside of the walls would be negligible.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Hazards (DEIR Section 5.8): The Project will operate as a logistics center and no manufacturing or chemical processing will be permitted at the site under the provisions of the Sycamore Canyon Business Park Specific Plan. Although the exact tenants are unknown, there is the potential that hazardous materials such as petroleum products, pesticides, fertilizers, and other household hazardous products may be transported to and from the site in conjunction with the proposed logistics center use. Further, operation of the logistics center will be required to comply with all applicable federal, state, and local regulations related to hazardous substance transport and storage, which will reduce impacts to less than significant.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 21-D:**

Comment noted. The City adopted its *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As

discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

Since residences will be located within 1,000 feet from the proposed Project, a Screening Health Risk Assessment (HRA) was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling was prepared following the SCAQMD Guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR).

None of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity (DEIR, pp. 5.3-33 - 5.3-34). According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation., The site has also been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5, because there are no new significant impacts identified, in-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 21-E:**

The DEIR was prepared in accordance with the requirements of the *State CEQA Guidelines* and the City's local guidelines for implementing CEQA and contains a thorough analysis of the Project's potential environmental impacts, including impacts related to noise and light and as addressed in Response to Comments 12-A through 12-C above.

CEQA requires the lead agency consider a range of alternatives to the Project (*State CEQA Guidelines* § 15126.6(a)). In accordance with these guidelines, the DEIR considered three alternatives to the proposed Project. Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by *State CEQA Guidelines* Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some degree. (DEIR, p. 8-16.)

Section 15126.6(f)(1) of the *State CEQA Guidelines* states that among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 22 – John Watson

22

### **Brenes, Patricia**

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**From:** john watson <jwatusa@yahoo.com>  
**Sent:** Thursday, September 22, 2016 4:59 PM  
**To:** Brenes, Patricia  
**Subject:** [External] Sycamore Canyon Business Park

Re: Warehouses planned Sycamore Canyon Business Park (Bldg. 1 and 2

Sycamore Canyon Business Park (Bldg. 1 and 2 )SCH no 2015081042

My husband and I have lived at 6069 Cannich Rd. Riverside since these homes were built in 2000. We already hear constant back-up noises and beeps from warehouses such as Big 5 - Pepsi Plant and Ralph's warehouse. Depending on the weather - winds- etc. it is more of a problem. I recently drove the length of Sycamore Canyon Blvd. from Box Springs to Alessandro Blvd. and counted 55 warehouses. I actually could not count them all as some are built behind one facing the street!

22-A

Now we are looking at the prospect of two more sizeable warehouses right behind our houses on Cannich - as well as behind Sutherland. It will undoubtedly create more noise and pollution to our neighborhood. My husband is mostly house bound as he has suffered from Parkinsons disease for many years and being outdoors is already noisy.

22-B

Today I drove home from grocery shopping and encountered 5 big-rig trucks on Sycamore Canyon Blvd.- all headed to a freeway on ramp. This causes not only traffic problems but also increased noise and pollution. Big rig trucks are not allowed on this part of Sycamore Canyon Blvd. and are supposed to enter the freeway at Eastridge (the commercial route). With even more warehouses - more noise - pollution. Webb Eir does not address neighbor concerns. HELP- We are John and Gabrielle Watson at 6069 Cannich Rd.

22-C

## Response to Comment Letter 22 – John Watson

### **Response to Comment 22-A:**

Comment noted. The comment regarding existing noise from the warehouses such as Big 5, Pepsi, and Ralph's are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise was monitored. The results of this monitoring are reported in Draft Environmental Impact Report (DEIR) **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. Existing noise levels in the Project vicinity were measured on five separate days in December 2015. (DEIR, Table 5.12-B.) These measurements consist of three 10-minute, short-term, noise measurements and two 24-hour, long-term, noise measurements. Noise measurement locations were chosen to reflect different existing noise environments from the residents to the northwest of the Project site as well as residents to the north of the Project site. It is important to note that, in selecting the locations for ambient monitoring, locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to an increase in noise associated with the Project. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City's Noise Ordinance or applicable standards.

The NIA also quantified potential noise impacts associated with construction and operation of the proposed Buildings 1 and 2. (DEIR Appendix I)

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division. **MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, the noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26-5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the two property owners will permit, per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in

mitigation measure **MM NOI 16** would be located on private property, the installation of this mitigation measure is dependent on the individual property owner authorizing, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

The comment concerning wind affecting noise is noted. Meteorological effects are considered in the noise model, SoundPLAN. The model allows the user to input temperature, humidity and air pressure. The following meteorological parameters were entered: Humidity level of 49%, Average Annual Temperature 66F, Air pressure 985 mbar. Regarding meteorological conditions, precipitation, rain, snow, or fog, has an insignificant effect on sound levels although the presence of precipitation will affect humidity and may also affect wind and temperature gradients. (Sound Propagation.<sup>1</sup>) As sound travels through the atmosphere, it is affected by temperature, humidity, and wind currents, which can change the speed and direction of sound. Just as light bends when traveling through a prism, sound bends as a result of the varying atmospheric properties. Sound waves tend to bend toward cooler temperatures and away from warmer temperatures. For example, on a typical summer afternoon, because air temperatures generally decrease with altitude, sound generated at ground level would bend upward towards the cooler air. For a person at the same level as the sound, the sound waves are bending up and over the person listening, creating what is known as a shadow zone. When this occurs, a noise source may be visible at a distance but be perceived as quieter than expected. When the air temperature is cooler close to the ground than it is at higher altitudes, such as late at night or over calm lakes or icy surfaces, the sound waves bend closer to the ground and if the ground is reflective, the sound bounces off the ground and may propagate (travel) further than expected. (Cowan,<sup>2</sup> pp. 11, 19-21.) Because the effects of temperature gradients are more important over long distances (Caltrans TeNS<sup>3</sup>), these gradients would not substantially change the results of the NIA.

Generally speaking, wind currents allow sound to travel further than expected when the sound is being emitted in the same direction as the wind (downwind) and sound will travel a shorter distance than expected when the sound is being emitted in the direction against the wind (upwind). (Cowan, p. 21.)

The NIA used SoundPLAN to model the Project's construction and operational noise. SoundPLAN allows the user to input humidity and temperature into the model. For purposes of the NIA, modeled temperature was 66 degrees Fahrenheit (66° F) and 49 percent humidity. According to Weather Underground, the average temperature for the City of Riverside is 69° F and average humidity is 49.7 percent. Between November 2015 and November 2016, the highest temperature in Riverside was 114° F and the lowest temperature was 33° F. To

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<sup>1</sup> Sound Propagation website. (Available at [https://www.sfu.ca/sonic-studio/handbook/Sound\\_Propagation.html](https://www.sfu.ca/sonic-studio/handbook/Sound_Propagation.html), accessed November 27, 2016.)

<sup>2</sup> Cowan refers to the *Handbook of Environmental Acoustics*, published by John Riley & Sons, Inc., 1994.

<sup>3</sup> Caltrans TeNS refers to the Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013. (Available at [http://www.dot.ca.gov/hq/env/noise/pub/TeNS\\_Sept\\_2013B.pdf](http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf), accessed November 27, 2016.)

evaluate the effects of changes in temperature and humidity referenced in the commenter’s comment, four new modeling runs were prepared assuming: (i) temperature at 33° F and 0% humidity, (ii) temperature at 33° F and 100% humidity, (iii) temperature at 114° F and 0% humidity, and (iv) temperature at 114° F and 100% humidity. The results of this analysis, which does not change or materially impact the conclusions set forth in the NIA and DEIR, is summarized in the table below.

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity	Noise Level at 33° F and 100% humidity	Noise Level at 114° F and 0% humidity	Noise Level at 114° F and 100% humidity
1 first floor	43	42	43	41	41
1 second floor	45	44	45	43	44
2 first floor	30	30	30	30	30
2 second floor	32	32	32	32	32
3 first floor	45	45	45	44	44
3 second floor	49	48	49	48	48
4 first floor	48	47	48	47	47
4 second floor	52	51	52	51	51
5 first floor	49	49	49	49	49
5 second floor	50	49	50	49	49
6 first floor	43	43	43	43	43
6 second floor	44	43	44	43	43
7 first floor	38	38	38	38	38
7 second floor	39	39	39	39	39
8 first floor	33	33	33	33	33
8 second floor	35	35	35	35	35
9 first floor	35	35	35	34	35
9 second floor	37	37	37	36	36
10 first floor	39	38	39	37	38
10 second floor	41	40	41	39	40
11 first floor	33	33	33	33	33
11 second floor	35	35	35	35	35
12 first floor	31	31	32	31	32
12 second floor	34	34	34	34	34
13 first floor	30	30	30	30	30
13 second floor	32	32	32	32	32
14 first floor	31	31	31	31	31
14 second floor	33	33	33	33	33
15 first floor	32	31	32	32	32
15 second floor	34	34	34	34	34
16 first floor	31	31	31	31	31
16 second floor	34	33	34	34	34
17	30	30	30	30	30
18 first floor	44	43	44	43	43

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity	Noise Level at 33° F and 100% humidity	Noise Level at 114° F and 0% humidity	Noise Level at 114° F and 100% humidity
18 second floor	45	44	45	44	44
19 first floor	43	43	43	42	42
19 second floor	43	43	43	43	43
20 first floor	31	31	31	31	31
20 second floor	37	37	37	37	37
21 first floor	34	34	34	34	34
21 second floor	39	39	39	38	38
22	36	36	36	36	36
23 first floor	36	36	36	35	36
23 second floor	37	37	38	37	37
24 first floor	33	32	33	32	32
24 second floor	35	34	35	34	34
25 first floor	31	30	31	30	31
25 second floor	34	34	34	34	34
26 first floor	29	29	29	29	29
26 second floor	32	32	32	32	32
27 first floor	32	32	32	32	32
27 second floor	34	33	33	33	33
28 first floor	31	31	31	31	31
28 second floor	34	34	34	34	34
29 first floor	30	30	30	30	30
29 second floor	33	33	33	33	33
30 first floor	31	31	31	31	32
30 second floor	35	35	35	34	35
31	48	48	48	48	48
32	47	47	47	47	47
33	38	38	38	37	37
34	55	54	54	54	54

The amplification of the effects of meteorological conditions on sound does not constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 22-B:**

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP), and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City’s *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was

adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14)

The proposed Project is consistent with the planned use at the site in both the GP 2025 and SCBPSP. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: Refer to Response to Comment 22-A above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Air Quality: The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25**. (DEIR, p. 5.3-27.) (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored "cool" roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office

improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be revised in the FEIR as shown below.<sup>4</sup>

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less ~~in excess of~~pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the ~~requirement that~~CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.

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<sup>4</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29) The amount of pollution that would be released from the outside of the walls would be negligible.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 22-C:**

Comment noted. Traffic: Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project proponent to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although this impact is significant and unavoidable, with feasible mitigation incorporated, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action.

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business

Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA, which is, DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. **(DEIR Figure 5.16-1 – Study Area; DEIR, p. 5.16-4.)** All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than the Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive.

The TIA studied several development scenarios, including the Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+P+C). In order to quantify potential cumulative impacts and in compliance with State *CEQA Guidelines* Section 15130(b)(1)(A), a list of past, present, and probable future projects that may potentially have a cumulative impact on traffic was developed based on consultation with City of Riverside and City of Moreno Valley staff. (DEIR, Figure 5.16-9) This list of projects includes several warehouses, and associated traffic, that have been recently constructed or are planned in the vicinity of the Project site.

With regard to any existing condition of trucks using residential streets, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive (except to turn onto Sycamore Canyon Boulevard), Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Noise: Refer to Response to Comment 22-A above.

Air Quality: Refer to Response to Comment 22-B above.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 23 – Noah M. Holznecht

23

### **Brenes, Patricia**

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**From:** Noah <nmholz000@hotmail.com>  
**Sent:** Thursday, September 22, 2016 6:09 PM  
**To:** Brenes, Patricia  
**Cc:** alecgerry@sbcglobal.net; maurenclemens@att.net  
**Subject:** [External] Response to DEIR for SC No.2015081042

Noah M. Holznecht  
1481 Sutherland Drive  
Riverside, California 92509

City of Riverside  
Community & Economic Development  
Department, Planning Division  
3900 Main Street, 3rd Floor  
Riverside, California 92522  
Attn: Patricia Brenes, Principal Planner

I am the homeowner in the Sycamore Highlands community and an educator within the county of Riverside, I am writing to express my opposition and concerns regarding the proposed project of the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042. The Project will significantly impact the quality of life and overall well being of myself and residents within the proposed area of effect. Accordingly, the Project cannot feasibly mitigate the significant environmental impacts to Air Quality, Noise, and Transportation/Traffic as each of these issues will have a significant and unavoidable impact creating irreparable damage to residents' and our community. I urge you to reconsider and reject the proposal and address the disregard you have enacted to the City of Riverside's adaptation of the Good Neighbor Guidelines Resolution No. 21734, and recommendations made by the Draft Environmental Impact Report (DEIR) for alternatives.

23-A

According to the Good Neighbor Guidelines adopted in 2008, by the City of Riverside, the proposed SC No. 2015081042, breaches the following guidelines that your committee has failed to uphold. Especially, I call your attention to:

23-B

1. Helping to minimize the impacts of diesel emissions associated with distribution centers greater than 400,000 square feet
2. Not completing a health risk assessment

As outlined in the DEIR, there is a significant impact on Air Quality associated with diesel emissions and the greater increase in Transportation and Traffic. "Diesel exhaust is responsible for about 70 percent of the total cancer risk from air pollution" (City of Riverside, 2008, p. 2). This is further supported by "30 years of extensive evidence linking air pollution to mortality and respiratory morbidity in humans" (Sapkota et al., 2012, p. 369). Following the empirically supported evidence presented in various meta analyses (Bergé et al., 2013; Guxens et al., 2012; Sapkota et al., 2012; Lee & Dong, 2011) and the city of Riverside's Resolution No. 21734, there is a failure in completing a health risk assessment. A DEIR is not a health risk assessment. Outlined as part of Goal 1, within Resolution No. 21734, "A health risk assessment is required when the truck traffic areas of an industrial project are located within 1,000 feet of sensitive receptors" (City of Riverside, 2008, p. 5). SC No. 2015081042 is within a 100 square feet of residential housing. Considering this grossly overlooked aspect, you have neglected your responsibilities and duties to myself and residents potentially impacted if the proposed Project receives approval. As Resolution No. 21734 are suggested guidelines adopted by the City of Riverside, the adverse health risks and affects associated of SC No. 2015081042 are not. The adverse health risks and affects are not guidelines for you to ignore, instead, are grounded in scientific evidence indicating there will be detrimental effects on the health and well-being of residents.

23-C

As I urge you to refuse the adoption of a Statement of Overriding Considerations for SC No. 2015081042, instead, I propose you review, again, the alternative sites for SC No. 2015081042 that you have previously rejected. The following are acceptable mitigations:

23-D

1. Alternative Location 1: Palmyrita Avenue/Michigan Avenue or Alternative Location 2: Meridian Business Park, Phase 3
2. 8.5.1 Alternative 1: No Project, No Build

In reading the grounds for your objections to Alternative Location 1 and 2, as outlined in the DEIR, you determined that both would "cause greater transportation impacts" (City of Riverside Community Development Department Planning Division, 2016, p. 704). In noting this, I strongly recommend you review the significant impact SC No. 2015081042 will have on Transportation/Traffic if the proposed Project is approved. I suggest you reconsider your oppositions for either of these alternative sites as both sites are within industrial zoned areas not neighboring residential communities. Both sites would not impose as significant of an impact as the current proposed SC No. 2015081042 is on the community of Sycamore Highlands.

23-E

I also urge you to consider 8.5.1 Alternative 1: No Project, No Build for SC No. 2015081042. If the city proposed residential zoning or Commercial properties, such as restaurants, retail locations, or grocery stores, this would be an acceptable alternative for developmental use of the property. Although Transportation/Traffic would increase, the Air pollution and adverse health impacts would not be as severe as recorded by the DEIR. The city did not include such a proposal in the DEIR.

23-F

I emphasize the importance of hearing my opposition and concerns as these are not negligible, but the city's disregard for adopted guidelines and past opposition to SC No. 2015081042 is negligent and establishes a pattern of the mistreatment and disregard of its residents' concerns.

23-G

Thank you for your consideration.

Noah M. Holzknecht

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## Response to Comment Letter 23 – Noah M. Holzknecht

### **Response to Comment 23-A:**

This comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

The Draft Environmental Impact Report (DEIR) fully addresses and compares the impacts associated with the Project. The impact analysis and significance conclusions presented in the DEIR are based upon and supported by substantial evidence, including the technical analyses (i.e., traffic, noise, air quality, greenhouse gas emissions, health risk assessment, biology, hydrology, land use consistency, and cultural resources) provided as appendices to the DEIR (DEIR Appendices B-M). The technical information is summarized and presented in the body of the DEIR, thus providing in full the factual basis for the conclusions. Nevertheless, the following additional information is provided for the commenter’s convenience.

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP), and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City’s *Sycamore Canyon Business Park Specific Plan (SCBPSP)*, which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The proposed Project is consistent with the planned use at the site in both the GP 2025 and SCBPSP.

**Air Quality:** The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project’s short-term emissions are below regional and localized thresholds. However, the Project’s long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and

325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25**. (DEIR, pp. 5.3-26–5.3-27, 5.3-30, 5.3-35–5.3-40.)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are

providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project's landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be modified in the Final Environmental Impact Report (FEIR) as shown below.<sup>1</sup>

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less ~~in excess of~~pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

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<sup>1</sup> Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant~~

~~programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants will be required to use these funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29) The amount of pollution that would be released from the outside of the walls would be negligible.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. These measurements are taken to quantify the existing noise in the area so that the anticipated noise from the construction and operation of the proposed Project can be evaluated. The results of this monitoring are reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song are captured in these noise measurements. (DEIR, p. 5.12-9.) The NIA also quantified potential noise impacts associated with construction and operation of the proposed distribution center Buildings 1 and 2. (DEIR Appendix I.)

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later),

Ordinance 7341 was adopted by the City of Riverside City Council, amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** (below) and **MM AQ 14** (listed above). (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the

applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner to authorize, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Traffic: Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project Applicant to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. (DEIR, p. 5.16-35.) For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although this impact is significant and unavoidable, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action.

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as "pork chops") at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7

miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

Sycamore Canyon Boulevard is the major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan, the road has been designed to accommodate truck traffic. The study area of the TIA, which is, DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 Southbound (SB) Off-Ramp. **(DEIR Figure 5.16-1 – Study Area; DEIR, p. 5.16-4.)** All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable LOS in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 Southbound Ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than the Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. Therefore, per the table above, the proposed Project

is expected to attract the heavier duty trucks which are anticipated to utilize Eastridge Avenue rather than Fair Isle Drive.

The TIA studied several development scenarios, including the Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+P+C). In order to quantify potential cumulative impacts and in compliance with State CEQA Guidelines § 15130(b)(1)(A), a list of past, present, and probable future projects that may potentially have a cumulative impact on traffic was developed based on consultation with City of Riverside and City of Moreno Valley staff. (DEIR, Figure 5.16-9) This list of projects includes several warehouses, and associated traffic, that have been recently constructed or are planned in the vicinity of the Project site.

**Statement of Overriding Considerations:** In accordance with State CEQA Guidelines § 15093, if the lead agency determines that significant impacts cannot be reduced to less than significant, the agency must assess whether the benefits of the proposed Project outweigh the unmitigated significant environmental effects. If so, the agency will be required to adopt a Statement of Overriding Considerations stating the reasons supporting their action notwithstanding the proposed Project's significant environmental effects.

**Good Neighborhood Guidelines:** The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed in order to minimize impacts on the adjacent residential area, including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*. The findings of the HRA are discussed below in Response to Comment 23-B.

**Alternatives:** CEQA requires the lead agency to consider a range of alternatives to the Project (State *CEQA Guidelines* Section § 15126.6(a). According to this section of the State CEQA Guidelines, "...an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." An EIR is not required to consider alternatives which are infeasible. Four alternatives were identified but rejected from detailed consideration because they either: failed to meet basic project objectives, were infeasible, or would not avoid significant environmental impacts. The alternatives rejected from detailed consideration included:

- Original Project as Submitted: The Project Applicant originally proposed a two building logistics center totaling 1.43 million square feet; however, during preparation of the DEIR the Project Applicant received feedback from the City encouraging additional setback and landscaping as well as a reduction in the size of Building 2 due to various environmental impacts. Thus, the Project was redesigned to reduce environmental impacts and the original 1.43 million square foot Project has been withdrawn from consideration.
- Alternative Location 1: Palmyrita Avenue/Michigan Avenue: Alternative Location 1 was rejected from further analysis in the DEIR because the site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Also, Alternative Location 1 is located further from Interstate 215 and State Route 60, which could cause greater transportation impacts.
- Alternative Location 2: Meridian Business Park, Phase 3: Alternative Location 2 was rejected from further analysis in the DEIR because this location is outside of the City's jurisdictional boundary and owned by another party, which means that securing the needed entitlements for development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site.
- Alternative Location 3: property along Alessandro Boulevard within the *Sycamore Canyon Business Park Specific Plan*: All of the vacant parcels along Alessandro Boulevard and within the *SCBPSP* are owned by other entities and are either currently under construction or are too small for the proposed Project. The larger properties fronting Alessandro Boulevard are also owned by other property owners and are oddly shaped, which makes assemblage difficult. These properties are also traversed by drainages under the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, making development difficult. (DEIR, pp. 8-6 – 8-9.)

The DEIR also contained detailed consideration of three alternatives to the proposed Project, as summarized below.

Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by State CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some degree. (DEIR, p. 8-16.) Section 15126.6(f)(1) of the State CEQA Guidelines states that, among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form or another. Therefore, since it can be reasonably anticipated that the site would not remain in an

undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

Pursuant to State CEQA Guidelines Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should also be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The GP 2025 designates the Project site for Business/Office Park and the SCBPSP designates the site as Industrial, which permits the logistics center use proposed by the Project as well as industrial and business office use, manufacturing, publishing and printing, research office and laboratory uses. Under Alternative 2, the Project site would be developed with approximately 1.37 million SF of manufacturing uses. (DEIR, p. 8-16.)

Alternative 2 would generate approximately twice as many trips as the proposed Project and none of this alternative's environmental impacts would be decreased in comparison to the proposed Project. Additionally, this alternative does not meet any of the Project objectives associated with development and operation of a logistics center. Therefore, this alternative was rejected as infeasible. (DEIR, pp. 8-24 – 8-25.)

Alternative 3, the reduced density alternative, would reduce the building floor area by 30 percent of that proposed in the original 1.43 million SF project. The reduced density alternative could be realized by scaling down both proposed buildings. (DEIR, p. 8-25.)

Because Alternative 3 reduces development by 30 percent in comparison to the proposed Project, this alternative would have reduced impacts to air quality, greenhouse gas emissions, noise, and transportation/traffic. However, this alternative does not reduce the Project's significant and unavoidable impacts to air quality, noise, or transportation/traffic to a less than significant level. Additionally, Alternative 3 meets most of the Project objectives to a lesser degree than that of the proposed Project. The feasibility of this alternative is further reduced due to economic concerns: unless site coverages reaches at least 45 percent, the rate of return from the lease would be too low to justify the risk and cost of investment and there would be a loss of economies of scale in the construction of smaller buildings, which would drive the rate of return on investment to below zero. Thus, Alternative 3 is rejected as infeasible. (DEIR, p. 8-33.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 23-B:**

See Response 23-A – Good Neighbor Guidelines above. The proposed Project is consistent with the goals outlined in the City's *Good Neighbor Guidelines* and includes specific design features to help to minimize impacts of diesel emissions associated with distribution centers greater than 400,000 square feet. (DEIR, Appendix M pp. M-66 – M-72.) For example, the Project has been designed such that no parking is provided along the northern side of Building 2, nearest the residential uses, and there are no cross dock facilities on Building 2. Site access will be located away from residential uses and all driveways at the site will be limited to right

turn only movements to avoid traffic headed east on Dan Kipper Drive, closest to the residential uses.

A Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 of the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR).

None of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the Project vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicated they have no further comments on the HRA analysis. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. (DEIR, pp. 5.3-33 – 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 23-C:**

See Response 23-A – Good Neighbor Guidelines and Response 23-B above.

**Health Risk Assessment:** A HRA is required when the truck traffic areas of an industrial project are located within 1,000 feet of sensitive receptors, in accordance with SCAQMD guidelines and/or practices. Refer to Response to Comment 23-B for a discussion regarding the findings of the HRAs and the New Modeling prepared for the Project.

**Air Quality:** The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (listed in Response to Comment 23-A). (DEIR, pp. 5.3-26, 5.3-27, 5.3-30, 5.3-35–5.3-40.)

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) The amount of pollution that would be released from the outside of the walls would be negligible.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 23-D:**

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. (CEQA Guidelines, § 15126.6(f)(1).) As suggested by the commenter, several alternative locations were considered, but ultimately rejected, by the City for the following reasons:

#### **Alternative Location 1: Palmyrita Avenue/Michigan Avenue**

This site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Additionally, Alternative Location 1 is located further from Interstate 215 and State Route 60 which could cause greater transportation impacts in terms of the number of impacted intersections and more circuitous routes. Thus, Alternative Location 1 is not a feasible alternative to the proposed Project because the Alternative Location 1 site is not under the control of the Applicant. (DEIR, p. 8-6.) Additionally, Alternative Location 1 will not meet all of the Project objectives.

#### **Alternative Location 2: Meridian Business Park, Phase 3**

Alternative Location 2 was rejected from further analysis because this location is outside of the City's jurisdictional boundary, owned by another party, securing the needed entitlements for

development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Thus, Alternative Location 2 is not a feasible alternative to the proposed Project because the Alternative Location 2 site is not under the control of the Applicant. (DEIR, p. 8-6.) Additionally, Alternative Location 2 will not meet all of the Project Objectives.

#### Alternative 1: No Project, No Build

The No Project, No Build Alternative was also considered in the DEIR, as required by *State CEQA Guidelines* Section 15126.6(e)(3)(C). While all environmental impacts would be less than significant with Alternative 1; this Alternative would greatly underutilize the site and would only meet one of the Project objectives to some degree. Section 15126.6(f)(1) of the *State CEQA Guidelines* states that among factors that may be taken into account when addressing the feasibility of alternatives are site suitability and economic vitality. Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible. (DEIR, p. 8-16.) Additionally, Alternative 1 will not meet all of the Project objectives.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 23-E:**

Alternative Locations 1 and 2 are located further from Interstate 215 and State Route 60 which would cause greater transportation impacts in terms of the number of impacted intersections on local roadways and more circuitous routes. Regardless of the transportation impacts that may be associated with Alternative Locations 1 and 2, these alternative locations were rejected from further analysis because they are not feasible, in part because the Project Applicant cannot reasonably acquire, control, or otherwise have access to either of these alternative sites (DEIR, p. 8-6).

Although the Project will have significant impacts related to transportation, pursuant to *State CEQA Guidelines* Section 15093, the City may adopt a Statement of Overriding Considerations to move forward with the Project if specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 23-F:**

With regards to the alternatives evaluated in the DEIR

CEQA requires the lead agency to consider a range of alternatives to the Project (*State CEQA Guidelines* Section§ 15126.6(a). According to this section of the *State CEQA Guidelines*, "...an

EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.” An EIR is not required to consider alternatives which are infeasible. Four alternatives were identified but rejected from detailed consideration because they either: failed to meet basic project objectives, were infeasible, or would not avoid significant environmental impacts. The alternatives rejected from detailed consideration included:

- Original Project as Submitted: The Project Applicant originally proposed a two building logistics center totaling 1.43 million square feet; however, during preparation of the DEIR the Project Applicant received feedback from the City encouraging additional setback and landscaping as well as a reduction in the size of Building 2 due to various environmental impacts. Thus, the Project was redesigned to reduce environmental impacts and the original 1.43 million square foot Project has been withdrawn from consideration.
- Alternative Location 1: Palmyrita Avenue/Michigan Avenue: Alternative Location 1 was rejected from further analysis in the DEIR because the site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Also, Alternative Location 1 is located further from Interstate 215 and State Route 60, which could cause greater transportation impacts.
- Alternative Location 2: Meridian Business Park, Phase 3: Alternative Location 2 was rejected from further analysis in the DEIR because this location is outside of the City’s jurisdictional boundary and owned by another party, which means that securing the needed entitlements for development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site.
- Alternative Location 3: property along Alessandro Boulevard within the *Sycamore Canyon Business Park Specific Plan*: All of the vacant parcels along Alessandro Boulevard and within the *SCBPSP* are owned by other entities and are either currently under construction or are too small for the proposed Project. The larger properties fronting Alessandro Boulevard are also owned by other property owners and are oddly shaped, which makes assemblage difficult. These properties are also traversed by drainages under the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, making development difficult. (DEIR, pp. 8-6 – 8-9.)

The DEIR also contained detailed consideration of three alternatives to the proposed Project, as summarized below.

Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by State CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some

degree. (DEIR, p. 8-16.) Section 15126.6(f)(1) of the State CEQA Guidelines states that, among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form or another. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

Pursuant to State CEQA Guidelines Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should also be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The GP 2025 designates the Project site for Business/Office Park and the SCBPSP designates the site as Industrial, which permits the logistics center use proposed by the Project as well as industrial and business office use, manufacturing, publishing and printing, research office and laboratory uses. Under Alternative 2, the Project site would be developed with approximately 1.37 million SF of manufacturing uses. (DEIR, p. 8-16.)

Alternative 2 would generate approximately twice as many trips as the proposed Project and none of this alternative's environmental impacts would be decreased in comparison to the proposed Project. Additionally, this alternative does not meet any of the Project objectives associated with development and operation of a logistics center. Therefore, this alternative was rejected as infeasible. (DEIR, pp. 8-24 – 8-25.)

Alternative 3, the reduced density alternative, would reduce the building floor area by 30 percent of that proposed in the original 1.43 million SF project. The reduced density alternative could be realized by scaling down both proposed buildings. (DEIR, p. 8-25.)

Because Alternative 3 reduces development by 30 percent in comparison to the proposed Project, this alternative would have reduced impacts to air quality, greenhouse gas emissions, noise, and transportation/traffic. However, this alternative does not reduce the Project's significant and unavoidable impacts to air quality, noise, or transportation/traffic to a less than significant level. Additionally, Alternative 3 meets most of the Project objectives to a lesser degree than that of the proposed Project. The feasibility of this alternative is further reduced due to economic concerns: unless site coverages reaches at least 45 percent, the rate of return from the lease would be too low to justify the risk and cost of investment and there would be a loss of economies of scale in the construction of smaller buildings, which would drive the rate of return on investment to below zero. Thus, Alternative 3 is rejected as infeasible. (DEIR, p. 8-33.)

The commenter suggested residential zoning or commercial as an acceptable alternative. Residential development is not permitted within the Sycamore Canyon Business Park Specific Plan (SCBPSP). Retail uses, such as restaurants or grocery stores, would require a Conditional Use Permit (CUP.) However, retail users have specific requirements in regards to access,

visibility, and market demand. A retail use would also generate a substantially greater number of vehicular trips and the associated air quality and noise impacts that accompany them than the Proposed project. Further, there are already large-scale light industrial uses, consisting of distribution centers and warehousing within the Sycamore Canyon Business Park, to the east and south of the Project site (DEIR, Figure 3-5). Finally, the suggested residential zoning or commercial uses would not meet the Project objectives.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 23-G:**

Comment noted. Refer to Response to Comments 23A through 23F. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 24 – Roberto Passoni

24

### **Brenes, Patricia**

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**From:** robertopassoni@sbcglobal.net  
**Sent:** Thursday, September 22, 2016 10:05 PM  
**To:** Brenes, Patricia  
**Cc:** Alec Gerry; Alec Gerry  
**Subject:** [External] Sycamore Canyon warehouses

City of Riverside  
Community Development Department Planning Division  
Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

September 21, 2016

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042). The following paragraphs describe some of my serious concerns in regards to the proposed warehouses.

1. My personal experience in regards to the high-level of noise that occurs every night and throughout the night.

24-A

My address is 6071 Bannock Drive and my house faces Sycamore Canyon Park with the Ralph distribution center 800 yards away. In the past few years, it appears that there has been a significant increase in noise level, especially during the night-time hours from the industrial warehouses, including both the pre-existing warehouses and the new industrial warehouses built in the past decade.

Every night we are awoken by the noise of trucks driving around, forklifts and/or other loading/unloading machines working throughout the night, and even more pronounced is the noise that these machineries produce, which is a continuous very loud and sharp "Beep-Beep" sound. This noise goes on throughout the night from about 7 in the evening to 7 in the morning. Most importantly, this noise is impacting mine and other's quality of sleep dramatically. We have tried to block the noise out by closing our windows, wearing earplugs, using a white-noise machine, and many more alternatives. Yet, none of these techniques have been successful at reducing the noise.

24-B

If lucky, I and others in my family are able to get a total of 4 hours of sleep per night because of all the noise that the warehouses create. As a result of the noise and lack of sleep our functionality and ability to remain attentive at work or at school is significantly impaired. Likewise, our relationships with others are also compromised because our irritability increases due to the lack of sleep. This should come as no surprise as a wealth of research has demonstrated how lack of sleep is positively correlated to a poorer quality of life.

24-C

This serious issue is not only common to my family, but it is a shared experience by many other individuals in the neighborhood. We have made many complaints to city of Riverside with the hopes that they will listen to our concerns, however we have yet to hear a constructive response. When will our voices be heard regarding the severity of damage that these warehouses are causing to a part of Riverside's community? In addition, how is it conceivable that the city of Riverside is in the process of approving additional warehouses, which also happens to be placed in a closer location?

24-D

2. The unappealing aesthetic associated with the architectural design.

24-E

A picture is worth a thousand words. Take a look for yourself in the before and after pictures below. These are pictures of the houses on Stockport Drive (another street that faces Sycamore Canyon Park), where a warehouse was recently built very close to the houses. Literally, a large gray wall now creates a shadow over these homes and is lowering their property value.

24-E  
cont.

My question here is, how is it possible that the city of Riverside approved such a project? Who in their right mind, would build a wall so high and so close to the residential homes? Please hold a public meeting to explain this "brilliant" idea as I am truly unable to comprehend such reasoning. Even worse is, how is it possible that Riverside is even considering to approve additional mega warehouses to be built in so close to our backyards?

**BEFORE THE LATEST WAREHOUSE WAS BUILT**



**AFTER THE LATEST WAREHOUSE WAS BUILT**





↑  
24-E  
cont.

### 3. Conclusion

With the proposal of developing additional warehouses, the city of Riverside is having the residents of Sycamore Highland face numerous consequences. The warehouses are producing high noise-levels and directly affecting our quality of life. In addition, they are decreasing the value of our houses, by building unappealing buildings in such close proximity to our homes.

24-F

There is a possibility that the warehouses may bring in more jobs and revenue for the city of Riverside. However, it is unjustifiable compared to the real immediate loss of property values and even more importantly, the quality of life that we as the residents will have to suffer.

24-G

I cannot overemphasize the importance of creating an adequate buffer zone between the residential homes and industrial warehouses. More importantly, it is essential that these warehouses are far enough to not impact the lives of the people in the neighborhood.

24-H

The preexisting plan is not a justification for its execution if the plan itself is wrong. We expect the city of Riverside to work with the residents and not against us, whether that means figuring out any legal consequences that the landowner could claim. For example, perhaps there can be a land exchange, as there are plenty of desert areas for warehouses far away from residential homes or even land which the city can rebuy.

24-I

My thoughts and concerns seem to me so clear and obvious, but perhaps I may have a misconstrued idea of what is a civil and just community. Nevertheless, I remain struck by how anyone (except perhaps the land owner) could see these industrial development as a community improvement.

24-J

I urge the city of Riverside to reconsider and stop the project of building a new mega-warehouse in the Sycamore Canyon Park, and to refund the owners of the residential homes that have already lost value and living quality within the last years. Lastly, I ask the city of Riverside to find a reasonable solution to the increased noise activity that we are currently faced with.

Sincerely,

Roberto Passoni  
Resident of Sycamore Highlands  
6071 Bannock Drive  
Riverside, CA 92507  
(951) 236-4048

## Response to Comment Letter 24 – Roberto Passoni

### **Response to Comment 24-A:**

Comment noted. The comment regarding existing noise from the warehouses in the area is noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. These measurements are taken to quantify the existing noise in the area so that the anticipated noise from the construction and operation of the proposed Project can be evaluated. The results of this monitoring are reported in Draft Environmental Impact Report (DEIR) **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) The NIA also quantified potential noise impacts associated with construction and operation of the proposed distribution center Buildings 1 and 2. (DEIR Appendix I)

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the

Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all

receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the two property owners will permit per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner granting approval for the installation, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-B:**

Comment noted. Refer to Response to Comment 24-A. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-C:**

Comment noted. Refer to Response to Comment 24-A. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-D:**

Comment noted. Refer to Response to Comment 24-A. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-E:**

The commenter's opinion regarding the CT Sycamore Center Project is noted. The CT Sycamore Center Project on Dan Kipper Drive was constructed with a 50-foot setback from the northerly property lines, adjacent to the residential properties and the buildings range from 37-feet to 41-feet in height. The CT Sycamore Center Project is separate and independent from the proposed Project and was approved by the City after undergoing its own environmental review and public hearing process that included analysis of potential noise and other impacts. The existence of the CT Sycamore Center Project warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

The Project, as originally submitted and presented at the August 26, 2015 scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City, encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. As a result, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. The 100-foot buffer will have 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area between Building 2 and the drive aisle. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) This is the Project that has been reviewed in the DEIR.

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. There is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan**).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-F:**

Noise. The Environmental Impact Report fully disclosed the significant and unavoidable noise impacts as a result of the proposed Project. Thus, a Statement of Overriding Considerations, as allowed by State California Environmental Quality Act (CEQA) Guidelines Section 15093, will be required should the City choose to approve the Project. Also, refer to Response to Comment 24-A above.

Property Value: This comment alleges that the proposed Project may cause economic hardship or social impacts by adversely impacting property values and quality of life. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of use and effect. The focus of the analysis shall be on the physical changes.*

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in the EIR only if the physical effects would be significant (CEQA Guidelines Section § 15358(a)(2)). Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment” (CEQA Guidelines, § 15064(f)(6)). The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. . . . Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview” (*Anderson First Coalition v. City of Anderson* [2005] 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)]). This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-G:**

Refer to Comment 24-F above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-H:**

The Project site is within the Sycamore Canyon Business Park Specific Plan and has been planned for light industrial uses since the 1980s. The site has been designed to incorporate a

100 foot buffer between the Project and adjacent residences. To minimize impacts to the adjacent residences, there are no dock doors on the northern side of Building 2, closest to the residences, and truck traffic leaving the site is limited to making only right-turns onto Lance Drive, away from the residential areas to the north of the Project site. Also, refer to Response to Comment 24-F. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-I:**

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP), and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City’s *Sycamore Canyon Business Park Specific Plan (SCBPSP)*, which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14)

The proposed Project is consistent with the GP 2025 and permitted as a matter of right in the SCBPSP.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 24-J:**

Refer to Response to Comments 24-F and 24-I.

Although there will be significant and unavoidable impacts related to air pollution and noise, even with feasible mitigation incorporated, as well as significant and unavoidable impacts related to traffic, the City has discretion to approve a Statement of Overriding Considerations and move forward with the Project, Section 15093(a) of the State *CEQA Guidelines* requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects to be acceptable.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 25 – Richard Drury, Lozeau Drury LLP

25



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September 22, 2016

*Via Email and US Mail*

Patricia Brenes, Principal Planner  
City of Riverside  
Community & Economic Development Department  
Planning Division  
3900 Main Street, 3<sup>rd</sup> floor  
Riverside, CA 92522  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

**RECEIVED**

SEP 27 2016

**Community & Economic  
Development Department**

**Re: Sycamore Canyon Business Park Buildings 1 and 2  
Draft Environmental Impact Report (SCH No. 2015081042)**

Dear Ms. Brenes:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184 and its members living in Riverside County (collectively "LIUNA" or "Commenters") regarding the Draft Environmental Impact Report ("DEIR") prepared for the Sycamore Canyon Business Park Buildings 1 and 2 (SCH No. 2015081042) ("Project").

25-A

After reviewing the DEIR, we conclude that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. Commenters request that the City of Riverside ("City") address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Drury', is written over a light blue horizontal line.

Richard Drury

## **Response to Comment Letter 25 – Richard Drury, Lozeau Drury LLP**

### **Response to Comment 25-A:**

Recirculation of an Environmental Impact Report (EIR) prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR (DEIR) for public review and comment, but before the Final EIR (FEIR) is certified by the lead agency. (CEQA Guidelines, § 15088.5.) As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Recirculation of a DEIR is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, § 15088.5 (a), (b).)

The commenter provides no evidence, substantial or otherwise, that the DEIR is inadequate or requires significant new information. The DEIR was prepared in accordance with the requirements of the *State CEQA Guidelines* and the City’s local guidelines for implementing CEQA and contains a thorough analysis of the Project’s potential environmental impacts to all of the environmental issues in Appendix G of the *State CEQA Guidelines*. The revisions to the DEIR will be identified in Section 3 – Errata to Draft EIR of the Final EIR to clarify and amplify the discussion in the DEIR.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 26 – City of Moreno Valley



September 22, 2016

Patricia Brenes, Principal Planner  
City of Riverside  
Community Development Department  
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RECEIVED

SEP 27 2016

Community & Economic  
Development Department

**Subject:** Comments on the Draft Environmental Impact Report (DEIR) for the Sycamore Canyon Business Park - Located West of Sycamore Canyon Boulevard at the Western Terminus of Don Kipper Drive and West of Lance Drive (SCH No. 2015081042).

Dear Ms. Brenes:

The City of Moreno Valley appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Sycamore Canyon Business Park located in the City of Riverside. Given the size and proximity of the project to Moreno Valley, the proposal to develop a 1,375,169 square foot industrial complex, and amendment to the Circulation Element of the City of Riverside's General Plan to modify existing roadway and circulation patterns can have adverse impacts on the City of Moreno Valley.

The City offers the following comments for your consideration:

### Air Quality

- Sections 5.3 and 6.1.5 (Air Quality) - There was no mention in the DEIR of the type of diesel trucks that would be entering the site during the construction and operations phases of the project. It is recommended that the site be restricted to allow only 2010 trucks or better to further reduce NOx emissions. An example of a mitigation measure to be added to the Air Quality and Greenhouse Gas (Section 5.7) sections is as follows:

"All diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at all time.

26

26-A

26-B

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- Sections 5.3 and 6.1.5 (Air Quality) – MM AQ20 f) states that, "Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points."

26-C

It is recommended that the mitigation modified to limit truck idling time to three (3) minutes. This mitigation level effort will be consistent with other similar projects in the area and can further lessen a significant and unavoidable air quality impact.

- Sections 5.3 and 6.1.5 (Air Quality) – MM AQ17 states, "During grading, all off-road diesel-powered construction equipment greater than 50 horsepower shall meet or exceed the United States Environmental Protection Agency (EPA) Tier 3 off-road emissions standards. Proof of compliance shall be reviewed by the City prior to issuance of a grading permit"

26-D

It is recommended that the above mitigation measure be revised to require Tier 4 construction equipment during project construction. The EPA Tier 4 emissions standards were being phased in between 2008 to 2015 and should be available. Incorporation of a revised mitigation measure tying equipment to Tier 4 emission standards would further mitigate the projects significant and unavoidable air quality impact and would be consistent with other similar logistics projects in the area.

#### Transportation/Traffic

- Section 5.16 (Transportation/Traffic) – A discrepancy appears to exist in Section 5.16 regarding the environmental determination and level of impact for any Transportation/Traffic impacts. Under 5.16.6 – "Proposed Mitigation Measures", it is stated that, "implementation of the proposed Project will not result in any potentially significant impacts to transportation/traffic, and therefore, no mitigation measures are necessary". However, on Page 5.16.52 and 5.16.53 of the document, it is stated that "although the Project's intersection impacts will not be significant, its freeway segments (on and off ramps) will be significant and unavoidable until improvements are constructed".

26-E

There were no visible mitigation measures provided in the DEIR document for Traffic/Transportation. The following explanation was given regarding the improvements and lack of mitigation provided:

26-F

"These improvements are under the exclusive control of Caltrans and the timing and funding of these improvements are currently unknown. Neither, the City, as the lead agency, nor the Project proponent can contribute fair share payment because Caltrans has no fund established for this purpose. Fair share payment

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may be paid when there is an identified fund and where it is reasonably foreseeable that the mitigation will be installed. Because Caltrans has no fund established to receive payment and the timing of these improvements are unknown, this impact is considered to be significant and unavoidable."

26-F  
Cont.

If the determination was identified as significant and unavoidable for freeway on and off ramp segments, any and all feasible mitigation measures should be provided to address the impact. It shall also be made clear to the reader that the final impact determination for Transportation/Traffic under Section 5.16.6 shall be significant and unavoidable and not less than significant with no mitigation required or "significant and unavoidable until improvements are constructed".

26-G

Further, the project should be conditioned to participate in some fashion with key transportation agencies in Riverside County (e.g. RCTC, Riverside County TLMA, WRCOG) to develop an appropriate transportation funding program to address freeway impacts.

26-H

We respectfully request that the City of Moreno Valley receive copies of the Final Environmental Impact Report (EIR) and associated technical studies when available. Please include the City on any future mailing lists regarding final Environmental Impact Report (EIR) documents as well as for future notification of meetings/ and public hearings associated with the environmental determination and project.

26-I

Thank you again for the opportunity to provide comments on the DEIR. We look forward to working with you as the document is being finalized. Should you have any questions or concerns, please contact Mark Gross, AICP at (951) 413-3215.

Sincerely,



Richard Sandzimir  
Planning Official

c City Council  
City Manager  
Assistant City Manager  
City Attorney  
Department Heads  
Michael Lloyd, Land Development Division Manager  
Mark Gross, Senior Planner  
Claudia Manrique, Associate Planner

## Response to Comment Letter 26 – City of Moreno Valley

### **Response to Comment 26-A:**

The City appreciates the City of Moreno Valley’s review of the Draft Environmental Impact Report (DEIR).

### **Response to Comment 26-B:**

The Project Applicant is not a trucking company or a trucking operator. As stated on page 3-43 of the DEIR, the proposed Project is being constructed as a “spec” building. The ultimate user is not known at this time. Nonetheless, the Project has incorporated a design feature that requires all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards. To clarify this, the bottom of DEIR page 5.3-21 will be modified in the Final Environmental Impact Report (FEIR) as follows:<sup>1</sup>

#### Transportation and Motor Vehicles

- Limit idling time for commercial vehicles to no more than ~~three~~five minutes.
- All medium and heavy duty diesel trucks that enter the Project site shall that meet or exceed 2010 engine emission standards as specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative shall be permitted to enter the Project site. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- Provide up to three electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.

Because the Project will require all medium and heavy duty vehicles entering the Project site to meet or exceed 2010 engine emissions standards, this feature has also been included as a mitigation measure for consistency with other project design features that were also included as mitigation. (DEIR, p. 5.3-35.) Accordingly, mitigation measure **MM AQ 17** will be renumbered to **MM AQ 17a** and **MM AQ 17b** will be added to DEIR page 5.3-37. The addition of this mitigation does not raise any new significant environmental effects of the project but merely clarifies and makes an insignificant modification to the EIR to include a project design feature that the Project will require the use newer truck engines than is currently required by law.

**MM AQ 17b:** All medium and heavy duty diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural

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<sup>1</sup> New text is shown as double underlined (example text) and the text to be deleted is shown as strikethrough (~~example text~~).

gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

Because all medium- and heavy-duty vehicles entering the Project site are required to meet or exceed 2010 engine emissions standards, mitigation measure **MM AQ 23** will be modified in the FEIR as follows:

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~ (DEIR, p. 5.3-39.)

In addition to compliance with the above mitigation measure, the building operators will be required to comply with all applicable rules and regulations regarding vehicles that use the Project site. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 26-C:**

The Project will comply with Title 13, Section 2485 of the California Code of Regulations and **MM AQ 13** and **AQ 22**, which limits idling time to 3 minutes. Mitigation Measures **MM AQ 13** and **MM AQ 22** were modified and These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~ five minutes or less ~~in excess of pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the ~~requirement that~~ CARB diesel idling ~~times cannot exceed three minutes~~ regulations, and the importance of being a good neighbor by not parking in residential areas.

- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

The revision to mitigation measures **MM AQ 13** and **AQ 22** to change the idling time from five minutes to three minutes does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 26-D:**

Project-related short-term emissions were evaluated using the California Emissions Estimator Model (CalEEMod) version 2013.2.2 computer program. The model evaluated emissions resulting from site preparation, grading, and construction. The default parameters within CalEEMod were used and these default values reflect a worst-case scenario, which means that Project emissions are expected to be equal to or less than the estimated construction emissions. In addition to the default values used, the following assumptions relevant to construction were used to model short-term construction emissions:

- Tier 3 grading equipment will be used during Project grading to reduce oxides of nitrogen (NO<sub>x</sub>) and diesel particulate matter (DPM) impacts to nearby receptors as required by **MM AQ 17**, as renumbered in the FEIR:

**MM AQ 17a:** During grading, all off-road diesel-powered construction equipment greater than 50 horsepower shall meet or exceed United States Environmental Protection Agency (EPA) Tier 3 off-road emissions standards. Proof of compliance shall be reviewed by the City prior to issuance of a grading permit.

- Default construction equipment ratings and load factors contained in CalEEMod were applied to 40-hours per week actual engine running times except cranes at 20-hours per week.
- To evaluate Project compliance with SCAQMD Rule 403 for fugitive dust control, the Project will utilize the mitigation option for watering the Project site three times daily which achieves a control efficiency of 61 percent for particulate matter 2.5 to 10 microns in diameter (PM-10) and particulate matter 2.5 microns or less in diameter (PM-2.5) emissions, as required by **MM AQ 20**:

**MM AQ 20:** Pursuant to SCAQMD Rule 403 (e) – Additional Requirements for Large Operations – the Project will implement applicable dust control measures specified in Table 2 of the Rule and will implement additional measures specified in Table 3 of the Rule if performance standards cannot be met through use of Table 2 measures. The Project will submit a Large Operation Notification (Form 403 N) to the SCAQMD prior to commencing construction activities. Consistent with Rule 403, the following general-practice BMPs will be implemented as part of the Project’s construction specifications so that all construction-related emissions, including fugitive dust, would result in less than significant impacts:

- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered three times per day.
  - b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - d) All vehicle speeds on unpaved roads shall be limited to 15 mph.
  - e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points.
  - g) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator if visible emissions are apparent to onsite construction staff.
  - h) A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.
- Additional water truck trips were specifically included during grading, 200 horsepower at default load factor for slow speed operation.
  - The architectural coating schedule at the end of construction was extended by one week (24 days to 30 days) to reduce daily volatile organic compound (VOC) emissions.
  - The actual architectural coating surface area was recalculated from the CalEEMod defaults based on actual Project size.

Based on **Table 5.3-E – Estimated Daily Construction Emissions**, criteria pollutant emissions from construction activities will not exceed the SCAQMD regional daily thresholds during Project construction if each activity occurs separately. The construction activities that may potentially overlap include, building construction, paving, and architectural coating (painting) activities. **MM AQ 21** will be implemented to prohibit the building construction and architectural coating (painting) activities from overlapping in order to avoid an exceedance of Volatile Organic Compounds (VOC) emissions.

**MM AQ 21:** To reduce VOC emissions during construction, the building construction activities and architectural coating (painting) activities shall not occur concurrently.

There was a typographical error noted in Section 6.2 Significant Unavoidable Adverse Impacts in the DEIR. To clarify that there are no significant air quality impacts during construction, the first bullet point under the second paragraph under Section 6.2 Significant Unavoidable Adverse Impacts on page 6-29 of the DEIR will be revised in the Final EIR (FEIR) as follows:

The proposed Project will result in Project-specific or cumulatively significant unavoidable impacts to:

- Air quality – cumulative and Project-specific impacts during ~~construction and operations~~ during construction and operations;
- Noise – Project-specific impacts during construction and operation); and
- Traffic – Project-specific and cumulative impacts to freeway level of service (LOS).

This clarification does not change the significance conclusions of the DEIR or result in the need for additional mitigation. Since Project construction will not result in significant air quality impacts with the inclusion of the mitigation measures mentioned above, the use of Tier 3 construction equipment (as noted in **MM AQ 17a**) is appropriate for this Project. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 26-E:**

The commenter's comment is noted. Section 5.16.6 of the DEIR contained a typographical error that will be addressed in the FEIR. (DEIR, p. 5.16-56.) Specifically, the following revisions will be made in the FEIR:

An EIR is required to describe feasible mitigation measures which could minimize significant adverse impacts (*CEQA Guidelines*, Section 15126.4). ~~Implementation of the proposed Project will not result in any potentially significant impacts with regard to level of service to transportation/traffic, and therefore, no mitigation measures are necessary. Although Project implementation will contribute to an exceedance of Level of Service (LOS) at the I-215 NB off-ramp at Eastridge-Eucalyptus during the PM peak hour and the I-215 NB on-ramp at Fair Isle-Box Springs during the AM and PM Peak hours;~~

there are no feasible mitigation measures to reduce these impacts to less than significant because the needed freeway improvements are under the jurisdiction of Caltrans and the City has no control over when the improvements will be made. Therefore, there are no feasible mitigation measures to reduce these impacts to less than significant.

This clarification does not constitute significant new information as the Project's significant and unavoidable impact to freeway LOS is disclosed throughout the DEIR on pages 1-51, 1-56, 5.16-35, 5.16-48, 5.16-52, 5.16-53, 5.16-57, and 6-29.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 26-F:**

This comment, which quotes the DEIR, is noted. Also, refer to Response to Comment 26-E above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 26-G:**

See Response to Comment 26-E regarding clarification of DEIR Section 5.16.6. Also, refer to Response to Comment 26-F above. Section 5.16.6 Proposed Mitigation Measures on DEIR page 5.16-56 will be revised to clarify that impacts are significant and unavoidable as follows:

An EIR is required to describe feasible mitigation measures which could minimize significant adverse impacts (*CEQA Guidelines*, Section 15126.4). As discussed in the analysis under Threshold A, because there are no feasible mitigation measures for impacts to freeway on- and off-ramps, implementation of the proposed Project will result in significant and unavoidable impacts to freeway segments (on-and off-ramps) impacts to transportation/traffic, and therefore, no mitigation measures are necessary.

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 26-H:**

As stated in the DEIR, there are no regional funding programs in place for freeway impacts (DEIR, p. 5.16-52). The Project will pay all applicable fees for transportation improvements in place at the time buildings permits are issued. The commenter is referred to the portion of DEIR **Table 1-B – DEIR Summary Matrix** (DEIR pages 1-51 –1-53) for an identification of Transportation/Traffic impacts. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 26-I:**

Comment noted. The commenter will be included on the mailing list for this Project and will receive notification of the Final Environmental Impact Report. This comment does not identify

any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 27 – Thomas Ruiz

27

### **Brenes, Patricia**

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**From:** Thomas Ruiz <ThomasJ.Ruiz@hotmail.com>  
**Sent:** Friday, September 23, 2016 9:26 AM  
**To:** Brenes, Patricia  
**Subject:** [External] Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042)

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. 2015081042).

I live at 1358 Sutherland Drive, Riverside, CA. Very close to the (2) proposed Mega Warehouse projects. I am a first time homeowner and recently bought in this neighborhood for the beautiful views and quiet environment. After a few months of living here, I experienced noise from back-up signals coming from the existing warehouse in the early AM from terminal tractors. With that being said, my family's house is considerably further away from those warehouses compared to the proposed warehouses, which would be less than a football field length away. This is cause for grave concern for noise pollution, in which the EIR shows that the tests were taken in non-peak hours and after the holiday season.

27-A

In our community we have quite a few young children that play outside, including my son. If this project is to be constructed I fear that they can face health risk with the excessive increase of trucks traveling through our community and at the proposed warehouse location. I fear that the owner of the warehouse will not be able enforce any regulation on their tenants or of their sub-contractors that will deliver or pick up from this warehouse in the use of a clean air vehicle. I would propose that any such contract be approved by the city council to insure the residence that proper mitigation measures would be followed.

27-B

Also, we have a great number of trucks that either congests the roadways or parked illegally on Sycamore Canyon waiting for pick-ups or delivery. We fear that this problem will only increase do the sure size of this proposed project. I fear that in the future, the bottle neck of 215/60 interchange will cause heavier traffic. Commutes to and from work will be longer which will result in spending less time with our families. This can also cause our community to be a less desirable place to live and possibly lowering the communities home values. I truly believe that this project is not properly sited for the size. Therefore, we fear that any mitigation measures taken wouldn't be enough without affecting the quality of life of the current residence.

27-C

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns described above. I believe that the draft EIR should be rewritten and alternate mitigation strategies (including NO development) should be considered.

27-D

Sincerely,

Thomas Ruiz  
1358 Sutherland Dr.  
Riverside, CA

## Response to Comment Letter 27 – Thomas Ruiz

### **Response to Comment 27-A:**

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. The results of this monitoring are reported in Draft Environmental Impact Report (DEIR) **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from existing adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that change in the noise levels resulting from Project implementation would be overstated. Existing noise levels in the Project vicinity were measured on five separate days in December 2015. (DEIR, Table 5.12-B.) These measurements consist of three 10-minute, short-term, noise measurements and two 24-hour, long-term, noise measurements. Noise measurement locations were chosen to reflect different existing noise environments from the residents to the northwest of the Project site as well as residents to the north of the Project site. It is important to note that, in selecting the locations for ambient monitoring, locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to an increase in noise associated with the Project. Again, the purpose of the ambient noise measurements is to provide a basis for the comparison of noise with and without the Project; thus, longer term measurements are not necessary. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City's Noise Ordinance or applicable standards.

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, (below). (DEIR, pp. 5.12-45–5.12-46.) On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City Council of the City of Riverside, amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood

and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical

hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the two property owners will permit the noise barrier wall per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the two individual property owners will authorize, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and

a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 27-B:**

The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

Health Risk Assessment: Since residences will be located within 1,000 feet from the proposed Project, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) to evaluate cancer and non-cancer risks associated with the proposed Project. The November Refined HRA was prepared in response to comments received from SCAQMD on the DEIR regarding the June Screening HRA, and is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). In the June Screening HRA, the November Refined HRA, and the New Modeling, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for either workers or residents within the Project site and vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment F.2.)

Air Quality: The Project has incorporated a design consideration that requires all medium- and heavy-duty trucks entering the Project site meet or exceed 2010 engine emission standards. Specifically, the bottom of DEIR page 5.3-21 will be modified in the FEIR as follows:<sup>1</sup>

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles to no more than threefive minutes.
- All medium and heavy duty diesel trucks that enter the Project site shall that meet or exceed 2010 engine emission standards as specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative shall be permitted to enter the Project site. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- Provide up to three electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.

Because Project Design Features are also listed as mitigation measures in the DEIR (DEIR, p. 5.3-35), mitigation measure **MM AQ 17b** will be included in the FEIR and Mitigation Monitoring and Reporting Program (MMRP).

**MM AQ 17b:** All medium and heavy duty diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

Further, mitigation measure **MM AQ 22**, requires that operators are keeping their trucks properly maintained. Additionally, implementation of mitigation measures **MM AQ 1** through **MM AQ 19** as well as **MM AQ 22** through **MM AQ 25** will help to minimize air quality impacts during Project operation. (DEIR, pp. 5.3-35 – 5.3-39)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of

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<sup>1</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will

also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be revised in the Final Environmental Impact Report (FEIR) as shown below.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~ five minutes or less ~~in excess of pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 16:** The Building Operator shall support and encourage ridesharing and transit for the construction crew and regular employees by providing information on ridesharing and transit opportunities.

**MM AQ 17a:** During grading, all off-road diesel-powered construction equipment greater than 50 horsepower shall meet or exceed United States Environmental Protection Agency (EPA) Tier 3 off-road emissions standards. Proof of compliance shall be reviewed by the City prior to issuance of a grading permit.

**MM AQ 17b** is listed above.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the ~~requirement that~~ CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project will incorporate a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

The City is required to prepare and adopt an MMRP to be included in the FEIR to ensure compliance with the mitigation measures identified in the DEIR. The MMRP will clearly delineate all mitigation measures required, the parties responsible for each mitigation measure, and the timing of implementation of each measure.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 27-C:**

In accordance with the City Municipal Code Section 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. The City has designated commercial vehicle parking along portions of Box Springs Boulevard near the Project site (DEIR, p. 5.16-49.) therefore, trucks may legally park along this road.

With regard to the existing condition of trucks parking illegally on Sycamore Canyon Boulevard, residents may call 311 to report the incident and the call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

With regard to Project-related trucks parking on area streets, it is anticipated that the site will operate 24/7 in which case queuing would not be an issue. However due to issues with other projects within the City, a queuing analysis was performed in the event the Project is not a 24/7 operation. If the Project does not operate as proposed, the potential for queuing would be greatest during the morning, before the site gates open. The queuing capacity for Building 1 is approximately 32 to 35 semi-truck with trailers, which is greater than the anticipated number of trucks expected to arrive during the AM peak hour. (DEIR, p. 5.16-49.) The Building 2 queuing capacity is approximately 5 to 6 semi-trucks with trailers, which is slightly less than the 9 trailer trucks anticipated to arrive during AM peak hours. (DEIR Appendix M, p. M-23.) However, as previously stated, there is designated truck parking near the Project site; thus, it is reasonable to assume Project-related trucks will park there, because, as stated above, trucks are not permitted to park on residential streets. (DEIR, p. 5.16-49.)

A Traffic Impact Analysis (TIA) was prepared for the Project to quantify Project-related impacts to roadway and freeway segments in the Project vicinity. Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments

will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, because freeway facilities are under the jurisdiction of Caltrans there is no mechanism for the City or Project Applicant to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, pp. 5.16-48, 5.16-52, 5.16-53, 6-26.) Although this impact is significant and unavoidable, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action.

This comment alleges that the proposed Project may cause economic hardship impacts by adversely impacting property values. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be “related to physical changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in the EIR only if the physical effects would be significant. (CEQA Guidelines §15358(a)(2).) Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.” (CEQA Guidelines, § 15064(f)(6).) The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. . . . Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§15126.2, 15064(d)(3)]).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 27-D:**

The DEIR was prepared in accordance with the requirements of the State CEQA Guidelines and the City's local guidelines for implementing CEQA. The DEIR contains a thorough analysis of the Project's potential environmental impacts, including impacts related to noise and light and as addressed in Response to Comments 12-A through 12-C above.

CEQA requires the lead agency to consider a range of alternatives to the Project (State CEQA Guidelines Section § 15126.6(a). According to this section of the State CEQA Guidelines, "...an EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation." An EIR is not required to consider alternatives which are infeasible. Four alternatives were identified but rejected from detailed consideration because they either: failed to meet basic project objectives, were infeasible, or would not avoid significant environmental impacts. The alternatives rejected from detailed consideration included:

- Original Project as Submitted: The Project Applicant originally proposed a two-building logistics center totaling 1.43 million square feet; however, during preparation of the DEIR the Project Applicant received feedback from the City encouraging additional setback and landscaping as well as a reduction in the size of Building 2 due to various environmental impacts. Thus, the Project was redesigned to reduce environmental impacts and the original 1.43 million square foot Project has been withdrawn from consideration.
- Alternative Location 1: Palmyrita Avenue/Michigan Avenue: Alternative Location 1 was rejected from further analysis in the DEIR because the site is owned by another developer and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site. Also, Alternative Location 1 is located further from Interstate 215 and State Route 60, which could cause greater transportation impacts.
- Alternative Location 2: Meridian Business Park, Phase 3: Alternative Location 2 was rejected from further analysis in the DEIR because this location is outside of the City's jurisdictional boundary and owned by another party, which means that securing the needed entitlements for development would be speculative, and the Project Applicant cannot reasonably acquire, control, or otherwise have access to this alternative site.
- Alternative Location 3: property along Alessandro Boulevard within the *Sycamore Canyon Business Park Specific Plan*: All of the vacant parcels along Alessandro Boulevard and within the *SCBPSP* are owned by other entities and are either currently under construction or are too small for the proposed Project. The larger properties fronting Alessandro Boulevard are also owned by other property owners and are oddly shaped, which makes assemblage difficult. These properties are also traversed by drainages under the jurisdiction of the U.S. Army Corps of Engineers and the California Department of Fish and Wildlife, making development difficult. (DEIR, pp. 8-6 – 8-9.)

The DEIR also contained detailed consideration of three alternatives to the proposed Project, as summarized below.

Alternative 1: No Project, No Build (i.e., no development at the Project site) was analyzed in the DEIR as required by State CEQA Guidelines Section 15126.6(e)(3)(B) to compare the environmental effects from the Project site remaining in its existing state, versus the environmental effects that would occur if the proposed Project is approved. Although all environmental impacts would be less than significant with Alternative 1, this alternative would greatly underutilize the Project site and would only meet one of the Project objectives to some degree. (DEIR, p. 8-16.) Section 15126.6(f)(1) of the State CEQA Guidelines states that, among the factors that may be taken into account when addressing the feasibility of alternatives, are site suitability and economic viability. As discussed in the DEIR, Alternative 1 is neither suitable for the site nor economically viable. Although this alternative may be feasible in the short term, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form or another. Therefore, since it can be reasonably anticipated that the site would not remain in an undeveloped state over the long term, Alternative 1 is not feasible, as its ability to be implemented would not appear to be feasible. (DEIR, p. 8-16.)

Pursuant to State CEQA Guidelines Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should also be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The GP 2025 designates the Project site for Business/Office Park and the *SCBPSP* designates the site as Industrial, which permits the logistics center use proposed by the Project as well as industrial and business office use, manufacturing, publishing and printing, research office and laboratory uses. Under Alternative 2, the Project site would be developed with approximately 1.37 million SF of manufacturing uses. (DEIR, p. 8-16.)

Alternative 2 would generate approximately twice as many trips as the proposed Project and none of this alternative's environmental impacts would be decreased in comparison to the proposed Project. Additionally, this alternative does not meet any of the Project objectives associated with development and operation of a logistics center. Therefore, this alternative was rejected as infeasible. (DEIR, pp. 8-24 – 8-25.)

Alternative 3, the reduced density alternative, would reduce the building floor area by 30 percent of that proposed in the original 1.43 million SF project. The reduced density alternative could be realized by scaling down both proposed buildings. (DEIR, p. 8-25.)

Because Alternative 3 reduces development by 30 percent in comparison to the proposed Project, this alternative would have reduced impacts to air quality, greenhouse gas emissions, noise, and transportation/traffic. However, this alternative does not reduce the Project's significant and unavoidable impacts to air quality, noise, or transportation/traffic to a less than significant level. Additionally, Alternative 3 meets most of the Project objectives to a lesser degree than that of the proposed Project. The feasibility of this alternative is further reduced due to economic concerns: unless site coverages reaches at least 45 percent, the rate of return

from the lease would be too low to justify the risk and cost of investment and there would be a loss of economies of scale in the construction of smaller buildings, which would drive the rate of return on investment to below zero. Thus, Alternative 3 is rejected as infeasible. (DEIR, p. 8-33.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 28 – David Cocker

28

September 23, 2016

City of Riverside  
Community & Economic Development Dept., Planning Division  
Attn: Patricia Brenes, Principal Planner  
3900 Main Street, 3rd Floor  
Riverside, CA 92522  
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To the City of Riverside:

This document provides comments and concerns related specific to the Draft EIR for Sycamore Canyon Business Park. The following concerns are noted:

### Table 1-B – DEIR Impact Summary Matrix

There are a number of concerns with the summary provided on environmental impacts of the proposed project. They will be addressed by category below:

Aesthetics: Impact: Substantial adverse effect on a scenic vista

The DEIR states that this is *less than significant*. However, this is not true as a proposed 10 foot wall will be placed into the backyard of three “view lots” at the top of their slope as part of the noise mitigation effort.

1. It is unreasonable to even include as a mitigation step the construction of a 10 foot barrier that prevents homeowners from accessing a great portion of their property.
  - a. There is a reason why the Riverside Municipal Code only allows 6 ft high wall boundary walls in residential areas. This is nearly double that height.
  - b. Second, these are view lots with spectacular views of the Box Spring Mountains, Sycamore Canyon Wilderness Park, and Moreno Valley. Placing a 10 foot wall will at the top of their slopes will obscure this view. The builders have stated (not included to best of our knowledge in the DEIR) that this will be a transparent wall.
    - i. This impacts the enjoyment of the property by reducing the natural convection in the area.
    - ii. It is unclear how a property owner would keep this 10 foot barrier clean (optically transparent) over time or manage and upkeep the rest of their property with the barrier.
2. The presence of a 37 foot high wall located 100 ft from property boundaries along Northern line of properties will have extreme effects on the aesthetics of the neighborhood. This is already abundantly obvious based on the “CT” warehouses (“10” in Figure 6-1) built along the same boundary to the east of the proposed project. A photo (Figure 1) taken from

28-A

28-B

comparable wall measured 100 feet away is shown here for the expected aesthetics impact on homes on the Northern boundary of the project, especially the Easternmost homes here homes appear to be below level of warehouse.

↑  
28-B  
Cont.



*Figure 1; View of a warehouse of comparable height (CT reality, project adjacent to proposed project) taken at exactly 100 ft distance, which is the distance of proposed projects wall from residence property lines. Note extreme impact on home's view.*



Figure 2- View of CT reality (comparable wall height, taken from across the street of nearest residences (approximately 170 feet distance)

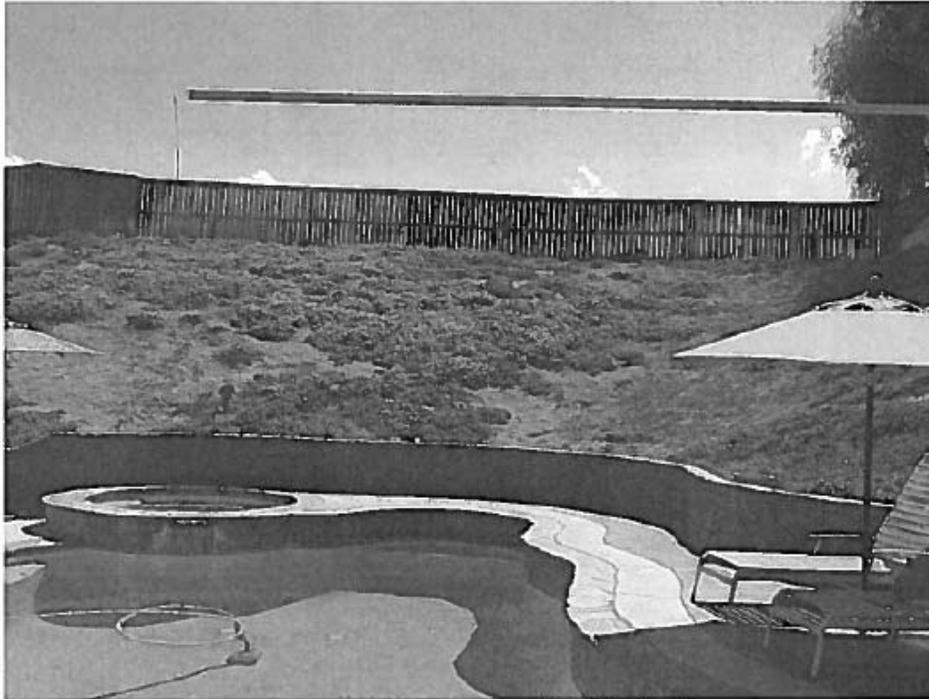
3. Further, the following sets of photographs are provided to show a more realistic impact of the proposed warehouse. The flag shown in the currently undeveloped areas are the height and location of the corner of the proposed project. While renderings in the draft EIR have attempted to make the impact appear small, one must wonder, which homes are actually shown? These photographs provided herein are actual pictures taken from homes in the neighborhood on the Northern boundary. It is imperative that for full disclosure of aesthetic impacts, homes along the entire Northern boundary, particularly to the East are considered. Given the steep slope that the current Northern boundary residents reside, the relative elevation of the distribution center to the homes varies significantly. This variation appears to be ignored in the current draft EIR. Renderings of view impacts on MOST impacted homes should be shown, not those properties with less significant impacts!. Figures 3 through 7 attempt to put a more realistic impact of the proposed project on aesthetics for residences on Northern project boundary.

28-C



28-C  
Cont.

*Figure 3: View from backyard of northern residential properties. The flag represents the height of the wall and corner of proposed building nearest the northern residences. Red line added for emphasis of TOP of wall. View below will be that of large concrete wall replacing view.*



*Figure 4- View from backyard of home neighboring proposed project. Note height of wall that will impact aesthetics of home. Red line added for effect to show where top of wall is projected to be using flagpole set-up by developer.*

28-C  
Cont.



28-C  
Cont.

*Figure 5: view from front yard of neighbor across the street from residences bordering the proposed project. Note that the flag indicating the corner and height of the building closest to Northern residences is still visible over the roof line of the home. The wall is expected to obliterate open space view between the top of the roofline of the left home to approximately the height of the trees seen behind the home on the right. Red line added for effect to show top of wall impacting neighborhood. Line based on height of flag visible from corner of proposed building*

28-C  
Cont.



*Figure 6: Another view of the skyline to be obliterated from a neighbor yard to the North. . The flag shown is the corner of the property at the height of the proposed wall. The wall will extend continuously to the right of the flag. Re line added for effect to identify top of wall based on height represented by flag put up by developer indicating corner of building.*



*Figure 7- A view from the East along the northern residences line. The wall is expected to extend from this location for about 850 feet about 100 feet from the residences shown on the left, clearly towering over the existing homes. Other corner flag to far away to be seen in this picture (850 feet)*

28-C  
Cont.

**Noise:**

**MM NOI 13:** This is an important mitigation for on-site equipment. However, the +5 ambient is at the location of the source (noise at the source; includes noise of vehicle used) and should be noted that this is well above the expected ambient noise (with no project) for surrounding residential communities. The claim that this will not be a constant annoyance to homeowners who are located such a short distance away is not correct. It is easy to observe the noise of these on-site vehicles by going to a warehouse store (e.g., Lowes, Costco) and standing 100 feet from the forklift, similar to distance of distribution facility from nearest residential receptors.

28-D

**MM NOI 15:** Distance not large enough to reduce significant impacts.

28-E

MM NOI 16: Required to mitigate substantial noise at sensitive receptors. This mitigation is used to show minimal impacts of noise on receptors. While it may reduce noise levels, the mitigation is extreme and interferes with the property owner's enjoyment by obstructing the property owner's views and dividing their property and removing access to significant portions of their land. It does NOT seem reasonable to assume that such an extreme infraction onto the neighboring residences will be allowed by the sensitive receptors. Therefore, the study should emphasize noise impacts assuming the barrier is not present.

28-F

Therefore, statement "Less than significant" to "a substantial permanent increase in the project vicinity above levels existing" should not be reasonably made. Without such mitigation which includes MM NOI 16, the impacts on noise on sensitive receptors is substantial (see Appendix I).

28-G

Concerns with noise analysis:

According to 5.12-2, the noise/land-use compatibility states that a CNEL <60 is normally acceptable, a CNEL 60-65 conditionally acceptable, and a 65-70 normally unacceptable. ST1 as measured (see comments below) are already > 60. An increase of +5 would place the noise in the normally unacceptable range. It is noted below that ST1 is not necessarily the most appropriate site to look at impacts at that it is likely that the sensitive sites are already approaching the normally unacceptable range.

28-H

1. The noise impact of the proposed distribution center is performed piecemeal and does not take into account the total impacts of the developments within the Sycamore Canyon Business Park

- c. Under cumulative impacts, the DEIR and noise analysis fails to account for increases in noises due to cumulative development within the Sycamore Canyon Business Park. A significant amount of development has occurred within the Sycamore Canyon Business Park, which should be expected to further increase noises within the residential zones even further. By looking at only this project with respect to noise the DEIR fails to acknowledge and properly account for additional cumulative noise impacts. Residents have noted significant and measurable impacts from the Kroegers and Pepsi distribution centers (1 mile). Stepped and significant increases in noise levels (loading/unloading of trucks, truck noise, backup beeper noise), especially at night, noted by all residents as activities in area have increased in last couple of years.

28-I

2. DEIR only measures background noise on single day at two locations, which are not representative of worst case scenarios. A longer term study of ambient noise is needed to better understand CNEL levels already existing. Noise levels vary considerably based on meteorological conditions, easily observable by current residents. A single day in December cannot possibly account for range of background noise; additionally, significant concerns arise about the location of the two sound sites.

28-J

- i. It is easily observable the increase in noise (especially nighttime) from the Sycamore Canyon Business Park by walking down the Northwestern/Western properties in a Southerly direction. However, the location of the sound receptors were placed in the most Northerly location of the property. Further, sound impacts as modelled are expected to be

28-K

- largest at the Northern locations (Bannoch and further North Cannich residences) yet these locations were not evaluated for impacts.
- ii. Further, the build-out and full operational capacity of Sycamore Canyon Business Park is not complete. Further noise impacts should be anticipated as the recent build-out comes to full operation conditions.
  - iii. It is abundantly obvious that meteorological conditions play a major role on the transmission of noise. A single day measurement cannot possibly account for typical measurements given variability in noise transmission. This is abundantly obvious to those homes already significantly impacted by Sycamore Canyon Business Park that noise impacts (and background noise) varies strongly day-to-day. Why are the worst case scenarios not accounted for in this study as opposed to a single day (longer term noise analysis is needed, especially at most relevant locations).
3. The noise impacts of the project do not appear to account for the amphitheater effect that should be anticipated building the proposed distribution center below the neighborhood. It is not reasonable to assume the standard 6 dbA decrease per doubling of distance for noise emanating between to large concrete walls and subsequently traveling up an amphitheater-like area. The DEIR needs to more robustly account for the acoustics of the actual geography of this area.
4. The need for accurate noise assessment is particularly alarming given the 360 ft mitigation setback for use of loading docks between 11 pm and 7 am due to nighttime noise levels. The model must account for the real decrease of noise that will occur within the tunnel created by being between two very large building walls. Therefore, it would seem more reasonable to model the source as a line source as the soundwave energy will only dissipate between the two large building walls by assuming the noise will travel parallel to the walls directly toward the homes to the Northwest/Western property line, similar to the expected perpendicular propagation of energy from a line source. Given that the drop-off in noise is logarithmic as stated in the DEIR and a line source has a 3 dBA versus 6 dBA decrease per doubling of distance, this appears to have a monumental impact of noise impacts at the residential property line AND nearest residences. Therefore, the decrease modelled by the 360 ft mitigation step far underestimates the real distance necessary to mitigate noise.
5. Noise modeling should look at maximum noise expected from the proposed development. This is expected to be between the residences and their property line (on the line, the model shows benefit of wall, but what about a short distance from the wall above the height of the wall (remember, there is a slope in the yard). Impacts at the residential (property) line as city noise ordinances/violations are measured at the property line (Title 7 of Riverside Municipal Code). Using DEIR statements of 6 dBA decrease per doubling of distance, the residential property line should be at least 6 dBA higher.
6. It is an unreasonable assumption that a property owner would agree to give up most of their yard and their wonderful views from their property to accommodate the development of the proposed distribution center by placing a 10 foot wall on their property that reduces access to a major portion of their property and has major aesthetic implications (see Aesthetics below). Therefore, the DEIR should not make such outrageous mitigation
- 28-K Cont.
- 28-L
- 28-M
- 28-N
- 28-O
- 28-P
- 28-Q

strategies that will most likely be rejected by property owners to greatly reduce the “projected” impacts of the proposed distribution centers.

7. Following basic engineering scaling analysis provided in the DEIR of reductions of 6 DBA per doubling of distances, it seems reasonable to assume that a development that is 9 times closer than a project that had significant impacts on residences (the Big 5 distribution center) should have far greater impacts at the property lines and at the residences. Even taking an extremely conservative estimate of 5 times closer, the loudness of this proposed development should be 2<sup>5</sup> or at least 32 times louder. Or, using rough engineering estimates of 10 dB reduction of sound via the distribution sound wall, the expected increase should be on the order of 5\*6dBA – 10 dBA, or approximately 20 dBA. For an area already above Riverside Municipal Code levels of 45 dBA nighttime noise, as measured in the likely quietest location of the neighborhood, this means that the impacts should be far greater than stated in the noise analysis. Also note, background readings (challenged as too low in item N-2) of 53 DBA
8. Noise analysis of background does not fairly represent the short term noises of even existing noises. These are the loud “beeping”, crashes and bangs associated with loading and unloading, hitching and unhitching, and short term noises associated with the vehicles (e.g., horns). These are the loud, very brief sounds, that are associated with sudden waking/sleep disturbance and prevention of sleep as opposed to the general, loud, white noise from other operations that is represented by “average” noise measurements. Therefore, the statement that the noise associated with the operations of the proposed site will not interfere with sleep are fallacious.
9. Table 5.12J is the basis that the DEIR uses for evaluating impacts of development and therefore must be carefully evaluated without MM NOI16 and included as such since it is unreasonable to show these as the impacts of the development given the unreasonableness of the proposed mitigation strategy based on unlikely neighbor agreement. Also note that ST1 and ST2 are not near the site for the anticipated greatest impacts for noise and are therefore not representative of actual noise impacts.
10. Noise model should include worst case scenario of back-up beepers as vehicles from outside the facility will likely have no “noise mitigation” ambient sensors installed.

Traffic:

Vehicles (especially large trucks) egressing from property: The DEIR for the project does not accurately reflect truck travel already occurring in the area using Sycamore Canyon to Fair Aisle or even Central. The DEIR states that the design of the streets will have large trucks exiting at a light at Sierra Ridge; however, mitigation strategies do not really prevent left turns onto Sycamore Canyon with access at Fair Isle. Trucks planning to go North cannot be reasonably anticipated to turn right on Sycamore Canyon to enter the I215 at Eastridge. The current analysis assumes only 5% of truck traffic will turn left onto Sycamore Canyon to enter the I-215 at Fair Isle. Why is this assumption made when it is a shorter distance to enter the I215 North/60 West from Fair Isle, which also lets trucks avoid the largely impacted interchange located between Eastridge and Fair Isle? It is the experience of the homeowners that vehicles originating from locations from Eastridge do enjoy the shortcut, impacting the Fair Isle intersection (and even the Central Intersection) with Sycamore Canyon Blvd. Without far greater mitigation, it is unreasonable to expect that drivers will take the long (distance and time) route to

28-Q  
Cont.

28-R

28-S

28-T

28-U

28-V

Eastridge and head through a freeway interchange rather than bypass the interchange and access at Fair Isle when heading North back toward the Los Angeles and Long Beach Port areas. More appropriately estimating the likely truck traffic will then show even greater impacts than already stated (significant and unavoidable) and may further influence noise and air quality impacts.

28-V  
cont'd

Vehicles (especially large trucks) coming to property: The projected traffic patterns for inbound vehicles from the North is even more bizarre. Appendix J - Appendices to TIA Figure 4 shows projected incoming trucks avoiding the most obvious entry route from the north (I-215 exit heading Southbound named Fair Isle) only accounting for 5% of incoming truck traffic (ONLY 1/10th of Southbound trucks assumed to be smart enough to take the obvious route off Fair Isle??). This is even more ridiculous than the outgoing truck traffic as this is the most readily assessable off ramp to trucks heading Southbound on I-215. This off ramp provides simple access to the proposed warehouse allowing for avoidance of the congested interchange, providing a shorter and quicker route (AND takes the trucks close to apartments and residences.) A constant stream of truck traffic already uses the Fair Isle exit to access distribution centers further to the South of the proposed project. It is also surprising that about half the incoming cars (from the North) are also expected to take the long route (through interchange to Eastridge and then turn back North on Sycamore Canyon to get to the distribution facility) instead of the direct route to the facility. The traffic flow of the area should be evaluated for trucks currently accessing the Northside of the Sycamore Canyon Business Park and the traffic impact reevaluated with more relevant trip distributions.

28-W

It appears that only projected numbers are used to identify level of service (LOS) for intersections and roadway segments as opposed to measured values. If the model is assuming patterns very different from observed traffic patterns by residents, then all traffic calculations may be very wrong. A traffic count and truck count study is needed to evaluate existing levels of demand and current use patterns, especially during peak morning and afternoon hours if the EIR is to project community environmental impacts. This is particularly true when one looks at the local impacts (cumulative analysis), which somehow ignore the local distribution centers. (Appendix J-Webb, 4-12). Why is the vast majority of Sycamore Canyon Business Park (including 10 largest distribution centers) ignored in the cumulative analysis for trip generation as opposed to naming lots/projects/areas far away from Sycamore Canyon Business Park that are then immediately discarded from consideration due to distance? This is extremely relevant if actual vehicle counts are not being used in the analysis as well as for the cumulative impacts listed below.

28-X

#### Cumulative Impacts: Section 6.1.4

Cumulative impacts of the Sycamore Canyon Business Park on sensitive receptors does not appear to be reasonably estimated but rather takes a piecemeal approach (this single project only raises impacts below threshold values, yet the entire baseline is already raised to unreasonable levels). First, only a small fraction of existing distribution centers/warehousing impacts are accounted for; rather, impacts of banks and donut shops further away appear to be the focus (Table 6-A). Noise from the CP

28-Y

facility (not operating yet) is not discussed or evaluated (number 10 on Figure 6-1) despite their close proximity. There have been over 20,000,000 ft<sup>2</sup> of distribution centers/warehouse construction (discussion with councilman Melendrez) built into the Sycamore Canyon Business Park and their cumulative impacts on noise appear to be glossed over. A simple look at Figure 6-1 in the DEIR shows how few of the distribution centers and other operations were even considered for noise (including Big 5, Ralphs, and Pepsi) next to the sensitive receptors. Instead, the focus was on properties much further from the receptor sites. As noted in the DEIR, distance is important when assessing noise. The noise of the existing and projected projects must be fairly considered. Even existing measures of traffic and noise cannot adequately reflect their impact as many properties remain vacant or have not been brought up to full capacity. Cumulative impacts on noise and traffic of the Sycamore Canyon Business Park needs to be carefully and not anecdotally accounted for in the DEIR (requested at time of NOP) to accurately reflect impacts on sensitive neighboring properties. Cumulative impacts of both the adjacent Sycamore Canyon Business Park and the approved Moreno Valley logistics center must be accounted for with respect to cumulative air quality and traffic impacts.

↑ 28-Y  
cont

The argument made in the DEIR demonstrates the lack of understanding of the general canyon effects by sampling stating the 0.5 mile is too far to have a cumulative impact on noise. Prior to build-out that has already occurred, significant noise, especially at nighttime was heard from the Kroeger (1.0 miles to nearest residence) and Pepsi distribution centers (>1.0 miles). Noises, more noticeable at night, included horns in the middle of the night, bangs from loading and unloading, and incessant backup beeper noises. Therefore, all noise generating sources within a minimum of 1.0 miles should be considered in this analysis and not simply discounted including the Pepsi distribution center, the Kroeger distribution center, the Big 5 distribution center complex, and other major properties between marker 5 and the residential neighborhoods. This DEIR for this project needs to account for the largest warehouses already present or planned in the area. *As noted in discussion on noise, the noise abatement proposed on the private property is unreasonable and should be assumed to not occur. Further, the single day measure of noise away from the most impacted properties does not provide the cumulative background noises.* Therefore, estimates of the CNEL for the properties to Western border must be provided and should be provided for worst case scenarios. Simple statements that single projects have minimal sound impacts are insufficient and misleading as the entirety of this build-out (cumulative effects) must be considered when evaluating the new project.

28-Z

Other details: Good neighbor policies. A number of entities raised concern about good neighbor policies and how this project could be built in light of them (specifically the ARB landuse handbook and Riverside Good Neighbor Policies (City of Riverside, City of Riverside Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities, October 14, 2008 (Available at <https://www.riversideca.gov/planning/pdf/good-neighbor-guidelines.pdf>, accessed October 23, 2015))) and the California Air Resource Boards "AIR QUALITY AND LAND USE HANDBOOK: A COMMUNITY HEALTH PERSPECTIVE", April 2005. The reader is referred to section 5.10 and Appendix M. Section 5.10 refers reader to Appendix M. Therefore, the next portion of this will list concerns associated with Appendix M.

28-AA

LU-7.1 and LU-7.2-Are noise levels (+10 db) in MSCHP acceptable and therefore "consistent" as stated in DEIR Appendix M. The noise impacts are described in MSCHP section 6.1.4 stating "Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules,

28-BB  
↓

regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards." The noise standards for residential (45 db) are already apparently exceeded based on DEIR analysis (>50 db); increase of 10 db nighttime noise would be gross exceedance of residential noise standards. Therefore, the project is inconsistent with LU-7.1 and LU-7.2.

28-BB  
cont

LU-9.7. "Protect residentially designated areas from encroachment of incompatible land-uses...." The DEIR claims this is consistent, yet building mega-warehouses within 100 ft of residential areas is clearly incompatible due to noise, traffic, air quality, and aesthetics. Riverside Good Neighbor Policies (City of Riverside, City of Riverside Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities, October 14, 2008 (Available at <https://www.riversideca.gov/planning/pdf/good-neighbor-guidelines.pdf>, accessed October 23, 2015)) and the California Air Resource Boards "AIR QUALITY AND LAND USE HANDBOOK: A COMMUNITY HEALTH PERSPECTIVE", April 2005 designate distribution centers of this size as incompatible with residential neighborhoods. The logic provided in DEIR is that mitigation methods being used—however, as noted previously above, MM-NO116 is not reasonable yet is required for the industrial project to be compatible in such close proximity to the residential neighborhood. Therefore, the project is inconsistent with LU-9.7.

28-CC

LU-30.3. "Ensure that the distinct character of each of Riverside's neighborhoods is respected and reflected in all new development, especially infill development". This is infill development and the presence of such large buildings in close proximity to residential neighborhoods destroys the aesthetics of the neighborhood as witnessed with the CP buildings directly to the East of the currently proposed project. Further, high sound walls at the property line will unduly enclose the residential neighborhood (the height of the wall exceeds that typically allowed in residential areas). Finally, addition of noise to neighborhood, especially at nighttime, will destroy the livability of the area and its distinct character. Therefore, the project is inconsistent with LU-30.3.

28-DD

LU-79.2. DEIR states as consistent yet impacts of noise will be significant based on MSCHP section 6.1.4 for noise to meet the residential standards. The standards will not be met for operation of the facility based on modeling provided as part of the DEIR. Noise is already higher than residential nighttime standards and +10 db expected based on noise modeling. Therefore, the project is inconsistent with LU-79.2.

28-EE

LU-80.3. "Minimize any adverse land use conflicts between industrial uses and the residential and open space properties that abut specific plan areas." Stated as consistent. However, analysis only discusses abutment of northern residences and ignores residences to the west of the property, which are the ones most impacted by noise. Further, claims consistent with MSCHP section 6.1.4, yet as noted above, the noise does not meet residential nighttime standards. Therefore, the project is inconsistent with LU-80.3.

28-FF

LU-80.6. "Promote the development of Sycamore Canyon to achieve economic success defined by a diverse and compatible industrial base that provides economic opportunities for all its citizens. The City preferred outcome is to promote light industrial/flex space to maximize employment opportunities and utilization of the limited land supply. To achieve this goal, the City must first overcome complex infrastructure issues that limit development in the area. Large "big box" distribution or warehouse

28-GG

<p><i>facilities will be necessary on a limited basis</i> to create the critical mass required to solve some of these infrastructure issues." DEIR states this is consistent. However, there are numerous (nearly entirety of build-out), not limited, "Large "big box" distribution or warehouse facilities" already built in Sycamore Canyon Business Park. Addition of yet another such facility is not consistent with "limited basis". Therefore, the project is inconsistent with LU-80.6.</p>	↑ 28-GG cont
<p>Policy CCM-2.2-2.4 already acknowledged as significant and unavoidable. The DEIR states "The majority of passenger cars and truck traffic is expected to use Sierra Ridge Drive to Sycamore Canyon Drive to Eastridge Avenue which will provide on/off-ramp access to I-215." This is not consistent with expectations of residences based on observed behaviors. For access to I-215 North, travel on Sycamore Canyon Drive in the opposite direction to Fair Isle is expected as it is shorter, takes less time, AND allows the cars and trucks to bypass congested interchange. Therefore, the project is inconsistent with CCM-2.2-2.4 for reasons noted in DEIR plus that noted here.</p>	28-HH
<p>Policy CCM-2.7-2.8 stated as consistent, yet no mention or evaluation of likely left turn onto Sycamore Canyon heading toward Fair Isle is discussed. Heavy truck traffic already impacts this roadway from build-out of warehouses further away. Therefore, the project is inconsistent with CCM2.7-2.8.</p>	28-II
<p>Policy CCM-12.2 The neighborhood and public streets are already experiencing heavy parking on public streets. Therefore, simply stating that it is not permitted means very little. Therefore, the project is inconsistent with CCM-12.2 as it is reasonable to expect trucks accessing this new facility will act like other trucks accessing the Sycamore Canyon Business Park. Therefore, the project is inconsistent with CCM-12.2.</p>	28-JJ
<p>Policy CCM-12.4 stated as consistent. As noted numerous times above, it is unreasonable to expect that trucks leaving this facility will make right turns on Sycamore Canyon to enter I215 at Eastridge as left turns on Sycamore Canyon will take trucks to Fair Isle onramp to enter I215 allowing trucks to not backtrack and also bypass major congested intersection. Further, it is unreasonable to expect trucks nearest to residential areas to act differently than those already accessing Sycamore Canyon Business Park and follow rules stated in DEIR that are simply not currently followed or enforced. Therefore, the project is inconsistent with CCM-12.4.</p>	28-KK
<p>Policy OS-6.4 "Continue with efforts to establish a wildlife movement corridor between Sycamore Canyon Wilderness Park and the Box Springs Mountain Regional Park as shown on the MSHCP. New developments in this area shall be conditioned to provide for the corridor and Caltrans shall be encouraged to provide an underpass at the 60/215 Freeway" stated as consistent. However, this project further impedes the establishment of a wildlife movement corridor between the Parks. Therefore, the project is inconsistent with OS-6.4.</p>	28-LL
<p>Policy N-1.1 "Continue to enforce noise abatement and control measures particularly within residential neighborhoods" stated as consistent. However, this is only possible with implementation of MM NOI 16, already noted for its impracticability throughout this document due to severe intrusion on private</p>	28-MM ↓

<p>property. Without MM NOI16, significant noise impacts are expected (although not clearly stated in DEIR-DEIR must provide CNEL estimates without MM NOI16. Therefore, the project is inconsistent with N-1.1.</p>	↑	28-MM cont
<p>Policy N-1.2 "Require the inclusion of noise-reducing design features in development consistent with standards in Figure N-10 (Noise/Land Use Compatibility Criteria), Title 24 California Code of Regulations and Title 7 of the Municipal Code" stated as consistent. MM-AES-1 requires the building of a very high boundary wall (8 foot) typically not allowed in residential areas due to aesthetics. Noise/Land use compatibility criteria may not be met once CNEL estimates provided without MM NOI16. Therefore, the project is inconsistent with N-1.2.</p>		28-NN
<p>Policy N-1.3 "Enforce the City of Riverside Noise Control Code to ensure that stationary noise and noise emanating from construction activities, private developments/residences and special events are minimized "stated as both "consistent" and "significant and unavoidable". For impacts to be "consistent", MM NOI16 is required, which does not appear to be reasonable given impacts to property. Therefore, the project is inconsistent with N-1.3.</p>		28-OO
<p>Policy N-1.4 "Incorporate noise considerations into the site plan review process, particularly with regard to parking and loading areas, ingress/egress points and refuse collection areas" stated as consistent. The residential neighborhood to the west is not considered unless unreasonable MM NOI16 is implemented. Therefore, the project is inconsistent with N-1.4.</p>		28-PP
<p>Policy N-1.5 "Avoid locating noise sensitive land uses in existing and anticipated noise-impacted areas" stated as consistent. Logic provided is "project is not a noise-sensitive land use and is consistent with surrounding logistics/distribution noise sources that primarily affect the Project.". However, sensitive land-uses (residential) area adjacent to this project and are already noise-impacted. Addition of significant noise (unless unreasonable MM NOI16 is employed) is projected. Therefore, the project is inconsistent with N-1.5.</p>		28-QQ
<p>Policy N-1.8 "Continue to consider noise concerns in evaluating all proposed development decisions and roadway projects" stated as consistent. Document states that MM NOI16 will be implemented to achieve this, yet there is no guarantee that homeowners will allow for such intrusive measures to be placed on their private properties. Therefore, operational noises expected to be significant. Therefore, the project is inconsistent with N-1.8.</p>		28-RR
<p>Air Quality:</p>		
<p>A key component of the EIR is the health risk assessment (HRA) for diesel emissions from trucks coming to, operating on, and leaving the proposed project. A look at the air quality analysis raises several concerns. At the time of the NOP of an EIR, the community requested that localized emissions in close proximity to the most sensitive receptors be carefully investigated accounting for local topographical effects, vehicle idling, and various chemicals present in diesel exhaust (PM, NO2 (assuming all NO converts to NO2 in our ozone rich environment)) and consideration of both acute effects and longterm impacts that included cancer risk, respiratory impacts, and other health impacts due to diesel exhaust. Given that NO2 is an asthmatic trigger, what are the projected peak levels of NO2 at the residences to the West (and North) of the project. Further, it was expected that the project HRA would be modeled</p>		28-SS ↓

following protocols set forth by SCAQMD, our world class air quality management district that encompasses our area. Instead, it appears that a CalEE model was used (good for vehicle emissions from freeways). The entire project appears to have been treated as a single box with emissions from the center of the box, which does not account for the actual proximity of warehouse operations to the residences AND their appears to be no evidence of calculations that include idling emissions, which may be the dominant source from the warehouse. A more accurate representation of the impacts of diesel emissions on sensitive receptors in close proximity to sensitive receptors close to the project is necessary for full disclosure of the environmental impacts of the proposed project. Please also refer to the comment letter posted by AQMD for their assessment of the air quality modeling conducted for this project. Also, impacts should have been calculated both assuming flat terrain and assuming receptors are at elevated heights with worst case of two scenarios reported.

↑ 28-SS

In summary, the draft EIR fails to provide full disclosure or an accurate depiction of the environmental impacts of the project including, but not limited to aesthetics, noise, health-risk assessment, traffic, and impact on the Sycamore Canyon Wilderness Park and its MSCHP. The EIR must be reevaluated appropriately taking into consideration many of the concerns initially raised at the time of the NOP at the meeting at Platt College and of which are reiterated within this document (acoustics of canyon, current noise impacts from 1 mile away, cumulative impacts of Sycamore Canyon Business Park, impacts of diesel exhaust in close proximity to residents, aesthetics/obstruction of views) as well as new concerns raised when evaluating the draft EIR (unrealistic traffic patterns, failure to account for most existing projects in Sycamore Canyon Business Park including 10 largest distribution centers within it, failure to model emissions from the edge of the property where trucks will travel, failure to reasonably estimate emission rates for trucks on the property, failure to disclose CNEL levels assuming private homeowners unwilling to give up private property and views (MM16), failure to measure current noise at most impacted locations (identified by residents at scoping meeting at Platt College), failure to obtain noise measurements that cover range of meteorological conditions to identify worst case noise scenarios, failure to model and account for acoustics and dispersion of diesel emissions within the canyon, failure to account for acoustics of noise and noise propagation for impulse noises originating between two concrete walls (two buildings), failure to show renderings of views of warehouse from homes most impacted (those at lower elevations), and other concerns raised in this document.

↑ 28-TT

Sincerely,

David Cocker

Resident, Sycamore Highlands

## Response to Comment Letter 28 – David Cocker

### **Response to Comment 28-A:**

The noise barrier described in mitigation measure **MM NOI 16** would only be installed at two residences (6063 Bannock Drive and 6066 Cannich Road) to reduce nighttime noise impacts to those residences. Installation of this noise barrier (wall) is under the discretion of the two property owners, and the property owners will have the opportunity to work with the Project Applicant and City Planning staff to determine the design and materials of this proposed barrier (wall). **MM NOI 16** includes specific design specifications the wall must meet to attenuate noise from the proposed Project including a list of possible materials, including glass or other transparent materials. (DEIR, p. 5.12-47.) Therefore, the specific design of this wall has not yet been determined at this time, but the wall could include transparent materials so long as they meet the noise reductions requirement from the mitigation measure.

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate. (DEIR, p. 5.12-47.)

Views of Box Springs Mountains, Sycamore Canyon Wilderness Park, and Moreno Valley are partially obscured by accessory structures and existing walls at the top of the slope (the rear property line is essentially at the toe of the slope) of the private residences. If the 10-foot wall is placed at the top of slope of the two residences mentioned above, which are at an

approximately 1,650-foot elevation, partial views of the Box Springs Mountains would remain visible from both the first-story and second-story homes given the approximate 3,100 feet elevation of the Box Springs Mountains (Google Earth 2016). Since Sycamore Canyon Wilderness Park is situated at a lower elevation and some parts of Moreno Valley are situated at a lower elevation and in the distant viewscape, the existing block walls at the rear property line of the residence may already substantially block these views from the first floor. However, even if a 10-foot wall is in place along the top of slope of the above-mentioned residences, views of Sycamore Wilderness Park and Moreno Valley would remain visible, at a minimum, from the second story of the homes.

The City is requiring the Project Applicant to install an 8-foot tall decorative (on both sides) block wall along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses (it would be at the toe of the slope for the residential properties to the northwest). The purpose of this 8-foot wall is to create a better visual appearance and to help cut down noise attenuation. (DEIR, p. 5.1-8). To ensure that compliance is enforceable by the City, this requirement is also a mitigation measure in the DEIR, **MM AES 1**. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

### **Response to Comment 28-B:**

The commenter's opinion regarding the CT Sycamore Center Project is noted. The CT Sycamore Center Project on Dan Kipper Drive, was constructed with a fifty-foot setback from the northerly property lines, adjacent to the residential properties and the buildings range from 37-feet to 41-feet in height. The CT Sycamore Center Project warehouses referenced in this comment are separate and independent from the proposed Project and was approved by the City after undergoing their own environmental review and public hearing process, including analysis of impacts related to aesthetics and building heights. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic and cumulative impacts sections of the DEIR.

It is assumed that the commenter's reference to a "37-foot high wall" is meant to refer to building height. The topography of the Project site limits views of Building 2, the building closest to the residences. The City of Riverside General Plan 2025 (GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan (SCBPSP) Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) The City of Riverside Municipal Code Chapter 19.130, established development standards for the BMP-SP and limits building heights to a maximum of 45 feet in height. (DEIR, p. 5.1-11.) The proposed Project complies with the height restriction of the BMP-SP. Building 1 is proposed to be approximately 41 feet in height and Building 2 will be approximately 37 feet in height. Further, the elevation and building height differences between Building 1 and Building 2 will minimize the view of these buildings from the adjacent neighborhood. Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of the building from the park will be softened by on-site landscaping and the Conservation Area. Lastly, the proposed Project has increased the building setback for Building 2. Building 2 is setback 100 feet from the property line abutting the residential lots north of the Project site. Within the 100-foot setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape planter adjacent to Building 2. This enlarged setback and enhanced landscaping will provide screening between Building 2 and the residences to the north. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan**, **DEIR Figure 3-11 – Conceptual Landscape Plan**.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 28-C:**

Refer to Response to Comment 28-B regarding height and landscape screening. Exhibits were not prepared for each individual residence; but rather exhibits were prepared to serve as an example of the four different extremes in the topographical variations between Building 2 and the residences as described below.

Cross sectional line of sight exhibits were prepared for four locations to represent the view from four representative residential locations adjacent to the Project site. (DEIR, **Figures 3-10 – Proposed Site Plan and 3-13a – Line of Sight Exhibit**, Sections A-A (6050 Cannich Road), B-B (1443 Sutherland Drive), C-C (1465 Sutherland Drive), and D-D (6071 Kendrick Drive).) As discussed in the DEIR and shown on DEIR **Figure 3-13a**, Section A-A (6050 Cannich Road) is the line of sight of the northwestern portion of the Project site from the vicinity of 6050 Cannich Road, which is west of the Project site. All the residences along Cannich Road are at a higher elevation than the Project site. (DEIR, pp. 5.1-14–5.1-15.)

Sections B-B (1443 Sutherland Drive), C-C (1465 Sutherland Drive), and D-D (6071 Kendrick Drive), as shown on DEIR **Figure 3-13a – Line of Sight Exhibit**, are from residences to the north. As discussed in the DEIR and shown on **Figure 3-13a**, the rear yards of these

residences are either below or at grade with the Project site in the post-Project condition (i.e., after grading).

Section B-B (1443 Sutherland Drive) as shown on DEIR **Figure 3-13a**, is from the vicinity of 1443 Sutherland Drive. As discussed in the DEIR and shown on **Figure 3-13a**, Section B-B depicts the line of sight from a residences and rear yards that are at approximately the same finished grade as the Project site. (DEIR, pp. 5.1-15–5.1-16.) Section C-C (1465 Sutherland Drive) as shown on DEIR **Figure 3-13a**, is from 1465 Sutherland Drive. As discussed in the DEIR and shown on **Figure 3-13a**, Section C-C depicts the line of sight from residences and rear yards that are slightly below the Project site's finished grade. (DEIR, pp. 5.1-15–5.1-16.) Section D-D (6071 Kendrick Drive), as shown on DEIR **Figure 3-13a** is from the vicinity of 6071 Kendrick Drive (where Stockport Drive turns north). As discussed in the DEIR and shown on **Figure 3-13a**, the residence and flat portion of the rear yard in Section D-D are located downslope from the finished grade at the Project site and proposed buildings.

It is also important to note that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. Within this 100-foot setback, there will be 64 feet of landscaping adjacent to the property line, a 30-foot-wide drive aisle and a 6-foot-wide landscape area adjacent to Building 2. (see DEIR, **Figure 3-10 – Proposed Site Plan**). As shown on DEIR **Figure 3-13a, Line of Sight Exhibit**, the line of sight for Sections B-B through Section D-D shows that the trees (once matured) within the proposed 64-foot landscape buffer would screen the views of the proposed Building 2 from the ground level as well as from second stories.

In addition to these Line of Sight Exhibits, the DEIR Aesthetics Section includes photo simulations for line of sight locations A-A, B-B and C-C (DEIR **Figures 5.1-2a thru 5.1-2c**). These photo simulations show the view from the second story windows of the residences and shows the decrease in size, due to the increased setback and shielding as a result of the landscaped buffer.

The photographs in Comment 28-C Figures 3 through 7 are misleading in that they imply Building 2 will have solid, flat (no articulation) walls and do not take any of the proposed landscaping along the northern and western boundaries of the Project site into consideration. DEIR **Figure 3-11 – Conceptual Landscape Plan** and the cross-sectional line of sight exhibits shown on DEIR **Figures 3-13a and 3-13b – Line of Sight Exhibit** and the Photo Simulations shown on DEIR **Figures 5.12-2a through 5.12-2c** indicate that once the Project is constructed (which includes installation of landscaping) and landscaping is mature, portions of Building 2 will be screened from view. (DEIR, pp. 5.1-14, 5.1-16–5.1-17.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 28-D:**

Mitigation measure **MM NOI 13** is intended to reduce the noise associated with backup alarms on equipment used at the Project site by requiring use of either self-adjusting or manually-

adjusting backup alarms to produce a tone that is readily noticeable over the ambient noise levels at a minimum increment of 5 decibels or through the use of a guide and flagging system. (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

Although it is true that noise from the Project site will be greater than without the Project, the volume differential created by the back-up alarms is necessary to ensure compliance with safety laws and the safety of individuals working at the site.

The Project site has been designed to minimize noise impacts on residences by eliminating dock doors on the north side of Building 2 and not including cross-dock facilities on this building. Thus, there are no truck or trailer activities and no loading and unloading between building 2 and the residences thus significantly reducing noise sources near the residences. Nonetheless, backup alarms are necessary for the safety of workers at the Project site, and these potentially significant noise impacts have been fully disclosed and analyzed in the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 28-E:**

The commenter's opinion regarding the distance specified in mitigation measure **MM NOI 15** is noted. It is also noted that this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Nonetheless, as discussed on DEIR pages 5.12-24–5.12-34, Project operational noise impacts were modeled using the SoundPLAN model. (DEIR, p. 5.12-24.) Mitigation measure **MM NOI 15** would prohibit the use of the loading and trailer parking area that is on the south side of Building 2 and within 360 feet of the western property line between the nighttime hours of 10:00 PM and 7:00 AM.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**. (DEIR, p. 5.12-46.)

The distance identified in mitigation measure **MM NOI 15** was determined by the SoundPLAN model to be sufficient to reduce Project operational noise levels to all residences adjacent to the Project site, except for two (see Response to Comment 28-F, below), to less than the City's maximum interior noise standard of 35 dBA  $L_{eq}$ . (DEIR, p. 5.12-34.) As discussed in Response to Comment 28-F (below) with implementation of mitigation measures **MM NOI 15** and **MM NOI 16** (see Response to Comment 28-A above), the City's maximum interior noise standards will not be exceeded. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 28-F:**

The noise barrier described in mitigation measure **MM NOI 16** would only be installed at two residences (6063 Bannock Drive and 6066 Cannich Road) to reduce nighttime noise impacts to those residences. Installation of this noise barrier (wall) is under the discretion of the two property owners, and the property owners will have the opportunity to work with the Project Applicant and City Planning staff to determine the design and materials of this proposed wall. **MM NOI 16** includes specific design specifications the wall must meet to attenuate noise from the proposed Project including a list of possible materials, including glass or other transparent materials. (DEIR, p. 5.12-47.) Therefore, the specific design of this wall has not yet been determined at this time, but the wall could include transparent materials so long as they meet the noise reductions requirement from the mitigation measure.

Because installation of this barrier (wall) would have to be agreed upon between the property owners and Project Applicant, the conclusion contained in the DEIR assumes that this wall is not in place. For this reason, noise impacts associated with the Project are significant and unavoidable. However, with implementation of mitigation measures **MM NOI 1** through **MM NOI 16** as well as **MM AQ 14** and **MM HAZ 3**, Project-related noise would be reduced to an acceptable level.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division. (DEIR, p. 5.12-45.)

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary. (DEIR, p. 5.12-45.)

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. (DEIR, p. 5.12-45.)

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-45.)

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use. (DEIR, p. 5.12-45.)

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-45.)

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction. (DEIR, p. 5.12-45.)

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment. (DEIR, p. 5.12-45.)

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible. (DEIR, p. 5.12-46.)

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-46.)

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number. (DEIR, p. 5.12-46.)

**MM NOI 12:** No blasting shall take place on the Project site. (DEIR, p. 5.12-46.)

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-45.)

Refer to Responses to Comments 28-A, 28-D, and 28-E for mitigation measures **MM NOI 16**, **MM NOI 13**, and **MM NOI 15**, respectively.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language. ((DEIR, p. 5.12-47.)

**MM HAZ 3:** The following deed notice and disclosure text shall be provided to all potential purchasers of the Project site property and tenants of the buildings:

NOTICE OF AIRPORT IN VICINITY. This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A). (DEIR, pp. 5.12-47–5.12-48.)

Regarding the comment that the "...study should emphasize noise impacts assuming the barrier is not in place" both the NIA and DEIR disclose construction and operational noise levels without mitigation. As stated in the DEIR:

Because of the topographical differences between the Project site and the location of sensitive receptors, the SoundPLAN Noise Model<sup>1</sup> was used to calculate a worst-case construction noise scenario. The scenario modeled assumes the use of a grader, a rubber tired dozer, a D10 dozer, two water trucks (modeled as dump trucks), two loaders, and 10 scrapers all operating between 40 and 444 feet from the nearest sensitive receptors. Because the Project site contains large rocks, an active rock crusher was also modeled in the southeastern corner of the Project site. (KA,<sup>2</sup> p. 18) As shown on **Figure 5.12-3 – Worst Case Construction Noise Scenario ( $L_{eq}$ ) with No Temporary Barrier**,

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<sup>1</sup>The SoundPLAN Noise Model was used for this analysis as this model can consider differences in topography between a noise source and a receptor.

<sup>2</sup> KA refers to the *Noise Impact Analysis for the Sycamore Canyon Business Park Warehouse*, August 1, 2016. Prepared by Kunzman Associates, Inc. and included as Appendix I to the DEIR.

unmitigated noise levels may reach up to 80 dBA  $L_{eq}$  at the nearest single-family detached residential dwelling units north of the Project site. According to Table 7.25.010A (**Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits**), the daytime exterior noise standard for residential property is 55 dBA. Because construction noise will exceed 55 dBA at the property lines of the residential units adjacent to the Project site, this impact is considered **significant** and feasible mitigation is required. (DEIR, p. 5.12-22.)

The Sycamore Canyon Wilderness Park is located west of the Project site and as such will be exposed to construction noise. According to Riverside Municipal Code Table 7.25.010A (**Table 5.12-E**), the exterior noise standard for public recreation facilities is 65 dBA. Since the construction equipment will be in use throughout the entire Project site, unmitigated construction noise levels at the property line between the Park and the Project site may also reach up to 80 dBA  $L_{eq}$ . This impact is considered significant and feasible mitigation is required. (DEIR p., 5.12-22.)

As further discussed in the DEIR:

Mitigation measure **MM NOI 1** requires the installation of a 12-foot high temporary noise barrier at the Project site's northern and western boundaries. As shown on **Figure 5.12-4 – Worst Case Construction Noise Scenario ( $L_{eq}$ ) with 12-Foot High Temporary Barrier**, construction noise levels at the residential property lines at the northern and western boundaries of the Project site are not expected to exceed 70 dBA. (KA, pp. 18, 29 (Figure 5), 30 (Figure 6)) Because some of these noise levels exceed 55 dBA, additional mitigation is required to further reduce construction noise. Thus, the Project will implement mitigation measures **MM NOI 2** through **MM NOI 12**. These measures require: the use of heavy grade rubber mats within the bed of trucks; properly operating mufflers on all construction equipment; placement of stationary construction equipment away from the residential uses; no idling of equipment when not in use; staging of equipment at the greatest distance feasible from the sensitive receptors; prohibition of music or amplified sound on the Project site during construction; limiting haul truck deliveries to the same hours for construction equipment; limiting the use of heavy equipment, vibratory roller, and soil compressors to the greatest degree possible, shielding of jackhammers, pneumatic equipment, and all other portable stationary noise sources to direct noise away from sensitive receptors. Signage will also be placed on the project site with a contact phone number for complaints. Implementation of **MM NOI 1** through **MM NOI 12** is expected to yield up to an additional 10 dBA in noise reduction to minimize maximum noise events (KA, p. 18). Even with implementation of feasible mitigation measures, temporary impacts from construction noise on the adjacent residences and Sycamore Canyon Wilderness Park will be significant and unavoidable. (DEIR, p. 5.12-24.)

Regarding the noise resulting from Project operations, the DEIR contains a thorough analysis of the noise resulting from the following operational sources: semi-trucks (tractor-trailers) entering and exiting the Project site and accessing dock areas, removal and hook-up of trailers, idling trucks, loading and unloading activities, occasional truck air brakes, vehicle movements within the proposed parking areas, trash compactors, and rooftop HVAC systems. (DEIR, p. 5-12-26.) The DEIR concluded that, although unmitigated operational noise will not exceed the City's daytime noise standard of 55 dBA  $L_{eq}$ , it will exceed the nighttime noise standard of 45 dBA  $L_{eq}$  along the western project boundary and at certain residences adjacent to the northwest corner of the Project site. Thus, the Project is required to implement mitigation measures **MM NOI 13** through **MM NOI 16** (see Response to Comments 28-A, 28-D, and 28-F) to reduce operational noise impacts. However, as discussed in Response to Comment 28-F, because the noise barrier outlined in **MM NOI 16** would be on private properties and neither the City nor Project Applicant has control over construction of the noise barrier, the DEIR concluded operational noise impacts are significant even with incorporation of feasible mitigation. (DEIR, pp. 5.12-24–5.12-34.)

For the reasons discussed above, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 28-G:**

The commenter's opinion regarding the DEIR's conclusion that there will be a less than significant impact regarding a substantial permanent increase in the Project vicinity above existing levels is not reasonable, is noted. It is also noted that this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis." (CEQA Guidelines, §15088(c).) These responses "shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 28-H:**

Refer to Response to Comments 28-I through 28-U. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-I:**

The comment that the noise impact analysis was performed in a piecemeal fashion is noted. The DEIR appropriately and fully analyzed the totality of the proposed Project in accordance with CEQA, including the whole of the reasonably foreseeable actions associated with the Project, and does not segment the analysis into smaller pieces. With regard to the approach to the cumulative noise analysis, State *CEQA Guidelines* Section 15130(b)(1) requires that a discussion of cumulative impacts be based on either a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency (“the list method”); or a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact (“summary of projections method”). (DEIR, pp. 6-1-6-2.)

Because the proposed Project is not growth inducing, the DEIR utilized the “list method” approach in the cumulative analysis and focuses on whether the impacts of the proposed Project are cumulatively considerable within the context of combined impacts caused by other past, present, or future projects. The cumulative impact scenario considers other projects proposed within the Project area that have the potential to contribute to cumulatively considerable impacts. Based on discussions with City staff, a list of projects that may have the potential to contribute to cumulative effects was identified and included in DEIR **Table 6-A – Cumulative Development Projects** shown below. (DEIR, p. 6-2.)

**Table 6-A – Cumulative Development Projects**

No. on Figure 6-1	Project (Case Number) Project Location	Land Use	Project Size	Status
<b>Projects within the City of Riverside</b>				
1	Auto Parts Store in Mission Plaza P07-1181/P07-0593 381 Alessandro Blvd	Auto parts store	1,500 SF	Approved (5/6/2008) Not constructed
2	Proposed bank in Canyon Crossings Shopping Center P08-274/P08-0275 2570 Canyon Springs Pkwy	Commercial bank with drive-thru lane	2,746 SF	Approved (9/9/08) Not constructed
3	ARCO and <i>ampm</i> Market P10-0090/P10-0091 6287 Day Street	Gasoline station with convenience market	2,700 SF	Approved (6/8/2010) Open
4	Chase Bank (P12-0419/P12-0557/ P12-0558/P12-0559) 360 Alessandro Boulevard	Bank with two-lane drive-thru	3,100 SF	Approved (5/7/2013) Not constructed
5	Health and Fitness Center (P14-0457) 6465 Sycamore Canyon Boulevard	Interior remodel for a health and fitness center within existing 92,410 SF two-story office building	4,000 SF	Approved (6/30/2014) Constructed
6	Steak and Shake (P14-0536/P14-0537) Northwesterly corner of Valley Springs Parkway and Corporate Center Drive	Fast food restaurant with drive-thru restaurant	3,750 SF	Application submitted
7	Tract Map 32180 (P07-1073) North of the intersection of Moss Road and Pear Street	Nine lot subdivision for single family residences	9 DU	Approved (6/5/2008) Construction has not started
8	Alessandro Business Center (P07-1028/P06-0416/ P06-0418/P06-0419/ P06-0421/P07-0102) Northwest corner of Alessandro Boulevard and San Gorgonio Drive	Four industrial/manufacturing buildings.	662,018 SF	Approved (3/9/2010) Construction complete
9	Tract Map 36641 (P13-0665) Southwest corner of Wood Road and Moss Street	Eight lot subdivision for single family residences	8 DU	Approved (4/17/2014) Construction has not started

No. on Figure 6-1	Project (Case Number) Project Location	Land Use	Project Size	Status
10	CT Sycamore Center (P14-1053/P14-1054) Northwest corner of Dan Kipper Drive and Sycamore Canyon Boulevard	Five buildings with warehouse and office space in each building.	230,420 SF total (205,4720 SF warehouse and 25,000 SF office)	Approved (4/30/2015) Construction complete
11	Sycamore Canyon Apartments (P13-0553/P13-0554/P13-0583/P14-0065) 5940 – 5980 Sycamore Canyon Boulevard (Between Raceway Ford and Raceway Nissan)	Multi-family residential	275 DU	Approved (10/9/2014) Construction has not started
12	Mt. Baldy Drive/San Gorgonio Drive Industrial Project (P14-0600/P14-0601/P14-0602/P15-0044) Southeast corner of Mt. Baldy Drive and San Gorgonio Drive	Multiple-tenant industrial building	121,390 SF	Approved (6/9/2015) Under construction
13	Street Vacation for an Apartment Project (P12-0309) Monte Vista Drive and Pollard Street	Apartment building	88 DU	Construction of apartment project has not started
14	Sycamore Canyon Industrial Warehouse Development (P13-0607/P13-0608/P13-0609/P13-0854) 6150 Sycamore Canyon Boulevard	Industrial building	171,616 SF	Approved (5/13/2014) Construction complete
15	Annexation 118 (P14-0246/P14-1059/P14-0901) Northwest corner of Sycamore Canyon Boulevard and Central Ave.	Annexation, GPA, and Pre-Zoning for a retail commercial shopping center	102,000 SF	Approved (7/28/2015) Construction has not started
16	Quail Run Apartments (P14-0683/P14-0684/P14-0685/P15-1080/P15-1081/P15-1082) Northwest corner of Quail Run Road and Central Avenue)	Multi-family residential	216 DU	Approved (07/26/16)

No. on Figure 6-1	Project (Case Number) Project Location	Land Use	Project Size	Status
<b>Projects within the City of Moreno Valley</b>				
17	Status Nightclub and Lounge Canyon Springs Plaza	Nightclub	11,000 SF	Open for business
18	O'Reilly Automotive 23334 Sunnymead Boulevard	Auto parts store	7,500 SF	Open for business
19	Available Restaurant Space Plaza Del Sol Shopping Center 23060 Alessandro Boulevard	Restaurant	9,000 SF	Available
20	Rivals Sports Bar & Grill TownGate Promenade	Sports bar & grill	6,452 SF	In plan check
21	Aldi Market 12630 Day Street (TownGate Promenade)	Grocery market	20,300 SF	Open for business
22	Yum Yum Donut Shop Northwest corner of Day Street and Alessandro Boulevard	Donut shop and convenience store	4,351 SF	In planning
23	Hawthorn Inn & Suites Cactus Commerce Center Cactus Avenue	Four-story Hotel	79 guest rooms	Approved Not constructed
24	Sleep Inn Suites Olivewood Plaza Sunnymead Boulevard	Three-story Hotel	66 guest rooms	Approved Not constructed
25	Moreno Valley Professional Center Alessandro Boulevard east of Ellsworth Street	Four Office buildings	84,000 SF	Approved
26	Gateway Business Park South of Alessandro Boulevard west of Day Street	34 Industrial condominiums between 5,000 and 10,000 SF	184,000 SF	Approved
27	Veterans Way Logistics Center	Distribution facility	366,698 SF	Under construction
28	World Logistics Center	Corporate park specific plan	41 million SF total	Approved (8/26/2015) Construction has not started

The location of the cumulative development projects in relation to the Project site is shown on DEIR **Figure 6-1 – Cumulative Development Location Map**. The cumulative development projects located nearest the proposed Project site are No. 5 – Health and Fitness Center, No. 10 – CT Sycamore Center, No. 11 – Sycamore Canyon Apartments, and No. 14 – the Sycamore Canyon Industrial Warehouse Development. (DEIR, pp. 6-2–6-5.)

In evaluating cumulative impacts, the geographic scope (or cumulative impact area) used for each environmental issue (i.e., air quality, biological resources, cultural resources, noise, etc.) is different depending upon the potential area of effect. For example, the geographic scope for air quality would be the South Coast Air Basin (Basin), while the geographic scope for cumulative aesthetics impacts would be the viewshed, and the geographic scope for traffic/circulation would be the intersections in the Project vicinity that could be affected by the cumulative projects. (DEIR, p. 6-5.)

The DEIR discusses cumulative noise impacts from: (i) construction of the proposed Project plus applicable cumulative development projects, (ii) operation of the proposed Project plus applicable cumulative development projects, and (iii) traffic from the cumulative development projects. Each of these will be discussed below.

#### Construction Noise

Potential impacts from Project-related construction will be significant, even with implementation of feasible mitigation measures. Additional potential cumulative impacts from construction noise could result if construction of the proposed Project and one or more of the three cumulative development projects within 0.5 miles of the Project site occurred simultaneously. Because project Nos. 10 and 14 have already been constructed (**Table 6-A – Cumulative Development Projects**), project No. 11 – Sycamore Canyon Apartments (SCA) is the only project with the potential to be constructed at the same time as the proposed Project. As shown on DEIR **Figure 6-1**, project No. 11 is located east of Sycamore Canyon Boulevard and there are intervening structures between this site and the Project site, which would block some of the noise from this site. Further, the Draft Mitigated Negative Declaration (MND) for the Sycamore Canyon Apartments Project concluded that construction noise impacts from this project would be less than significant with regard to direct, indirect and cumulative impacts. (SCA Draft MND, pp. 32, 40–41.) Nonetheless, because the Project’s construction noise impacts are significant even with incorporation of feasible mitigation measures, the Project’s contribution to short-term noise is considerable and cumulative impacts from construction noise are considered significant and unavoidable. (DEIR, p. 6-19.)

As a matter of information, on August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council, amending the City’s Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays from the standards of the Noise Code.

#### Operational Noise

Because noise, by definition, is a localized phenomenon and drastically reduces in magnitude as the distance from the noise sources increases, the geographic scope for noise impacts

associated with Project operations are the sensitive receptors adjacent to the Project site. For this reason, only cumulative development projects within the immediate vicinity of the Project site are likely to contribute to cumulative operational noise impacts. There are only three cumulative development Projects within one-half mile of the Project site: CT Realty Sycamore Center (No. 10 as shown on **DEIR Figure 6-1**), Sycamore Canyon Apartments (No. 11 as shown on **DEIR Figure 6-1**, and Sycamore Canyon Industrial Warehouse Development (No. 14 as shown on **DEIR Figure 6-1**). (DEIR, p. 6-18.) Because of the intervening structures between the Sycamore Canyon Apartments and the Sycamore Canyon Industrial Warehouse Development, only the CT Realty Sycamore Center would be anticipated to contribute to cumulative noise impacts at certain sensitive receptors.

With regard to noise from existing development within the Sycamore Canyon Business Park (SCBP), noise sourced from existing operations, including the Big 5 Distribution Center, Ralph's Distribution Center, and the Pepsi Bottling Group facility would be reflected in the ambient noise measurements taken in December 2015. Since in the current condition there are no intervening structures between the Big 5 and Ralph's facilities and the residences adjacent to the Project site, it is not unexpected that residents hear noise from these operations. It is important to note that CEQA does not require a Project to mitigate for pre-existing impacts and conditions. That is, the proposed Project need not account for and/or mitigate non-Project related noise that may exceed current standards.

As discussed in the DEIR, unmitigated operational noise will not exceed the daytime noise standards of 55 dBA  $L_{eq}$ . However, the exterior nighttime standard of 45 dBA  $L_{eq}$  will be exceeded at two single-family detached residential dwelling units adjacent to the northwest corner of the site. To mitigate nighttime Project operational noise levels to the nighttime standard of 45 dBA  $L_{eq}$  at affected sensitive receptors (i.e., receptor nos. 3 and 4 as shown on **DEIR Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**) a ten-foot noise barrier is required along the perimeter of the outdoor use areas per mitigation measure **MM NOI 16** (See Response to Comment 28-A above). In addition to the noise barrier wall, the use of the western portion of the dock doors and trailer parking area for Building 2 as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation** will be limited as indicated in mitigation measure **MM NOI 14** (See Response to Comment 28-F above). The ten-foot tall noise barriers are required at the eastern edge of the residential lots (i.e., private property) and not at the property line at the bottom of the slope (i.e. the Project site). The noise barrier required under **MM NOI 16** would be installed on private property and is therefore dependent on the individual property owners authorizing the installation of the barrier wall. As such, neither the City nor the Project Applicant has control over the barrier wall will ultimately be constructed and **MM NOI 16** is considered infeasible. Because mitigation measure **MM NOI 16** is considered infeasible, Project-specific impacts are significant. However, because noise is such a localized phenomenon, the Project's operational noise contribution to cumulative noise impacts is not considerable; therefore, cumulative impacts with regard to operational noise are not significant. (DEIR, p. 6-20.)

The geographic scope for noise impacts associated with Project-generated vehicular noise is the roadways that will be used by Project-generated traffic in combination with traffic from the cumulative development projects. As shown in DEIR **Table 5.12-M – Change in Future Noise Levels at 50 Feet from Centerline (Existing Plus Ambient Plus Project Condition)**, the Project's contribution to future noise levels on area roadways is less than 1 dBA for all roadway segments except for Sierra Ridge Drive west of Sycamore Canyon Boulevard, where Project-related noise is expected to result in a 2.6 dBA increase. Because the City considers a 5 dBA increase to be substantial this is not considered a substantial increase and the Project's contribution to cumulative traffic noise is not considerable. Thus, cumulative impacts with regard to traffic noise are not significant. (DEIR, pp. 5.12-40–5.12-44, 6-19.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-J:**

CEQA Guidelines Section 15151 provides that an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences.

Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the Noise Impact Analysis (NIA) and DEIR are too low, the result would be that change in the noise levels resulting from Project implementation would be overstated. Existing noise levels in the Project vicinity were measured on five separate days in December 2015. (DEIR, Table 5.12-B.) These measurements consist of three 10-minute, short-term, noise measurements and two 24-hour, long-term, noise measurements. Noise measurement locations were chosen to reflect different existing noise environments from the residents to the northwest of the Project site as well as residents to the north of the Project site. It is important to note, that in selecting the locations for ambient monitoring, locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to an increase in noise associated with the Project. Again, the purpose of the ambient noise measurements is to provide a basis for the comparison of noise with and without the Project; thus, longer term measurements are not necessary. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City's Noise Ordinance or applicable standards.

Regarding meteorological conditions, precipitation, rain, snow, or fog, has an insignificant effect on sound levels although the presence of precipitation will affect humidity and may also affect wind and temperature gradients. (Sound Propagation.<sup>3</sup>) As sound travels through the atmosphere, it is affected by temperature, humidity, and wind currents, which can change the

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<sup>3</sup> Sound Propagation website. (Available at [https://www.sfu.ca/sonic-studio/handbook/Sound\\_Propagation.html](https://www.sfu.ca/sonic-studio/handbook/Sound_Propagation.html), accessed November 27, 2016.)

speed and direction of sound. Just as light bends when traveling through a prism, sound bends as a result of the varying atmospheric properties. Sound waves tend to bend toward cooler temperatures and away from warmer temperatures. For example, on a typical summer afternoon, because air temperatures generally decrease with altitude, sound generated at ground level would bend upward towards the cooler air. For a person at the same level as the sound, the sound waves are bending up and over the person listening, creating what is known as a shadow zone. When this occurs, a noise source may be visible at a distance but be perceived as quieter than expected. When the air temperature is cooler close to the ground than it is at higher altitudes, such as late at night or over calm lakes or icy surfaces, the sound waves bend closer to the ground and if the ground is reflective, the sound bounces off the ground and may propagate (travel) further than expected. (Cowan,<sup>4</sup> pp. 11, 19-21.) Because the effects of temperature gradients are more important over long distances (Caltrans TeNS<sup>5</sup>), these gradients would not substantially change the results of the NIA.

Generally speaking, wind currents allow sound to travel further than expected when the sound is being emitted in the same direction as the wind (downwind) and sound will travel a shorter distance than expected when the sound is being emitted in the direction against the wind (upwind). (Cowan, p. 21.)

The NIA used SoundPLAN to model the Project’s construction and operational noise. SoundPLAN allows the user to input humidity and temperature into the model. For purposes of the NIA, modeled temperature was 66 degrees Fahrenheit (66° F) and 49 percent humidity. According to Weather Underground, the average temperature for the City of Riverside is 69° F and average humidity is 49.7 percent. Between November 2015 and November 2016, the highest temperature in Riverside was 114° F and the lowest temperature was 33° F. To evaluate the effects of changes in temperature and humidity referenced in the commenter’s comment, four new modeling runs were prepared assuming: (i) temperature at 33° F and 0% humidity, (ii) temperature at 33° F and 100% humidity, (iii) temperature at 114° F and 0% humidity, and (iv) temperature at 114° F and 100% humidity. The results of this analysis, which does not change or materially impact the conclusions set forth in the NIA and DEIR, is summarized in the table below and shown on the attached figures.

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity (Figure A)	Noise Level at 33° F and 100% humidity (Figure B)	Noise Level at 114° F and 0% humidity (Figure C)	Noise Level at 114° F and 100% humidity (Figure D)
1 first floor	43	42	43	41	41
1 second floor	45	44	45	43	44
2 first floor	30	30	30	30	30

<sup>4</sup> Cowan refers to the *Handbook of Environmental Acoustics*, published by John Riley & Sons, Inc., 1994.

<sup>5</sup> Caltrans TeNS refers to the Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013. (Available at [http://www.dot.ca.gov/hq/env/noise/pub/TeNS\\_Sept\\_2013B.pdf](http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf), accessed November 27, 2016.)

<b>Receptor No. per DEIR Figure 5.12-5</b>	<b>Noise Level per DEIR Figure 5.12-5</b>	<b>Noise Level at 33° F and 0% humidity (Figure A)</b>	<b>Noise Level at 33° F and 100% humidity (Figure B)</b>	<b>Noise Level at 114° F and 0% humidity (Figure C)</b>	<b>Noise Level at 114° F and 100% humidity (Figure D)</b>
2 second floor	32	32	32	32	32
3 first floor	45	45	45	44	44
3 second floor	49	48	49	48	48
4 first floor	48	47	48	47	47
4 second floor	52	51	52	51	51
5 first floor	49	49	49	49	49
5 second floor	50	49	50	49	49
6 first floor	43	43	43	43	43
6 second floor	44	43	44	43	43
7 first floor	38	38	38	38	38
7 second floor	39	39	39	39	39
8 first floor	33	33	33	33	33
8 second floor	35	35	35	35	35
9 first floor	35	35	35	34	35
9 second floor	37	37	37	36	36
10 first floor	39	38	39	37	38
10 second floor	41	40	41	39	40
11 first floor	33	33	33	33	33
11 second floor	35	35	35	35	35
12 first floor	31	31	32	31	32
12 second floor	34	34	34	34	34
13 first floor	30	30	30	30	30
13 second floor	32	32	32	32	32
14 first floor	31	31	31	31	31
14 second floor	33	33	33	33	33
15 first floor	32	31	32	32	32
15 second floor	34	34	34	34	34
16 first floor	31	31	31	31	31
16 second floor	34	33	34	34	34
17	30	30	30	30	30
18 first floor	44	43	44	43	43
18 second floor	45	44	45	44	44
19 first floor	43	43	43	42	42
19 second floor	43	43	43	43	43
20 first floor	31	31	31	31	31
20 second floor	37	37	37	37	37
21 first floor	34	34	34	34	34
21 second floor	39	39	39	38	38
22	36	36	36	36	36
23 first floor	36	36	36	35	36

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity (Figure A)	Noise Level at 33° F and 100% humidity (Figure B)	Noise Level at 114° F and 0% humidity (Figure C)	Noise Level at 114° F and 100% humidity (Figure D)
23 second floor	37	37	38	37	37
24 first floor	33	32	33	32	32
24 second floor	35	34	35	34	34
25 first floor	31	30	31	30	31
25 second floor	34	34	34	34	34
26 first floor	29	29	29	29	29
26 second floor	32	32	32	32	32
27 first floor	32	32	32	32	32
27 second floor	34	33	33	33	33
28 first floor	31	31	31	31	31
28 second floor	34	34	34	34	34
29 first floor	30	30	30	30	30
29 second floor	33	33	33	33	33
30 first floor	31	31	31	31	32
30 second floor	35	35	35	34	35
31	48	48	48	48	48
32	47	47	47	47	47
33	38	38	38	37	37
34	55	54	54	54	54

The amplification of the effects of meteorological conditions on sound does not constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-K:**

Noise impacts due to Project operation are anticipated to be the greatest for two residences located at 6063 Bannock Drive and 6066 Cannich Road. Although noise measurements were not taken specifically at these residences to quantify existing ambient noise, the NIA modeled 30 receptors to thoroughly evaluate the proposed Project’s operational noise impacts on the surrounding residences. Of the 30 receptors modeled only two residences will be impacted by Project-generated noise during Project operation. (DEIR, Figure 5.12-5.) The NIA and DEIR included noise mitigation to reduce noise impacts. As previously discussed in Responses to Comments 28A and 28F above, if all the noise mitigation measures are implemented, the noise impacts would be less than significant; however, because installation of the 10-foot noise barrier mitigation under **MM NOI 16** is subject to the approval of the two property owners on whose land the proposed barrier will be installed, and such approval may or may not be provided, the noise impact is considered significant and unavoidable. (DEIR, pp. 5.12-34, 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-L:**

Comment noted. See Response to Comment 28-I above regarding the future development considered in the cumulative analysis. Of the 15 cumulative development projects within the City identified in DEIR **Table 6-A** (see Response to Comment 28-1 above), the following five projects are within the SCBPSP: No. 5 – Health and Fitness Center, No. 8 – Alessandro Business Center, No. 10 – CT Sycamore Center, No. 12 – Mt. Baldy Drive/San Gorgonio Drive Industrial Project, and No. 14 – Sycamore Canyon Industrial Warehouse Development. With regard to including buildout of the entire SCBPSP in the cumulative noise analysis, DEIR **Figure 8-4 – Alternative Location 3** identifies the location of all vacant property within the SCBPSP area. With regard to including buildout of the entire SCBPSP in the cumulative noise analysis, DEIR **Figure 8-4 – Alternative Location 3** identifies the location of all vacant property within the SCBPSP area. It would be speculative to assume what future uses will ultimately be approved and constructed in these areas, including the nature and extent of noise impacts produced by such potential future uses. For this reason, the DEIR does not consider the anticipated noise impacts associated with the future build-out of the SCBP..

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-M:**

Comment noted. Refer to Response to Comment 28-J above for a discussion regarding the effect of meteorological conditions on noise. As stated in Response to Comment 28-J, ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that change in the noise levels resulting from Project implementation would be overstated. That is, if ambient noise measurements were taken under conditions that would result in a higher ambient noise level, the change in noise levels resulting from Project-related noise, when compared to the ambient noise levels would be lower. Thus, the NIA and DEIR present a conservative analysis.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-N:**

As stated on page DEIR, 5.12-22, because of the topographical differences between the Project site and the location of sensitive receptors (i.e., adjacent residences), the SoundPLAN Noise Model was used to model construction and operational noise generated on the Project site. The modeling included existing and proposed elevation lines and points within the Project site and adjacent residential uses to account for the effects of topography on noise levels as a

result of the proposed Project. (DEIR, p. 5.12-24.) The noise modeling and anticipated noise impacts reflect the acoustics and geography of the area. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 28-O:**

The commenter suggests that the noise assessment in the NIA and DEIR is inaccurate and implies that the 360-foot distance for a restriction of nighttime use will not effectively mitigate the Project's operational noise. As stated in Response to Comment 28-G above, a comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis." (CEQA Guidelines, §15088(c).) These responses "shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].) Nonetheless, according to the United States Department of Transportation, a line source consists of "multiple point sources moving in one direction radiating sound cylindrically."<sup>6</sup> Therefore, although the space between the buildings will create a "line," analysis of noise generated between these two buildings as a "line source" would not be appropriate. The SoundPLAN Noise Model was used to analyze noise impacts from the Project operations to consider the topography of the site and adjacent properties; therefore, the nighttime use restrictions identified in mitigation measure **MM NOI 15** (See Response to Comment 28-E above), (see Response to Comment 28-E above), would contribute to a reduction in the noise impacts on the adjacent residences. (DEIR, pp. 5.12-28, 5.12-34.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 28-P:**

Comment noted. The noisiest hour on-site Project operational noise was modeled using the SoundPLAN model. To evaluate the proposed Project's operational noise impacts on the surrounding residences, the NIA modeled a total of 30 residential receptors and included the anticipated noise levels on both the first and second floors of each receptor in addition to at the property line (shown as receptor nos. 31, 32, and 33 on DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation** and DEIR **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**). (DEIR, p. 5.12-26.) Therefore, the noise modeling quantified maximum expected noise from the proposed development both above and below the proposed 8-foot wall between the Project site and residences to the north as well as above and below the 10-foot noise barrier proposed at two residences to the northwest of the Project site as part of

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<sup>6</sup> U.S. DOT, *Terminology*, <http://www.fhwa.dot.gov/environment/noise/measurement/mhmr02.cfm>, accessed October 13, 2016.

mitigation measure **MM NOI 16** (See Response to Comment 28-A above). Refer to DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation** and **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation** for the location of the modeled receptors and the modeled noise levels.

Assuming noisiest conditions, noise levels at the first floor and second floor of all the receptors to the north and northwest of the Project site are below the City's daytime exterior noise standard of 55 dBA (see DEIR **Figure 5.12-5**). Without any restriction on nighttime use, as required by mitigation measure **MM NOI 15** (See Response to Comment 28-E above), Project-generated operational nighttime noise will exceed the City's nighttime exterior noise standard of 45 dBA at three residences: receptor locations 3, 4, and 5 as shown on DEIR **Figures 5.12-5 and 5.12-6**. With implementation of mitigation measure **MM NOI 15**, Project-generated operational noise will exceed the City's nighttime exterior noise standard at the second floor of two residences to the northwest of the Project site (shown as receptor nos. 3 and 4 on DEIR **Figures 5.12-5 and 5.12-6**). Thus, additional mitigation is required to reduce Project-generated operational noise at these locations. Implementation of mitigation measure **MM NOI 16**, which entails the installation of a noise barrier at the top of the slope of these receptor locations, would reduce operational noise levels to below the City's nighttime standard of 45 dBA (see DEIR **Figure 5.12-6**). However, as stated in the DEIR, installation of the noise barrier requires approval from the two property owners on whose land the proposed noise barrier will be installed and such approval to construct the barrier wall may not be provided by these property owners. Therefore, because neither the City nor the Project Applicant has the authority to implement mitigation measure **MM NOI 16**, the Project's operational nighttime noise impacts will remain significant and unavoidable. (DEIR, pp. 5.12-26 – 5.12-28, 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 28-Q:**

The analysis and conclusion contained in the DEIR does not assume that the two property owners (receptor locations 3 and 4 as shown on DEIR **Figures 5.12-5 and 5.12-6**) will allow for installation of the 10-foot noise barrier required in mitigation measure **MM NOI 16** (See Response to Comment 28-A above). For this reason, the DEIR concluded that the Project's operational nighttime noise impacts would be significant and unavoidable. (DEIR, pp. 5.12-28, 5.12-34, 5.12-48.) Pursuant to mitigation measure **MM NOI 16**, these property owners have the discretion whether to allow the Project Applicant to install the proposed 10-foot noise barrier and reduce nighttime noise levels to comply with City standards, or, alternatively, to not install the noise barrier. As previously discussed **MM NOI 16** prescribes specific standards that the noise barrier must meet and includes a list of materials, including transparent materials, that may be used if the noise attenuation requirements of **MM NOI 16** are satisfied. (DEIR, p. 5.12-47.)

Implementation of mitigation measure **MM NOI 16** as well as implementation of mitigation measures **MM NOI 13** through **MM NOI 16** and **MM AQ 14** (See Responses to Comment 28-

D, 28-F, 28-E, 28-A and 28-F above, respectively), will reduce the noise impacts from operation of the Project to below the City's nighttime noise standards; however, because implementation of **MM NOI 16** is dependent on the consent of private property owners, this mitigation measure is not feasible and operational noise impacts must remain significant and unavoidable. (DEIR, pp. 5.12-28, 5.12-34, 5.12-48.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Please refer to Response to Comment 28-A for a discussion regarding the aesthetic implications of mitigation measure **MM NOI 16**.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 28-R:**

Comment noted. Please refer to Response to Comments 28-J and 28-P for discussion regarding the NIA's and DEIR's analysis of the Project's operational noise impacts.

The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes, including analysis of impacts related to noise. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 28-S:**

The 24-hour noise measurements analyze the existing noise environment in the Project vicinity at the time the measurements were taken. This would include any loud beeping, crashes, and bangs associated with operations at nearby warehouses or distribution centers that may have occurred during the measurement period. These noise events are reflected in the  $L_{max}$  column of DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. (DEIR, p.p. 5.12-8–5.12-9.) Regarding the existing ambient noise exceeding the City's daytime and nighttime standards, the DEIR states:

For location LT1 (the northeast corner of the Project site), the results of the 24-hour ambient noise measurements (**Table 5.12-C**), indicate that daytime (7:00 a.m. to 10 p.m.) noise levels ranged between 42.4 dBA  $L_{eq}$  (at 3:00 p.m.) and 60.5 dBA  $L_{eq}$  (at 10:00 a.m.). The daytime residential standard of 55 dBA was exceeded at 8:00 a.m., 10:00 a.m., and 11:00 a.m. Nighttime (10:00 p.m. to 7:00 .m.) noise levels measured at location LT1 ranged from 51.0 dBA to 58.1 dBA and exceeded the nighttime residential standard of 45 dBA for all hours. Based on the 24-hour ambient measurements taken at this location the CNEL is 60

dBA. It is important to note that there is an existing wooden fence along the residential property line at location LT1 and the noise meter was placed on the Project side of the property line; thus, the noise level on the residential side may be lower. (DEIR, pp. 5.12-9-5.12-10.)

For location LT2 (the northwest corner of the Project site), the results of the 24-hour ambient noise measurements (**Table 5.12-C**), indicate that daytime noise levels ranged between 38.8 dBA  $L_{eq}$  (at 1:00 p.m.) and 51.9 dBA  $L_{eq}$  (at 8:00 a.m. and 9:00 a.m.). Measured nighttime noise levels at location LT2 ranged from 39.8 dBA to 50.5 dBA. The nighttime residential standard of 45 dBA was exceeded at 10:00 p.m. and from 4:00 a.m. – 7:00 a.m. Based on the 24-hour ambient measurements taken at this location the CNEL is 52 dBA. There are no fences or barriers between the Project site and the residential lots to the west. (DEIR, pp. 5.12-10.)

Thus, the DEIR discloses that noise in the Project area exceeds the City's daytime and nighttime noise standards. However, as stated in Response to Comment 28-I, CEQA does not require a Project to mitigate for pre-existing impacts and conditions. Thus, the focus of the analysis and mitigation in the DEIR is to reduce Project-generated noise.

The commenter does not provide a source for the statement: "Therefore, the statement that the noise associated with the operations of the proposed site will not interfere with sleep are (sic) fallacious." It is assumed this comment is in reference to the discussion on pages 20 and 21 of the NIA. Project operational noise is not expected to result in sleep disturbance because, as discussed on DEIR pages 5.12-31, the Project will not exceed the City's maximum nighttime interior noise standards of 45 dBA  $L_{max}$ . Specifically, the DEIR states:

Assuming 10 dB of noise reduction with windows open, the noise levels from back-up beepers at the interior of adjacent residences will be approximately 44 dBA  $L_{max}$ , which will not exceed the City's maximum daytime or nighttime interior noise standards of 55 dBA  $L_{max}$  and 45 dBA  $L_{max}$ , respectively, as set forth in Section 7.35.010 A.5.<sup>7</sup> Nonetheless, in order to minimize noise associated with use of back-up beepers at the Project site, the Project will implement mitigation measure **MM NOI 13**, which requires the use of ambient-sensitive self-adjusting or manually-adjustable back up alarms. (DEIR, p. 5.12-31.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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<sup>7</sup> Per Section 7.35.010 A.5 of the Riverside Municipal Code, the maximum noise event shall not exceed the standard for the applicable land use plus 10 dBA. The daytime and nighttime interior residential standards per Table 5.30.015A are 45 dBA and 35 dBA, respectively. Thus the maximum daytime and nighttime standards are 55 DBA and 45 dBA respectively.

**Response to Comment 28-T:**

As stated in Response to Comment 28-J, ambient noise monitoring locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project’s impacts with regard to operational noise. The purpose of the ambient noise measurements is to provide a basis for the comparison of noise impacts with and without the Project. **DEIR Table 5.12-J – Pre- and Post-Project Noise Levels (in CNEL)** compares the Community Noise Equivalent Level (CNEL) of the monitored ambient noise calculated from the 24-hour noise measurements set forth in **DEIR Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity** with the mitigated operational noise levels in CNEL assuming a uniform  $L_{eq}$  for a 24-hour operation,

The CNEL is a 24-hour weighted average measure of community noise. To account for increased human sensitivity at night, the CNEL scale includes a 5 dB weighting penalty on noise occurring during the 7:00 p.m. to 10:00 p.m. time period, and a 10 dB weighting penalty on noise occurring during the 10:00 p.m. to 7:00 a.m. time period. (DEIR, p. 5.12-3.) The CNEL values reported in **DEIR Table 5.12-J**, were calculated using the Ldn, Lden, CNEL Community Noise Calculators, available at <https://www.noisemeters.com/apps/ldn-calculator.asp>.

If, as the comment states, the 24-hour ambient noise measurements taken at Monitoring Locations ST1 and ST2 (as shown on **DEIR Figure 5.12-1 – Noise Measurement Locations**) are lower than the existing ambient noise as asserted by the commenter, the calculated CNEL would be higher than what is reported in **DEIR Table 5.12-J**. Consequently, this would mean that the difference between the Project’s operational noise CNEL and the ambient noise levels, shown in the column entitled “Difference in dBA”, would be less than what is reported in **DEIR Table 5.12-J**. To the extent that the difference reported in **DEIR Table 5.12-J** is greater than what the commenter asserts, the DEIR constitutes a conservative analysis.

With regard to the comparing the pre- and post-Project CNEL without implementation of mitigation measure **MM NOI 16**, this would only change the results for receptor nos. 3 and 4 as shown in the table below because implementation of mitigation measure **MM NOI 15** is within the control of the City and the Project Applicant. The mitigated operational noise levels for receptor nos. 3 and 4 with mitigation measure **MM NOI 15** only (i.e., no noise barrier as required by **MM NOI 16**) is shown in Figure E, which is attached to this response.

Monitored Location <sup>a</sup>	Measured Noise Level (CNEL <sup>b</sup> ) In dBA	Receptor No. <sup>c</sup>	Mitigated Operational Noise Level (with MM NOI 15 only) (CNEL) In dBA	Difference In dBA	Substantial Increase?	Mitigated Operational Noise Level (includes MM NOI 15 and MM NOI 16) (CNEL) In dBA	Difference In dBA	Substantial Increase?
ST2/LT2	52	4 (1 <sup>st</sup> floor)	52	0	No	46	-6	No
		4 (2 <sup>nd</sup> floor)	54	2	No	51	-1	No

Monitored Location <sup>a</sup>	Measured Noise Level (CNEL <sup>b</sup> ) In dBA	Receptor No. <sup>c</sup>	Mitigated Operational Noise Level (with MM NOI 15 only) (CNEL) In dBA	Difference In dBA	Substantial Increase?	Mitigated Operational Noise Level (includes MM NOI 15 and MM NOI 16) (CNEL) In dBA	Difference In dBA	Substantial Increase?
		3 (1 <sup>st</sup> floor)	51	-1	No	46	-6	No
		3 (2 <sup>nd</sup> floor)	54	2	No	50	-2	No

Thus, as indicated in the above table, even if the noise barrier identified in mitigation measure **MM NOI 16** is not constructed, with implementation of mitigation measure **MM NOI 15**, there will be a less than substantial increase (i.e., less than 5 dBA) from the Project’s operational noise on receptor nos. 3 and 4.

This amplification of the noise analysis to exclude implementation of mitigation measure **MM NOI 16** on two receptors does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-U:**

With regard to the commenter’s assertion that the background noise measurements are not representative of a worst-case scenario, CEQA does not require an EIR to evaluate the worst-case scenario but rather to evaluate the reasonably foreseeable impacts associated with a project. (CEQA Guidelines § 15151.) Regardless, the modeling used in the NIA accounts for back-up alarms on the trucks. As a result of this modeling, the DEIR includes mitigation measure **MM NOI 13** (see Response to Comment 28-D above) that requires back-up alarms be adjusted to “a tone that is readily noticeable over ambient noise levels.” (DEIR 5.12-16.)

Please refer to Response to Comments 28-J, 28-P and 28-S for discussion regarding the NIA’s and DEIR’s analysis of the Project’s operational noise impacts. The Project Applicant has no authority to regulate any potential back-up beepers from vehicles not visiting the Project site. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-V:**

The commenter provides no explanation, evidence, or specific example to support to support the assertion that the DEIR does not accurately reflect truck traffic travel already occurring in the area. As stated in Response to Comment 28-G above, a comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines,

§15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].) Nonetheless, a response is provided below.

As part of the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA), which is, DEIR Appendix J, traffic counts by vehicle type (i.e., passenger car, 2 axle truck, 3 axle truck, and 4+ axle trucks) were conducted for Fair Isle Drive-Box Springs Road from Sycamore Canyon Boulevard to the I-215 Northbound Ramps, Sycamore Canyon Boulevard, from Fair Isle Drive to Eastride Avenue, and Eastride Avenue from Sycamore Canyon Boulevard to Box Springs Boulevard. (**DEIR Figure 5.16-1 – Study Area**.) The results of these counts for are included in Appendix C of the TIA. The table below presents the existing condition for the portion of Sycamore Canyon Boulevard within the study area of the TIA and the trips generated by the proposed Project.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA. This table is included as Attachment 28.1 to this response.

The commenter does not provide a reference for the assertion that “The DEIR states that the design of the streets will have large trucks exiting at a light at Sierra Ridge...” Project Design Features are discussed in DEIR Section 5.16.4, which states:

The proposed Project has been designed to facilitate traffic in an efficient manner using the existing roadway network. The majority of passenger cars

and truck traffic is expected to use Sierra Ridge Drive to Sycamore Canyon Drive to Eastridge Avenue which will provide on-/off-ramp access to I-215. (DEIR, p. 5.16-26,)

Building 1 will have two driveways along Lance Drive and Building 2 will have one driveway along Lance Drive. Building 1 and Building 2 will have full ingress and partial right-out only egress at each of their individual project driveways. (DEIR, p. 5.16-26,)

The Project will limit passenger car and truck egress onto Dan Kipper Drive by posting signs at all Project driveways that indicate only right turns onto Lance Drive are permitted. In addition to signage, small barriers will be placed at the all three driveways which will aid in limiting left-out turns onto Lance Drive. This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. Partial width improvement on the westerly side of that portion of Lance Drive that is currently in place will be constructed by the Project at its ultimate cross-section. The Project will construct the full-width improvements to the remaining portion of Lance Drive to Dan Kipper Road. The Project proposes a slight realignment to that portion of Lance Drive shown as Lot A on TPM 36879. (**Figure 3-8 – Tentative Parcel Map.**) Per the *Sycamore Business Park Specific Plan*, existing Lance Drive is designated as a 2-lane 74 foot Collector Street. (DEIR, p. 5.16-26,)

As part of the TIA scoping process, a preliminary analysis was done in regard to the proposed Project using Dan Kipper Drive as a point of egress for passenger cars and/or trucks. Based on future nearby development of the area, the existing and future geometry of the intersection and nearby intersections, the City determined that traffic leaving the Project site would have a right-out-only egress onto Lance Drive. (DEIR, pp. 5.16-10, 5-16-26.)

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the TIA, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e.

leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle Drive/Box Springs Road interchange. Thus, it is reasonable to expect that outbound cars and trucks will use the Eastridge Avenue-Eucalyptus Avenue interchange.

About the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Boulevard, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

With regard to the existing traffic flow of the area, as discussed in Response to Comment 28-V, traffic counts by vehicle type were taken and disclosed in Appendix C of the TIA. (DEIR Appendix J.)

The DEIR fully discloses that traffic impacts will be significant and unavoidable until Caltrans funds and constructs the necessary freeway improvements. The identification of new conditions of approval does not constitute significant new information that would require recirculation of the DEIR information. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-W:**

See Response to Comment 28-V regarding trip distribution. These trip distribution assumptions are supported by the traffic counts taken for the TIA, which indicate 5% of the vehicles using the Fair Isle Drive-Box Springs Road/I-215 interchange are trucks and that 9% of the vehicles using the Eucalyptus Avenue-Eastridge Avenue/I-215 interchange are trucks. That is, nearly twice the number of trucks using the Eucalyptus Avenue-Eastridge Avenue/I-215 interchange as the Fair Isle Drive-Box Springs Road/Interchange. (Detailed AM and PM classification intersection counts taken for the TIA can be found in the Appendix C of the TIA, which is part of DEIR Appendix J.)

Although southbound cars and trucks will reach the Fair Isle Drive-Box Springs Road interchange from southbound Interstate 215 (I-215) first, the Eastridge Avenue-Eucalyptus Avenue interchange is closer to the Project site and would involve less driving on surface streets.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-X:**

The existing levels of service (LOS) in the TIA (TIA Table 5-1 – Intersection Levels of Service – Existing Plus Project Conditions (2015) and DEIR (DEIR **Table 5.16-C – Intersection LOS, Existing Conditions (2015)**) were based on AM and PM peak period intersection turning movement counts conducted in July 2015. (DEIR, p. 5.16-17.) These counts are included in Appendix C to the TIA. The counts were increased per agreement with the City since counts were taken during the off-school period of July 2015. (DEIR, p. 5.16-17; DEIR Appendix J, p. 3-2.) The following are the edits to the counts listed by intersection number. The counts used in the TIA were increased (based on older counts taken when school was in session) to simulate vehicles travelling through the intersections from residential neighborhoods to nearby schools. To account for ambient growth in the Project area, a two percent per year ambient growth rate was applied to existing traffic volumes to account for area-wide growth that is not reflected by cumulative development project.<sup>8</sup> Ambient growth was added to daily and peak hour traffic volumes on surrounding roadways in addition to traffic generated by the Project. (DEIR, pp. 5.16-9, 5.16-29.)

With regard to the projects used for the cumulative analysis, as discussed in Response to Comment 28-L, of the 15 cumulative development projects within the City identified in DEIR Table 6-A (see Response to Comment 28-I), the following five projects are within the SCBPSP: No. 5 – Health and Fitness Center, No. 8 – Alessandro Business Center, No. 10 – CT Sycamore Center, No. 12 – Mt. Baldy Drive/San Gorgonio Drive Industrial Project, and No. 14 – Sycamore Canyon Industrial Warehouse Development. Existing warehouses in the SCBP were not included on the cumulative development project list because traffic from those uses would already be accounted for in the traffic counts taken for the TIA and the existing levels of service for the TIA study area intersections and freeway segments shown in DEIR **Table 5.16-C – Intersection LOS, Existing Condition (2015)** and DEIR **Table 5.16-D – Freeway Segment LOS, Existing Conditions (2015)**. (DEIR, pp. 5.16-17, 5.16-19.)

With regard to including buildout of the entire SCBPSP in the cumulative traffic analysis, this traffic would be accounted for in the Buildout per the General Plan 2025. As discussed on page 5.16-48 of the DEIR:

Buildout per the General Plan 2025

Cumulative impacts to transportation/traffic could be significant if the addition of Project-related traffic combined with the traffic expected at buildout per the GP 2025 results in any study area intersection operating at LOS E or F, except at some key locations, such as City arterial roadways which are used as a freeway bypass by regional through traffic and at heavily traveled freeway interchanges,

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<sup>8</sup> A two percent per year ambient growth rate is considered the industry standard for estimating growth in the region and was agreed upon during the traffic study scoping process. (DEIR, p. 5.16-33.)

LOS E may be acceptable as determined on a case-by-case basis (GP 2025, p. CCM-11). Sycamore Canyon Boulevard between Central Avenue and Box Springs/Fair Isle is one of the streets identified to operate at LOS E or F at buildout of the GP 2025 as a result of regional cut-through traffic. With regard to these streets, the GP 2025 FPEIR states that a decision was made (following discussion of the Circulation Element components at the Citizens Advisory Committee, Planning Commission, and City Council) not to build larger roadways for the purpose of accommodating regional cut-through traffic. As part of this decision, it was determined that LOS E or F would be acceptable for these roadways. (GP 2025 FPEIR, p. 5.15-33.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-Y:**

Regarding cumulative noise impacts, refer to Response to Comments 28-I and 28-J.

Regarding cumulative traffic impacts, refer to Response to Comment 28-X. The anticipated traffic from the cumulative development projects is identified in DEIR **Table 5.16-M – Cumulative Development Project Trip Generation** (DEIR, pp. 5.16-39–5.16-43), shown below.

**Table 5.16-M – Cumulative Development Trip Generation<sup>a</sup>**

No. on Figure 5.16-9	Project (Case Number) Project Location	Land Use	Quantity	Status	Net Trips <sup>b</sup>		
					AM Peak Hour	PM Peak Hour	Daily
<b>Projects within the City of Riverside</b>							
1	Auto Parts Store in Mission Plaza P07-1181/P07-0593 381 Alessandro Blvd	Auto parts store	1.5 TSF	Approved (5/6/2008) Not constructed	33	67	407
2	Proposed bank in Canyon Crossings Shopping Center P08-274/P08-0275 2570 Canyon Springs Pkwy	Commercial bank with drive-thru lane	2,746 SF	Approved (9/9/08) Not constructed	23	43	373
3	ARCO and <i>ampm</i> Market P10-0090/P10-0091 6287 Day Street	Gasoline station with convenience market	2,700 SF	Approved (6/8/2010) Open	8	12	299

No. on Figure 5.16-9	Project (Case Number) Project Location	Land Use	Quantity	Status	Net Trips <sup>b</sup>		
					AM Peak Hour	PM Peak Hour	Daily
4	Chase Bank (P12-0419/P12-0557/ P12-0558/P12-0559) 360 Alessandro Boulevard	Bank with two-lane drive-thru	3,100 SF	Approved (5/7/2013)  Not constructed	33	62	526
5	Health and Fitness Center (P14-0457) 6465 Sycamore Canyon Boulevard	Interior remodel for a health and fitness center within existing 92,410 SF two-story office building	4,000 SF	Approved (6/30/2014) Constructed	6	14	132
6	Steak and Shake (P14-0536/P14-0537) Northwesterly corner of Valley Springs Parkway and Corporate Center Drive	Fast food restaurant with drive-thru restaurant	3,750 SF	Application submitted	86	60	1,714
7	Tract Map 32180 (P07-1073)  North of the intersection of Moss Road and Pear Street	Nine lot subdivision for single family residences	9 DU	Approved (6/5/2008)  Construction has not started	7	9	86
8	Alessandro Business Center (P07-1028/P06-0416/ P06-0418/P06-0419/ P06-0421/P07-0102) Northwest corner of Alessandro Boulevard and San Gorgonio Drive	Four industrial/ manufacturing buildings.	662,018 SF	Approved (3/9/2010)  Construction complete	105	120	1,714
9	Tract Map 36641 (P13-0665) Southwest corner of Wood Road and Moss Street	Eight lot subdivision for single family residences	8 DU	Approved (4/17/2014)  Construction has not started	6	8	76
10	CT Sycamore Center (P14-1053/P14-1054) Northwest corner of Dan Kipper Drive and Sycamore Canyon Boulevard	Five buildings with warehouse and office space in each building.	230,420 SF total (205,4720 SF warehouse and 25,000 SF office)	Approved (4/30/2015)  Construction complete	42	50	703

No. on Figure 5.16-9	Project (Case Number) Project Location	Land Use	Quantity	Status	Net Trips <sup>b</sup>		
					AM Peak Hour	PM Peak Hour	Daily
11	Sycamore Canyon Apartments (P13-0553/P13-0554/P13-0583/P14-0065) 5940 – 5980 Sycamore Canyon Boulevard (Between Raceway Ford and Raceway Nissan)	Multi-family residential	275 DU	Approved (10/9/2014) Construction has not started	140	171	1,829
12	Mt. Baldy Drive/San Gorgonio Drive Industrial Project (P14-0600/P14-0601/P14-0602/P15-0044) Southeast corner of Mt. Baldy Drive and San Gorgonio Drive	Multiple-tenant industrial building	121,390 SF	Approved (6/9/2015) Under construction	189	181	1,339
13	Street Vacation for an Apartment Project (P12-0309) Monte Vista Drive and Pollard Street	Apartment building	88 DU	Construction of apartment project has not started	45	55	585
14	Sycamore Canyon Industrial Warehouse Development (P13-0607/P13-0608/P13-0609/P13-0854) 6150 Sycamore Canyon Boulevard	Industrial building	171,616 SF	Approved (5/13/2014) Construction complete	367	283	2,710
15	Annexation 118 (P14-0246/P14-1059/P14-0901) Northwest corner of Sycamore Canyon Boulevard and Central Ave.	Annexation, GPA, and Pre-Zoning for a retail commercial shopping center	102,000 SF	Approved (7/28/2015) Construction has not started	98	251	4,242
16	Quail Run Apartments (P14-0683/P14-0684/P14-0685/P15-1080/P15-1081/P15-1082) Northwest corner of Quail Run Road and Central Avenue)	Multi-family residential	216 DU	Approved (07/26/16)	112	136	1,463
<b>Projects within the City of Moreno Valley</b>							
17	Status Nightclub and Lounge Canyon Springs Plaza	Nightclub	11,000 SF	Open for business	0	72	936

No. on Figure 5.16-9	Project (Case Number) Project Location	Land Use	Quantity	Status	Net Trips <sup>b</sup>		
					AM Peak Hour	PM Peak Hour	Daily
18	O'Reilly Automotive 23334 Sunnymead Boulevard	Auto parts store	7,500 SF	Open for business	17	26	445
19	Available Restaurant Space Plaza Del Sol Shopping Center 23060 Alessandro Boulevard	Restaurant	9,000 SF	Available	97	51	1,106
20	Rivals Sports Bar & Grill TownGate Promenade	Sports bar & grill	6,452 SF	In plan check	70	51	807
21	Aldi Market 12630 Day Street (TownGate Promenade)	Grocery market	20,300 SF	Open for business	51	169	1,844
22	Yum Yum Donut Shop Northwest corner of Day Street and Alessandro Boulevard	Donut shop and convenience store	4,351 SF	In planning	306	122	3,562
23	Hawthorn Inn & Suites Cactus Commerce Center Cactus Avenue	Four-story Hotel	79 guest rooms	Approved Not constructed	42	47	645
24	Sleep Inn Suites Olivewood Plaza Sunnymead Boulevard	Three-story Hotel	66 guest rooms	Approved Not constructed	35	40	539
25	Moreno Valley Professional Center Alessandro Boulevard east of Ellsworth Street	Four Office buildings	84,000 SF	Approved	131	125	927
26	Gateway Business Park South of Alessandro Boulevard west of Day Street	34 Industrial condominiums between 5,000 and 10,000 SF	184,000 SF	Approved	395	303	2,906
27	Veterans Way Logistics Center	Distribution facility	366,698 SF	Under construction	58	67	973

No. on Figure 5.16-9	Project (Case Number) Project Location	Land Use	Quantity	Status	Net Trips <sup>b</sup>		
					AM Peak Hour	PM Peak Hour	Daily
28	World Logistics Center	Corporate park specific plan	41 million SF total	Approved (8/26/2015) Construction has not started	3,925	4,287	50,753
<b>Total (in PCE)</b>					<b>6,397</b>	<b>6,820</b>	<b>83,365</b>

Notes

a Source: TIA, Table 4-4– Cumulative Projects within the Study Area, Appendix J

b Net trips are total trips less pass-by trips.

With regard to cumulative air quality impacts, because the South Coast Air Quality Management District (SCAQMD) considers thresholds for project-specific impacts and cumulative impacts to be the same, the Project will result in significant and unavoidable impacts to air quality. (DEIR, p. 6-10.) Although cumulative impacts to local traffic and buildout per the City’s General Plan 2025 are not significant, impacts to freeway level of service are significant with the addition of traffic due to ambient growth and cumulative development projects, without the proposed Project until necessary improvements are funded and constructed by Caltrans. (DEIR, pp. 5.16-48, 5.16-52, 5.16-53, 6-26.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-Z:**

Regarding the DEIR noise analysis, refer to Responses to Comments 28-I through 28-U.

Regarding the distance between Kroger (assumed to be the Ralph’s Distribution Center located south of the Project site) and Pepsi (assumed to be the Pepsi Bottling Group located at the southeast corner of Eastridge Avenue/Sycamore Canyon Boulevard) the distances between these facilities and the residences stated in this comment is incorrect. As measured from Google Earth, the northern boundary of the Big 5 Sporting Goods Distribution Center is less than 0.10 miles south of the residences to the north and approximately 0.3 miles east of the residences to the west. As measured from Google Earth, the northern boundary of the Ralphs Distribution Facility is approximately 0.3 miles from the rear lot line of nearest residential property on Bannock Drive and less than one-half mile from the residences to the north, not 1 mile as asserted in this comment. As measured from Google Earth, the northern boundary of the Pepsi Bottling Group is approximately 0.8 miles south of the nearest residences (the Sycamore Canyon Apartments) and the same distance from the northwest corner of the Pepsi facility to the nearest residential property on Bannock Drive; not greater than 1 mile as asserted in this comment.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-AA:**

Comment noted. The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

Consistent with the *Good Neighbor Guidelines*, because there are residences located within 1,000 feet from the proposed Project, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 in the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. The November Refined HRA was prepared in response to comments received from the SCAQMD. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 letter from SCAQMD (included as Attachment A.2 to the FEIR). In the June Screening HRA, November Refined HRA, and the New Modeling, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project operation for both workers and residents within the Project site vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-BB:**

Although Project-related construction activities will result in temporary and periodic exposure of the Sycamore Canyon Wilderness Park to noise levels in excess of standards established in the Riverside Municipal Code, these impacts are short-term in nature and will not result in long-term impacts to the Sycamore Canyon Wilderness Park. According to page 5.12-26 and as shown on **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation** of the DEIR, the operational noise level at the property line between the Project site and the Sycamore Canyon Wilderness Park is 55 dBA  $L_{eq}$ , which is below the Municipal Code noise standard for public recreational facilities (65 dBA  $L_{eq}$ ). Consequently, the proposed setback and fencing between the Project buildings and the Sycamore Canyon Wilderness Park is sufficient because the noise level is below the City Municipal Code noise standard for public recreational facilities. Thus, the Project is consistent with GP 2025 Polices LU-7.1 and LU 7.2.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-CC:**

Land Use: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City's *Sycamore Canyon Business Park Specific Plan (SCBPSP)*, which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The proposed Project is consistent with the planned land use for the site in both the GP 2025 and SCBPSP. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

With regard to the Good Neighbor Guidelines refer to Response to Comment 28-AA.

With regard to air quality: the South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen ( $NO_x$ ) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even

after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25**. (DEIR, pp. 5.3-26, 5.3-27, 5.3-30, 5.3-35–5.3-40.)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project's landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measures **MM AQ 13** will be revised in the FEIR as shown below.<sup>9</sup>

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less in excess of ~~pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

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<sup>9</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measures **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment. (DEIR, pp. 5.3-35–5.3-39.)

Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

With regard to aesthetics although a 1,000-foot buffer has not been included in the Project, certain features of the site design and location do minimize aesthetic impacts. The site has been designed to incorporate a 100-foot buffer, including 64 feet of landscaping between the northern wall of Building 2 and the north property line adjacent the residences. This increased buffer zone, enhanced landscaping and that Building 2 was designed with no loading docks or parking located on its north side (between Building 2 and the residences to the north, all work to minimize impacts to these residents.

The proposed Project, as originally submitted and presented at the August 26, 2015 scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project applicant received feedback from the City, encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. As a result, the proposed Project was revised by the Project applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site.

As discussed above, the 100-foot setback between Building 2 and the northern property line will encompass 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape planter adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) Additionally, there

are no dock doors or parking on the northern side of Building 2, closest to the residences to the north.

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. There is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest (DEIR, **Figure 3-10 – Proposed Site Plan** and **Figure 3-11 – Conceptual Landscape Plan**).

Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residential neighborhood to the north (DEIR, p. 5.1-8). The Project will also, implement mitigation measures **MM AES 1** which states: (DEIR, pp. 5.12-19, 5.12-31–5.12-33.)

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

Furthermore, as discussed in Response to Comment 28-CC, mitigation measures **MM AQ 13** and **MM AQ 22** will be revised in the FEIR to limit truck idling at the Project site to three minutes or less, which exceeds the requirements of the California Air Resources Board (CARB).

The Project includes additional City Design Review and will implement mitigation measure **MM AES 9** to ensure that the buildings are designed in accordance with this measure. (DEIR, p. 5.1-35)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and

shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

Aesthetic impacts of the Project were found to be less than significant in the DEIR through the incorporation of Project design features and mitigation measures. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

With regard to noise refer to Responses to Comments 28-T through 28-U. Additionally, as discussed in Response to Comment 28-T, with implementation of mitigation measure **MM NOI 15**, which is within the control of the City and the Project Applicant, noise from Project operations would only exceed the City's nighttime noise standard at receptor nos. 3 and 4, which would not result in the Project being inconsistent with GP 2025 Policy LU-9.7.

With regard to traffic: as discussed in Response to Comment 28-V, a TIA was prepared for the Project to quantify Project-related impacts to roadway and freeway segments in the Project vicinity. Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project proponent to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although this impact is significant and unavoidable, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action. Based on the above discussion, the Project will be consistent with the City's GP 2025 Policy LU-9.7.

The revision to mitigation measures **MM AQ 13** and **AQ 22** to change the idling time from five minutes to three minutes does not constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 28-DD:**

With regard to aesthetics, refer to Response to Comment 28-CC. Additionally, the Project approval process involves an additional City Design Review component to ensure that new building designs, wall designs, site design, landscaping and irrigation plans, lighting plans, parking plans, open space areas, and pedestrian areas are reviewed to confirm compliance

with the DEIR and City codes and to avoid monotonous repetition, but allowing, when feasible, for originality of design. (DEIR, p. 3-26.)

With regard to the aesthetic implication of the noise barriers in mitigation measure **MM NOI 16** refer to Responses to Comments 28-A and 28-F.

With regard to Project-generated noise, refer to Response to Comments 28-H through 28-U.

Based on the above discussion, the Project will be consistent with the City's GP 2025 Policy LU-30.3.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-EE:**

With regard to noise, refer to Response to Comments 28-I through 28-U. Although Project-generated noise impacts during construction will be significant to the Sycamore Canyon Wilderness Park, the Project has been designed to be screened from and not disrupt the Sycamore Canyon Wilderness Park in accordance with GP 2025 Policy LU-79.2. This includes installation of a temporary noise barrier during Project construction as well as fencing and landscaping to create a buffer between the Project site and adjacent Park area. The DEIR analyzed and concluded operational noise impacts to the Sycamore Canyon Wilderness Park are less than significant because Project-generated noise will be below the City's noise standard for regional parks. The Urban/Wildlife Interface Guidelines set forth in MSCHP Section 6.1.4 state MSCHP Conservation Areas *should* (emphasis added) not be subject to noise that would exceed residential noise standards. That is a guideline, not a requirement. As shown on DEIR Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation, noise at the property line between the Project site and the Sycamore Canyon Wilderness Park (receptor no. 34) will be 55 dBA. Based on the above discussion, the Project will be consistent with the City's GP 2025

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-FF:**

With regard to noise refer to Response to Comments 28-I through 28-U, 28-CC, and 28-DD. The Project's proposed fencing and landscaping will minimize aesthetic and noise impacts to the adjacent residences and the Sycamore Canyon Wilderness Park. The Project has been designed to incorporate several design features and mitigation measures intended to minimize adverse land use conflicts between industrial uses and the residential and open space properties that abut the specific plan area, consistent with General Plan 2025 Policy LU-80.3. The following design features are discussed on DEIR page 5.10-9:

Design features refer to ways in which the proposed Project will avoid or minimize potential impacts through the design of the Project. The proposed Project has been designed with sensitivity to the adjacent land uses, particularly

Sycamore Canyon Wilderness Park to the west, and the existing residential neighborhoods to the north and northwest.

With regard to the Sycamore Canyon Wilderness Park, the Project includes a Mitigation Area and landscaping along its westerly boundary (**Figure 3-11 – Conceptual Landscape Plan**) to transition from the docks and trailer parking area to the Wilderness Park. The Project also includes a trail to provide controlled access for pedestrians and bicyclists to the park and a Fire Access/Parks Maintenance Road so emergency and maintenance vehicles can access the park when needed.

With regard to the adjacent residential neighborhood, the Project proposes a 64-foot wide landscaped buffer between Building 2 and the residences to the north and a minimum of 100-feet of landscaping along the western boundary adjacent to the residences (**Figure 3-11 and Figure 3-10 – Proposed Site Plan**). Additionally Building 2 does not propose any dock doors or parking on the north side of the building, so as to locate those activities away from the Sycamore Highlands residential neighborhood. As shown on Figure 3-10 all of Building 2’s docks and trailer parking are south of the building. Vehicular parking is located on the east and south of Building 2.

The discussion under Policy GP LU 80.3 on DEIR page M-16 and M-17 will be amplified in the FEIR as shown below.

<p>Policy LU-80.3</p>	<p>Minimize any adverse land use conflicts between industrial uses and the residential and open space properties that abut specific plan areas.</p>	<p>The proposed Project is located within the Sycamore Canyon Business Park Specific Plan and abuts residential land uses to the north <u>and northwest</u> and the Sycamore Canyon Wilderness Park to the west. Project design will ensure that the residential neighborhood located to the north <u>and northwest</u> will be protected from development of the proposed Project. As a result, the Project Proponent did not propose parking along the northern side of Building 2, has designed Building 2 with no cross dock facilities, and has set the building back 100-feet from the nearest residential property line. Additionally, the Project proposes an on-site trail easement which will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park and a parking lot for the users to safely park and access the trail. Fencing, <u>the Mitigation Area</u>, and on-site landscaping will provide visual appeal,</p>
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		functionality, and will act as a buffer which will shield the Project site from the surrounding land uses. Finally, the Project is required to comply with MSHCP Section 6.1.4 (Urban/Wildlands Interface) which will reduce land use conflicts between the proposed Project operations and the park.
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The amplification of the discussion in Appendix M does not constitute significant new information that would require recirculation of the DEIR. For the reasons set forth above, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-GG:**

The proposed logistics center at the Project site will contribute to the economic success of the Sycamore Canyon Business Park by constructing a project that is allowed by the zoning and turning a the vacant site into a Project that will create jobs for residents of the City. The Project site is already served by water, sewer, regional stormwater, telephone lines, cable lines, and natural gas service and as such is completing the development plan of the SCBPSP in this portion of the Plan Area. (DEIR, p. 3-40.) Further, the DEIR analyzed and concluded that Project-generated traffic will not have a significant impact on local roadways. (DEIR, pp. 5.16-56–5.16-57.)

Therefore, the Project is consistent with the GP 2025 Policy LU-80.6 and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-HH:**

With regard to the traffic distribution in the TIA, refer to Response to Comment 28-V. Because outbound traffic from the Project site will be limited to right-turns on Lance Drive (see discussion under Response to Comment 28-V), traffic will be funneled to Sycamore Canyon Boulevard and then have the option to go right or left on this roadway. (DEIR, p. 5.16-26.) Due to the traffic controls placed on all traffic exiting the site, the Eastridge Avenue-Eucalyptus Avenue freeway entry point is closer than the Fair Isle Drive – Box Spring Road freeway entry point, and will reduce the number of outbound trips using Fair Isle Drive. Further, as discussed in Response to Comment 28-V, a condition of approval will be placed in the Project to require signal timing improvements at key intersections to further encourage the use of the Eastridge Avenue-Eucalyptus Avenue interchange.

Therefore, the Project is consistent with the GP 2025 Policies CCM 2.2, CCM 2.3, and CCM 2.4 and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-II:**

The intersection of Sycamore Canyon Boulevard and Sierra Ridge Drive was included as one of the study intersections in the TIA prepared to analyze Project-related impacts to roadways in the Project vicinity (Study Intersection No 6 (DEIR **Figure 5.16-1** and DEIR page 5.16-4). This intersection will operate at acceptable level of service with the existing plus ambient growth plus Project plus cumulative conditions without any improvements to the intersection. (DEIR, p. 5.16-57). The Project does not propose any driveway or local road access to Sycamore Canyon Boulevard. Further, as the main north-south roadway through the SCBPSP, Sycamore Canyon Boulevard was designed as a 4-lane north/south divided roadway in the Project area between Fair Isle Drive and Eucalyptus Avenue. Sycamore Canyon Boulevard is designated as an Arterial Street (4-lanes divided, 110-foot right-of-way) in the GP 2025 Circulation and Community Mobility Element. (DEIR, p. 5.16-3.) Thus, it was intended to be used by trucks servicing the warehouses within the SCBPSP. Also, refer to Response to Comment 28-HH.

Therefore, the Project is consistent with the GP 2025 Policies CCM-2.7 and CCM-2.8. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-JJ:**

It is anticipated that the site will operate 24/7 in which case queuing would not be an issue. However due to issues with other projects within the City, a queuing analysis was performed in the event the Project is not a 24/7 operation. If the Project does not operate as proposed, the potential for queuing would be greatest during the morning, before the site gates open. The queuing capacity for Building 1 is approximately 32 to 35 semi-truck with trailers, which is greater than the anticipated number of trucks expected to arrive during the AM peak hour. The Building 2 queuing capacity is approximately 5 to 6 semi-trucks with trailers, which is slightly less than the 9 trailer trucks anticipated to arrive during AM peak hours. (DEIR Appendix M, p. M-23.)

It is unlawful to park commercial trailers or semi-trailers on any public street, highway, road, or alley within the City except at specific designated locations, such as the designated commercial vehicle parking located on Box Springs Boulevard near the Project site. (DEIR, p. 5.16-49).

It can be reasonably assumed that trucks visiting the Project site would follow these regulations and not park on neighborhood streets. However, if trucks are observed parking illegally, residents may call 311 to report the incident and the call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Therefore, the Project is consistent with the GP 2025 Policy CCM-12.4.

The DEIR indicates that commercial vehicle parking is permitted on Sycamore Canyon Boulevard. Commercial vehicle parking is no longer allowed on Sycamore Canyon Boulevard. Therefore the third paragraph on DEIR page 5.16-49 will be revised in the Final EIR as follows:

The queuing capacity for Building 2 is approximately five to six trailer trucks, which is less than the anticipated number of trucks expected to arrive at Building 2 during AM Peak Hours (9 trailer trucks). Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, this should not result in trucks queuing or parking on the residential streets in proximity to the Project site because there is designated commercial vehicle parking on ~~Sycamore Canyon Boulevard~~ and portions of Box Springs Boulevard. Per Riverside Municipal Code 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. There are only five ~~six~~ streets in the City where commercial vehicle, commercial trailers, and semi-trailers may be parked: Atlanta Avenue, Box Springs Boulevard, Marlborough Avenue, Northgate Street, and Palmyrita Avenue, ~~and Sycamore Canyon Boulevard~~. Parking on Lance Drive and Sierra Ridge Drive is not permitted.

This clarification regarding the location of parking for commercial vehicles does not change the findings of the DEIR and does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-KK:**

Comment noted. Refer to Response to Comments 28-HH and 28-II. In addition to posting signs at all Project driveways indicating that only right turns are permitted onto Lance Drive, small barriers (commonly known as “pork chops”) will be installed at all three driveways to prevent vehicle exiting the Project from turning left onto Lance Drive. This will force outbound passenger cars and trucks to turn south on Lance Drive towards Sierra Ridge Drive. (DEIR, p. 5.16-26.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-LL:**

The Multiple Species Habitat Conservation Plan (MSHCP) identifies Criteria Cell areas to be set aside for conservation, including providing linkages between habitat areas. Because the Project site is not within an identified MSHCP Criteria Cell, it is not intended to be a part of the habitat linkage between the Sycamore Canyon Wilderness Park and the Box Springs Mountain. (DEIR, p. 5.4-22.) Therefore, development of the Project site will not conflict with efforts to establish a wildlife movement corridor between Sycamore Canyon Wilderness Park and the Box Springs Mountain Regional Park as shown on the MSHCP and as a result of this the Project is consistent with the GP 2025 Policy OS-6.4. Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-MM:**

Refer to Response to Comment 28-T. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-NN:**

The Project is consistent with General Plan Policy N-1.2 because it has been designed to include noise-reducing design features, to the extent feasible, consistent with Figure N-10 of Title 24 of the California Code of Regulations to reduce noise impacts including barriers, and site design to locate noise-generating activities at the Project site away from the residences.

Refer to Response to Comment 28-T. Nonetheless, pursuant to *State CEQA Guidelines* Section 15093, the City can adopt a Statement of Overriding Considerations if the benefits of the Project outweigh the unavoidable adverse environmental impacts. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-OO:**

Refer to Response to Comment 28-T regarding noise impacts. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-PP:**

Parking at the Project site will not be provided along the northern edge of the site and there are no dock doors on the northern edge of Building 2, the side of the building closest to the residences. Additionally, Building 2 will be set-back 100-feet from the residences, including 64-feet of landscaping to further reduce noise impacts. Likewise, refuse collection areas are not located near the northern or northwestern edges of the Project site and have been placed in locations further from the residences. Egress from the Project site will be limited to right-turns only from all the Project driveways in order to direct truck and passenger vehicle traffic away from the residences. Although noise impacts will remain significant and unavoidable, the Project is consistent with General Plan Policy N-1.4 because the Project been designed to include noise-reducing design features, to the extent feasible, consistent with Figure N-10 of Title 24 of the California Code of Regulations to reduce noise impacts including barriers, and site design to locate noise-generating activities at the Project site away from the residences. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-QQ:**

General Plan Policy N-1.5 requires consideration when siting *noise sensitive land uses* to ensure that they are not placed in noise-impacted areas. However, the Project itself involves construction and operation of a logistics center which is not a noise sensitive land use. Therefore, the Project is consistent with Policy N-1.5. Refer to Response to Comments 28-T and 28-CC regarding noise attenuation and Project siting away from sensitive land uses to the extent feasible. Thus, the Project is consistent with the GP 2025 Policy N-1.5 and this

comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-RR:**

The Project includes various noise-reducing design features to minimize noise impacts, to the extent feasible, from construction, operation, and Project-related traffic. Refer to Response to Comments 28-I through 28-U regarding noise impacts. Pursuant to *State CEQA Guidelines* Section 15093, the City can adopt a Statement of Overriding Considerations if findings can be made that the benefits of the Project outweigh the unavoidable adverse environmental impacts. Thus, the Project is consistent with the GP 2025 Policy N-1.8. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-SS:**

Contrary to the comment, the DEIR's Air Quality (AQ) Analysis (included in Appendix B of the DEIR) evaluated the Project's criteria pollutant emissions (including particulate matter and oxides of nitrogen (NO<sub>x</sub>) resulting from short-term construction and long-term operation. The AQ analysis completed both a regional criteria pollutant analysis and a localized analysis in accordance with SCAQMD methodology (DEIR, pp. 5.3-23-30). The analysis showed that the short-term construction did not exceed applicable SCAQMD thresholds on a regional or localized level, but that Project operation would exceed SCAQMD regional thresholds for NO<sub>x</sub>. (DEIR, p. 5.3-30.) In regards to the commenters question of the maximum NO<sub>x</sub> emissions at the nearest residential receptors, DEIR **Table 5.3-G – LST Results for Construction Emissions** and **Table 5.3-H – LST Results for Operation Emissions** show that the maximum NO<sub>x</sub> emissions at the nearest residences are 86 and 12 pounds per day, respectively, which is lower than the SCAQMD localized threshold of 270 pounds per day. (DEIR, p. 5.3-28.)

With regard to the Project's HRAs and New Modeling, please refer to Response to Comment 28-AA.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 28-TT:**

Please see Response to Comment 28-A through Response to Comment 28-SS, above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

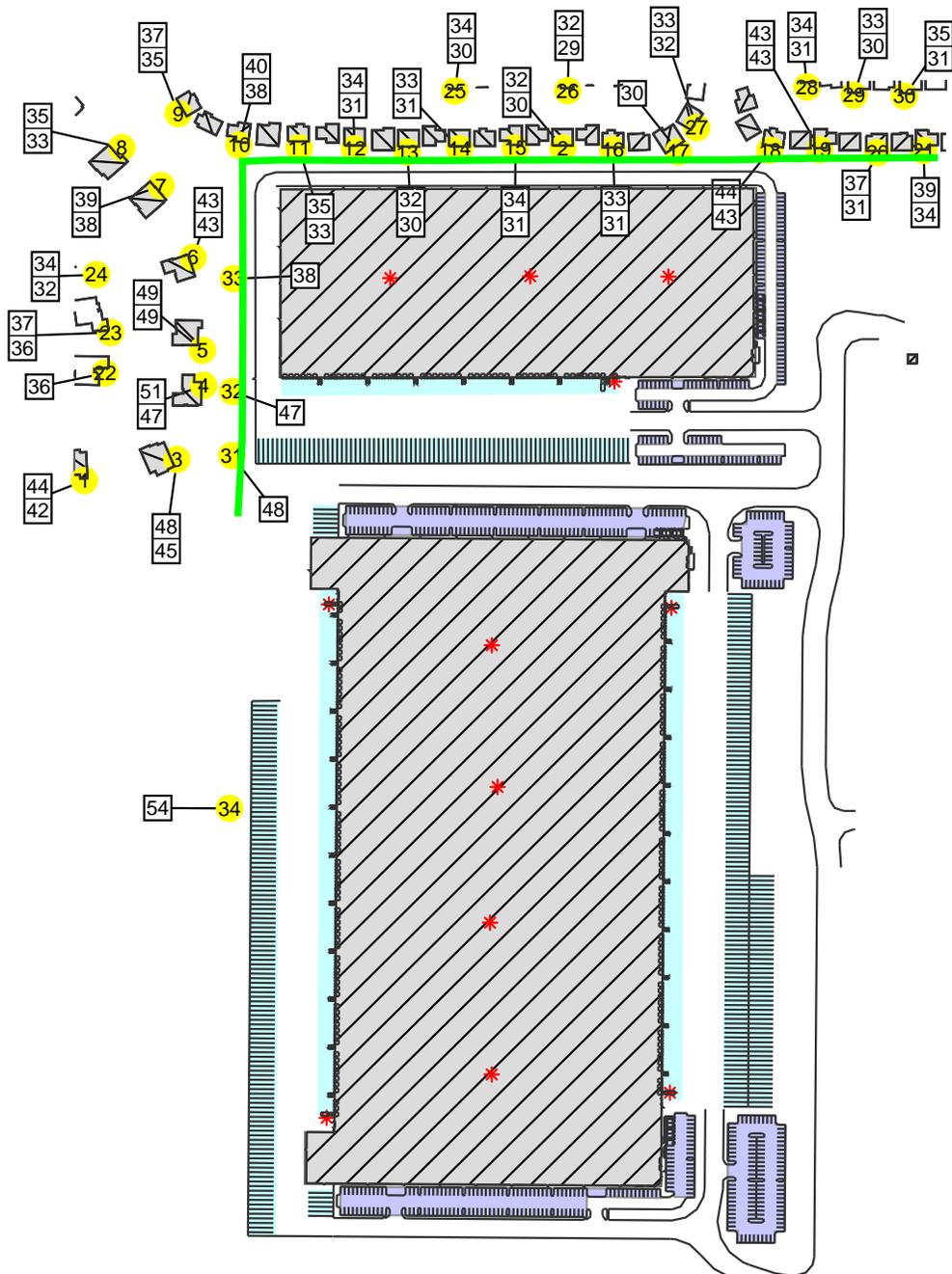


Figure A  
Operational Noise Levels (Leq)  
No Mitigation  
33 degrees F 0% Humidity

Signs and symbols

- Perimeter Wall
- Receiver
- \* HVAC & Trash Compactors
- Loading/Unloading Areas  
Trailer Parking
- Parking Lots - Peak Hour Traffic

Level tables

35  
33 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



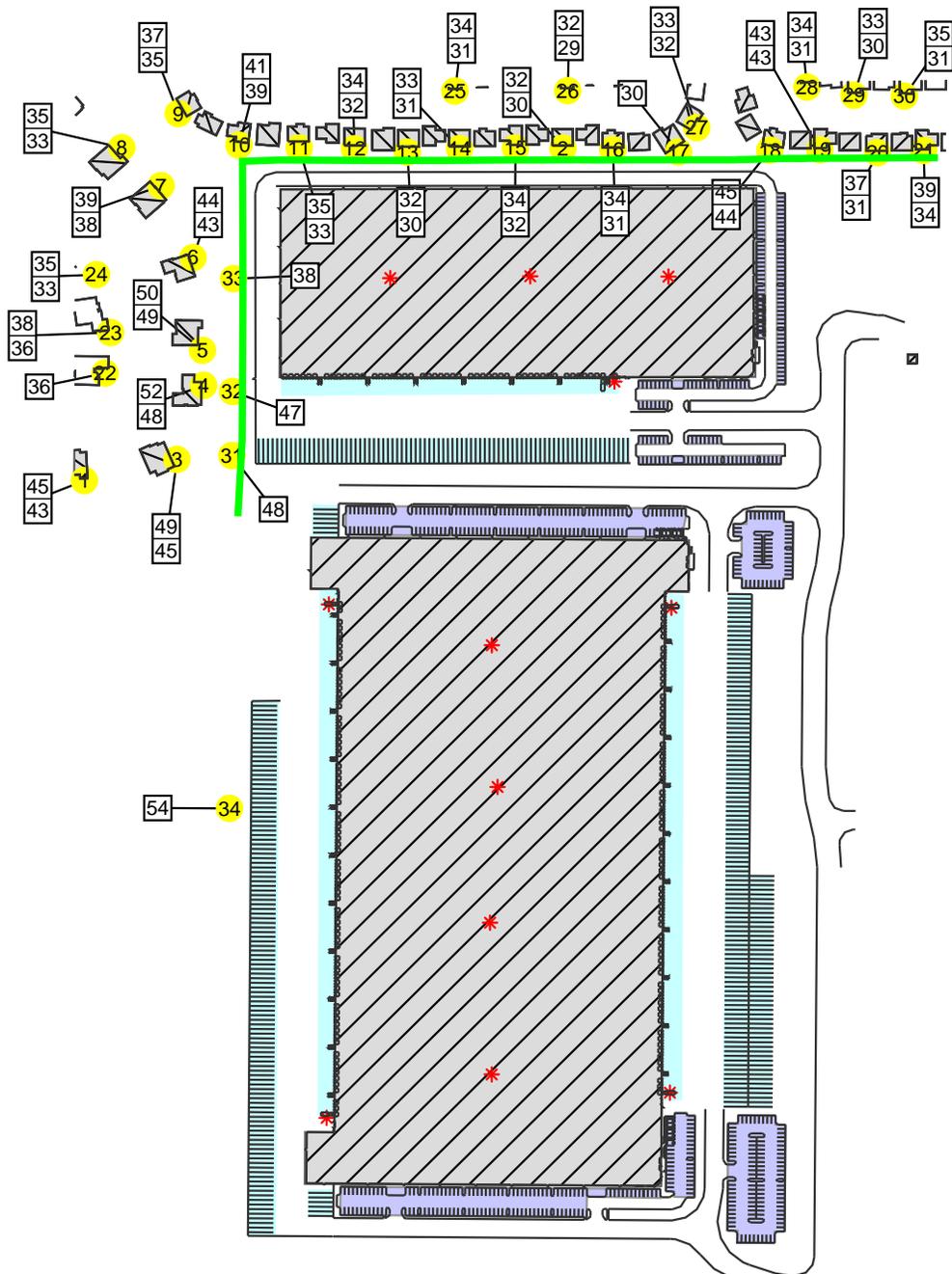


Figure B  
Operational Noise Levels (Leq)  
No Mitigation  
33 degrees F 100% Humidity

Signs and symbols

- Perimeter Wall
- Receiver
- \* HVAC & Trash Compactors
- Loading/Unloading Areas  
Trailer Parking
- Parking Lots - Peak Hour Traffic

Level tables

35	35
28	31
17	29

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



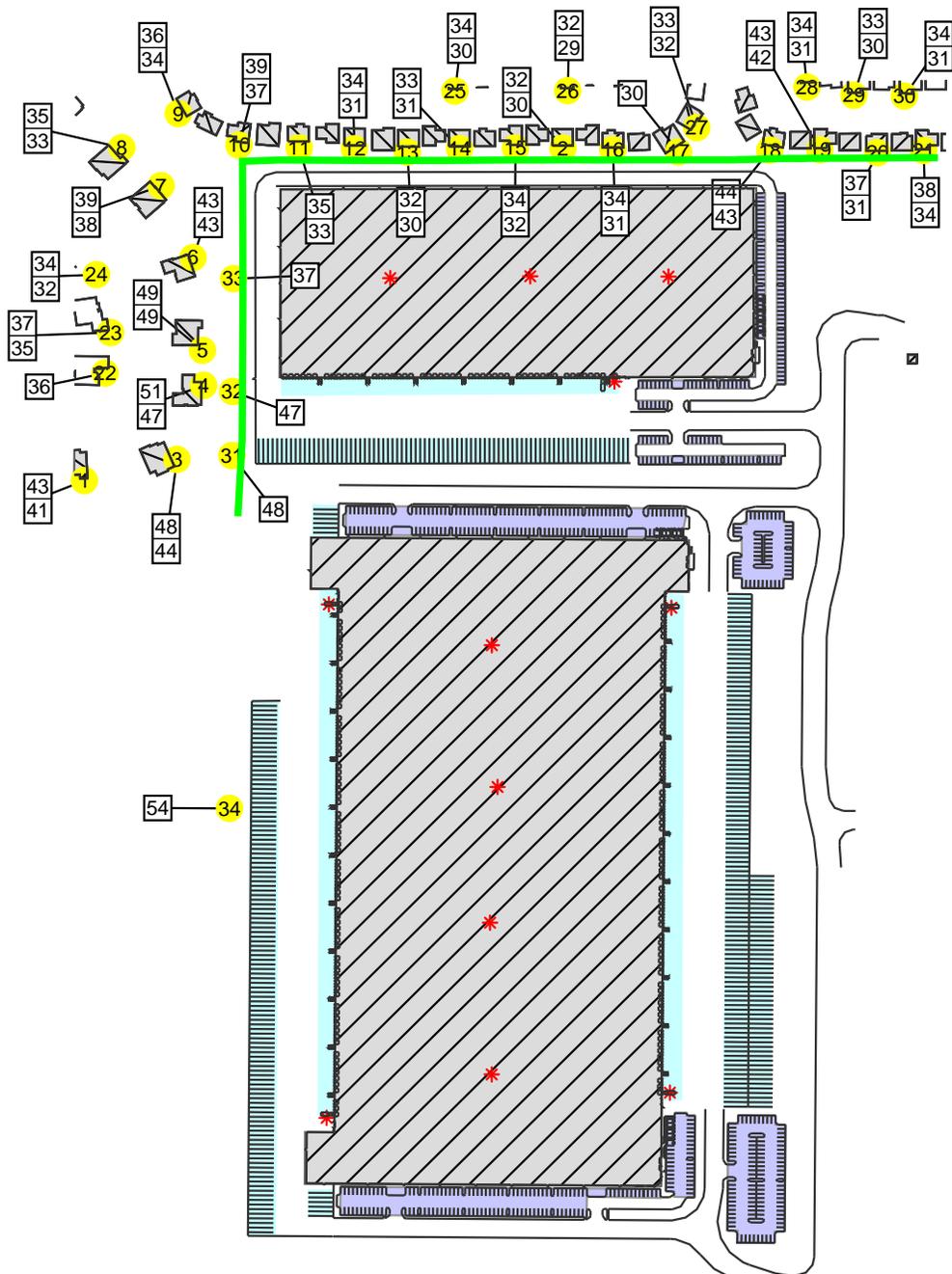


Figure C  
Operational Noise Levels (Leq)  
No Mitigation  
114 degrees F 0% Humidity

Signs and symbols

- Perimeter Wall
- Receiver
- \* HVAC & Trash Compactors
- Loading/Unloading Areas  
Trailer Parking
- Parking Lots - Peak Hour Traffic

Level tables

3	50	55
2	50	51
1	57	59

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



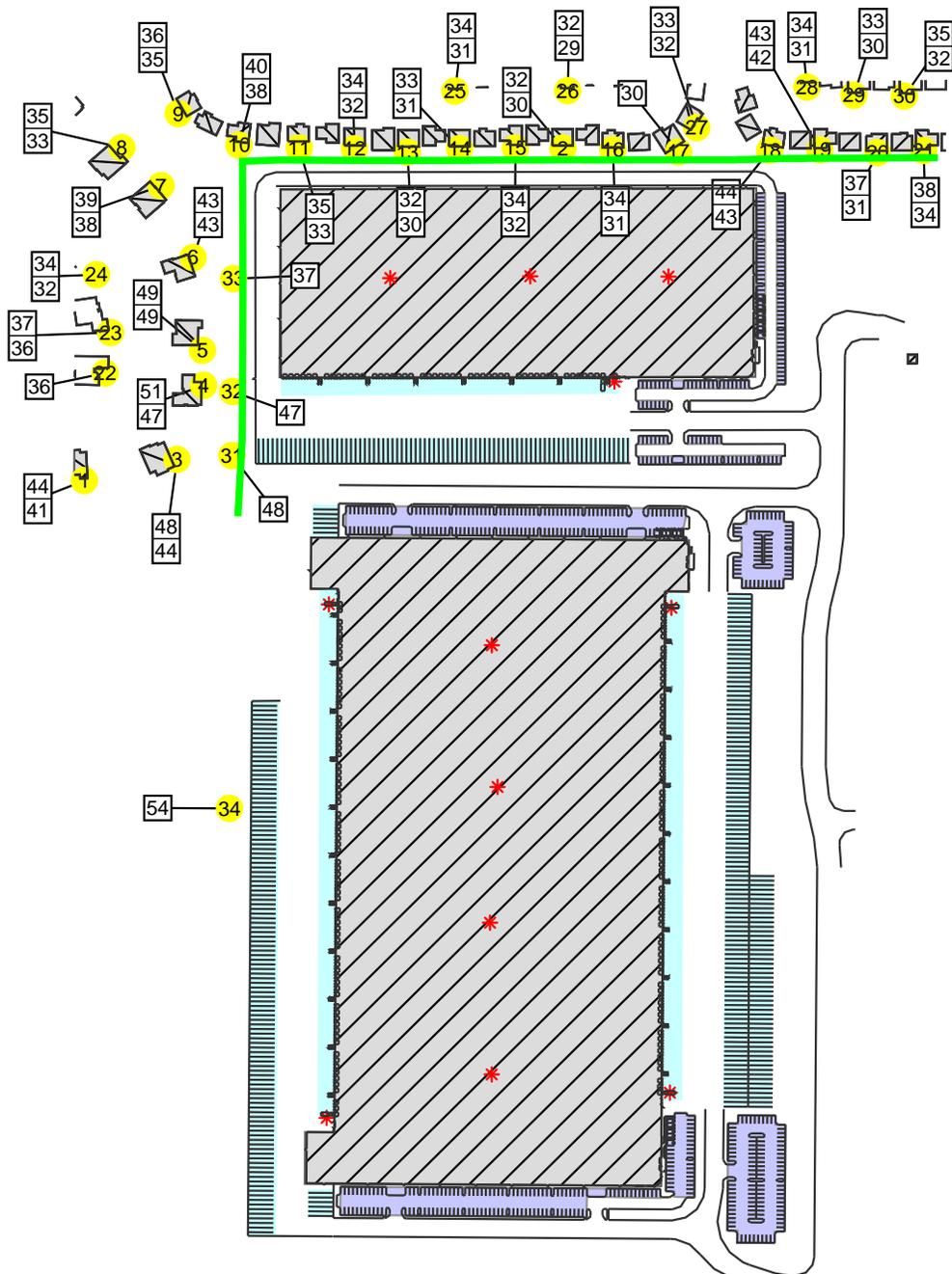


Figure D  
Operational Noise Levels (Leq)  
No Mitigation  
114 degrees 100% Humidity

Signs and symbols

- Perimeter Wall
- Receiver
- \* HVAC & Trash Compactors
- Loading/Unloading Areas  
Trailer Parking
- Parking Lots - Peak Hour Traffic

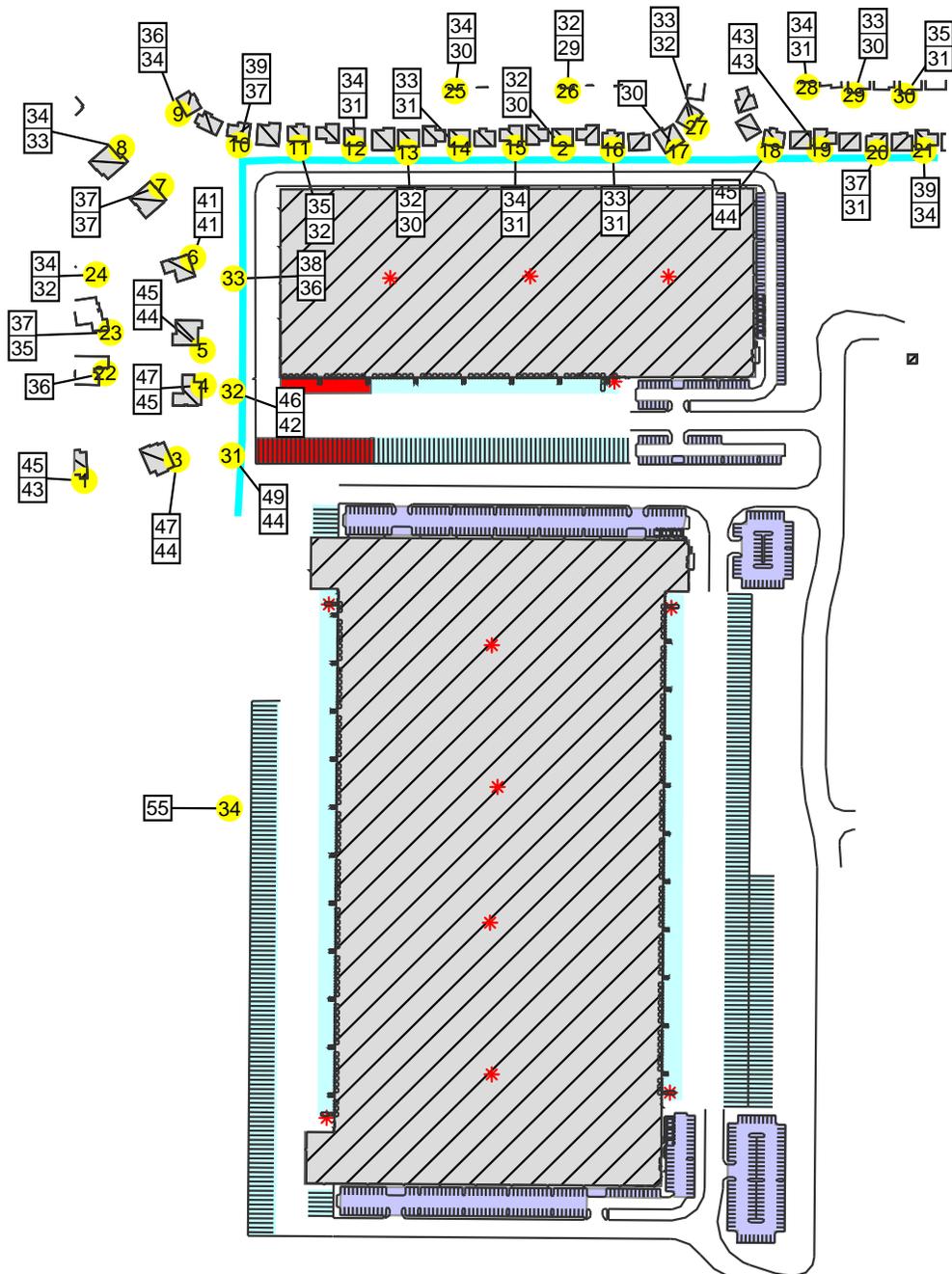
Level tables

3	50	55
2	50	51
1	57	59

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786





**Figure E**  
**Operational Noise Levels (Leq)**  
**No Mitigation**

Use Restriction of Western  
 Loading Areas Between  
 10:00 PM - 7:00 AM

**Signs and symbols**

-  10-Foot Barrier
-  Top of Slope to the West
-  8-Foot Barrier
-  Western Property Line
-  Restricted Area
-  Receiver
-  HVAC & Trash Compactors
-  Loading/Unloading Areas
-  Trailer Parking
-  Parking Lots - Peak Hour Traffic

**Level tables**

 Noise Levels (Leq) 1st Fl and 2nd Fl

1 : 4786



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## Comment Letter 29 – Johnson & Sedlack

**Brenes, Patricia**

29

**From:** Abigail A. Smith <abby@socalceqa.com>  
**Sent:** Friday, September 23, 2016 10:04 AM  
**To:** Brenes, Patricia  
**Subject:** [External] Re: Sycamore Canyon Business Park DEIR - Extension of Comment Period

Ms. Brenes,  
My apologies for the phone tag. On behalf of the community, thank you for the extension and your courtesy.  
Abby Smith

29-A

On Sep 23, 2016, at 9:10 AM, Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)> wrote:

Good morning Ms. Smith – We have not had much luck connecting and apologize in advance for my horrible schedule that has not allowed me to be available when you have called. The City has considered your request to extend the comment period and has agreed to extend it to Friday, October 7, 2016. The City's website will be updated today to include a note next to the project letting the public know about the extension of the comment period. You will also receive a letter in response to your request. The City appreciates your time and looks forward to your comments.

Thank you,

**Patricia Brenes**  
Principal Planner  
Community & Economic Development Department  
Planning Division  
3900 Main Street, Third Floor  
Riverside, CA 92522  
Tel: 951-826-2307  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

<[image4da62b.JPG](#)>

## **Response to Comment Letter 29 – Johnson & Sedlack**

### **Response to Comment 29-A:**

Comment noted. The public comment period on the Draft Environmental Impact Report (DEIR) was extended from September 23, 2016 to October 7, 2016. The technical appendices to the DEIR were available on the City's website, at the City of Riverside Community & Development Department, and at the Main and Orange Terrace libraries on August 10, 2016.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 30 – Brian Fountain

**From:** Brian Fountain [mailto:brian.rsd894@gmail.com]  
**Sent:** Friday, September 23, 2016 11:48 AM  
**To:** Wilczynski, Tracie  
**Subject:** [External] Re: Please send an email to the Riverside Planning Department about the two proposed MEGA warehouses

**TO:** City of Riverside Planning Department

**FROM:** Brian Fountain  
**ADDRESS:** 1612 Stockport Drive Riverside, CA 92507

As most of you well know, CT Realty Investors recently constructed five mid-sized warehouses to the rear (south/east ) of our homes on Stockport Drive in the Sycamore Highlands neighborhood. On one occasion prior to the groundbreaking, the developer (David Ball), his planning consultant and our city councilman Andy Melendrez visited my home to discuss the project. We went upstairs to my master bedroom and looked out the rear window to see the open field and the Big 5 distribution center. The developer and his consultant both said "the top of these buildings will be about eye-level upon completion and we would still have a partial view." Mr. Ball also said the wall of his buildings "will have three colors of paint and will be very attractive." He also said he will build an eight foot tall beige slumpstone wall about to to three feet from our property line, and after completion of the wall, if we so chose, we could take down our existing wooden fence and add some depth to our property.

Simply put, we were lied to. Now when we look out our window, we see nothing but a big tall white wall. we have to look up to just to see the sky. We have to look down over the newly built brick wall to see any color on the wall which is only inches from the original property line.

And now we have two unforeseen additional problems. First, because the majority (upper portion) of the building wall is white, it reflects the sun directly into our home's walls and windows. I asked Mr. Ball if he would paint one or two panels of the upper wall one of the matching darker tones because of the solar reflection. He emailed me back and said, "You request has been denied."

Secondly, because of these new walls, the sound from Sycamore Canyon and moreso, the sound of the freeways (60 & 215) echos directly into our homes. We now hear the roar of the freeways, especially the large trucks and vehicles/motorcycles with modified exhaust. This is especially bad during peak traffic hours and even on the weekend nights. I have installed top of the line energy efficient windows that are suppose to help deaden outside sound. Aside that we have to keep the windows shut all the time now, unless we want to hear the freeway roar, they really don't help much at all. Even when they're closed.

In closing, my neighbors and I are 100% against the construction of any warehouses or distribution centers behind our homes. What the City forgets is these types of facilities are usually twenty-four hour, seven days a

30-A

30-B

30-C

30-D

week operations, We do not want Dan Kipper to become a through street! We bought our homes well before this industrial development. We do not want to hear more trucks, tractors, forklifts and back-up alarms. We do not want to breath anymore diesel exhaust than we already do.

↑ 30-D  
cont

Our neighborhood is very blended. We have children and seniors, various religions and races, students, workers, housewives and retirees. All we want is our peace. I know this must sound corny to you, But I guarantee you, you wouldn't want these buildings anywhere near your neighborhoods.

30-E

Thank you for your anticipated reply,

Brian Fountain

30-F

On Thu, Sep 22, 2016 at 8:10 AM, Donald Britt <[drv38@earthlink.net](mailto:drv38@earthlink.net)> wrote:

Lol

Sent via the Samsung Galaxy Tab® 4, an AT&T 4G LTE tablet

----- Original message -----

From: Sycamore Highlands Action Group <[svcamorehighlands@yahoo.com](mailto:svcamorehighlands@yahoo.com)>

Date: 9/21/2016 10:59 PM (GMT-08:00)

To: Clarence Dolores Tiffany Romero <[tromero951@yahoo.com](mailto:tromero951@yahoo.com)>, Gary and Kathy Martin <[teachurs@pacbell.net](mailto:teachurs@pacbell.net)>, Christopher and Tammi Tosti <[acttosti@sbcglobal.net](mailto:acttosti@sbcglobal.net)>, Carla Garcia <[car\\_bern@hotmail.com](mailto:car_bern@hotmail.com)>, Jaime Becerra <[jaimeb@remaxallstars.net](mailto:jaimeb@remaxallstars.net)>, Julietta Echeverria <[yjulieta81@aol.com](mailto:yjulieta81@aol.com)>, Alec Gerry <[alecgerry@sbcglobal.net](mailto:alecgerry@sbcglobal.net)>, Jaime Hurtado <[jchurtado@rcbos.org](mailto:jchurtado@rcbos.org)>, Debra Ladd <[djyrah@sbcglobal.net](mailto:djyrah@sbcglobal.net)>, Joe Villacorta <[jv\\_homes2000@yahoo.com](mailto:jv_homes2000@yahoo.com)>, John and Gail Watson <[jwatusa@yahoo.com](mailto:jwatusa@yahoo.com)>, Jennifer Heldoorn <[mheldoorn@sbcglobal.net](mailto:mheldoorn@sbcglobal.net)>, Dennis Reilich <[dennis@drwoodworking.com](mailto:dennis@drwoodworking.com)>, Brenda Flowers <[bflowers@riversideca.gov](mailto:bflowers@riversideca.gov)>, flebcattern <[flebcattern@earthlink.net](mailto:flebcattern@earthlink.net)>, Jeannie Campbell <[jmom2006@gmail.com](mailto:jmom2006@gmail.com)>, Eileen Fry-Bowers <[efrybowers@gmail.com](mailto:efrybowers@gmail.com)>, Analia Schuh <[anabrau@hotmail.com](mailto:anabrau@hotmail.com)>, Andrew Tardie <[blueschist@att.net](mailto:blueschist@att.net)>, Jonathan Hyams <[jonathan.hyams@gettyimages.com](mailto:jonathan.hyams@gettyimages.com)>, Heather Hodges <[fluteheather2002@aol.com](mailto:fluteheather2002@aol.com)>, Carlos Puma <[photo@pumaimages.com](mailto:photo@pumaimages.com)>, Daniel Fell <[dssofaraway@yahoo.com](mailto:dssofaraway@yahoo.com)>, Cynthia Karimi <[cgarcia2424@yahoo.com](mailto:cgarcia2424@yahoo.com)>, daniellheureux@rocketmail.com, Earl Straw <[earlstraw@gmail.com](mailto:earlstraw@gmail.com)>, Donald Britt <[drv38@earthlink.net](mailto:drv38@earthlink.net)>, David Pollitt <[superdave2010@yahoo.com](mailto:superdave2010@yahoo.com)>, Elke Schuster <[elkeschuster@hotmail.com](mailto:elkeschuster@hotmail.com)>, Emily Symmes <[walterthelizard@hotmail.com](mailto:walterthelizard@hotmail.com)>, Historic Wood Streets <[woodstreets@aol.com](mailto:woodstreets@aol.com)>, Cindy & Chris Jensen <[chrisjen28@sbcglobal.net](mailto:chrisjen28@sbcglobal.net)>, Cheryl Gerry <[cherylgerry@sbcglobal.net](mailto:cherylgerry@sbcglobal.net)>, breanne houston <[breanne@strollerstrides.net](mailto:breanne@strollerstrides.net)>, Alica Kofford <[alicakofford@hotmail.com](mailto:alicakofford@hotmail.com)>, Bonnie Thorne <[bonniethorne@sbcglobal.net](mailto:bonniethorne@sbcglobal.net)>, dcastillo487@gmail.com, Jerry and Regina Romiti <[romitij@sbcglobal.net](mailto:romitij@sbcglobal.net)>, Amy Marie <[edenvegan@yahoo.com](mailto:edenvegan@yahoo.com)>, jscottcoe@earthlink.net, Alec Gerry <[alec.gerry@ucr.edu](mailto:alec.gerry@ucr.edu)>, G Khalsa <[gckhalsa@charter.net](mailto:gckhalsa@charter.net)>, Everett and Edna Wright <[rc4hire@gmail.com](mailto:rc4hire@gmail.com)>, "Jorge A. Martinez" <[jorge@pclandscapepedesign.com](mailto:jorge@pclandscapepedesign.com)>, Brian Fountain <[brian\\_rsd894@gmail.com](mailto:brian_rsd894@gmail.com)>, Frank and Sharvonne <[maidenfair4u@aol.com](mailto:maidenfair4u@aol.com)>, Jeff and Karen Hamblin <[mxxwife@aol.com](mailto:mxxwife@aol.com)>, Eve Ferguson <[dxtreker@aol.com](mailto:dxtreker@aol.com)>, Chris Renteria <[vrrenter@sbcglobal.net](mailto:vrrenter@sbcglobal.net)>, Maureen Clemens <[maureenclemens@att.net](mailto:maureenclemens@att.net)>

Subject: Please send an email to the Riverside Planning Department about the two proposed MEGA warehouses

Neighbors,

Please send an email to the City of Riverside Planning Department by Thursday evening describing the negative impacts on you and your family as a result of the current warehouses in the Sycamore Canyon Business Park, and describe why you expect these impacts to increase if the two new MEGA warehouses are built. You can use the following as a template for your email to the City. Replace the section in italics with your own words.

30-F  
cont

**We need these letters to be sent to the City on Thursday of this week so that they are included in the community responses to the environmental impact report.** This is your chance to let the City know about how the warehouses have impacted you and how these impacts have increased as new warehouses continue to be added to the Sycamore Canyon Business Park area.

City of  
Riverside  
21, 2016

September

Community Development Department Planning Division  
Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

Ms. Brenes,

I am writing this email in response to the draft EIR for the two proposed warehouses in the Sycamore Canyon Business Park (Buildings 1 & 2, SCH No. [2015081042](#)).

*Include in this paragraph a few sentences regarding your personal experiences and direct negative impacts of noise nuisance, traffic issues, aesthetic concerns, or air quality for the ALREADY existing warehouses and then state why you believe these impacts will increase with the development of the two mega warehouses.*

- *If you discuss noise, please state whether you already suffer nuisance from warehouse or truck noise and what conditions make the noise worse (time of night, wind direction, environmental conditions such as cloudy or humid nights). Also, if you know which warehouses are currently creating the noise that you hear, state this.*
- *If you discuss traffic, state your observations of truck traffic using freeway exits and entrances near Fair Isle Drive, and discuss any negative experiences you have had with trucks parking illegally, trucks traveling on residential streets, and trucks blocking traffic on Sycamore Canyon Ave.*
- *If you discuss aesthetics, describe your concerns about the height of the warehouse buildings relative to your home and point out that the Developer drawings appear to represent the view from one of the westernmost homes on Sutherland which would be least impacted by warehouse height rather than representing homes on the eastern side of Sutherland which will be most impacted aesthetically by the height difference between the home and the warehouse.*
- *If you discuss air quality, state why you or your family might be particularly at risk (young child, elderly, asthma or other breathing difficulty) and why the location of these buildings so close to residential homes is of great concern to you.*

The draft EIR prepared by Albert WEBB Associates did not adequately address my concerns described above. I believe that the draft EIR should be rewritten and alternate mitigation strategies (including NO development) should be considered.

Sincerely,

*Your Name Here*

---

**Sycamore Highlands Community Action Group**  
6012 Abernathy Dr.  
Riverside, CA 92507  
[\(951\) 369-3510](tel:9513693510)  
<http://www.facebook.com/sycamorehighlands>

↑  
30-F  
cont

**THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that the email address record can be corrected. Thank You**

## **Response to Comment Letter 30 – Brian Fountain**

### **Response to Comment 30-A:**

The commenter's opinion regarding the CT Sycamore Center Project is noted. The CT Sycamore Center Project on Dan Kipper Drive was constructed with a fifty-foot setback from the northerly property lines, adjacent to the residential properties and the buildings range from 37-feet to 41-feet in height. These warehouse buildings referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 30-B:**

Comment noted. See Response 30-A above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 30-C:**

Comment noted. See Response 30-A above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 30-D:**

Comment noted. The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City's *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The Project does not propose to make Dan Kipper Drive a through-street. Truck traffic approaching the site will be routed from the south via Eastridge Avenue. Traffic exiting the site will only be able to turn left (south) onto Lance Drive due to traffic delineators (pork chops) in the driveway, thereby limiting the amount of traffic on Dan Kipper Drive.

The proposed Project and intended use is consistent with both the GP 2025 and permitted as a matter of right in the SCBPSP.

The Project site is designated as Industrial in the SCBPSP as described in the DEIR and discussed above. Although Project operation will result in significant and unavoidable long-term air quality and noise impacts, the City has the discretion to adopt a Statement of Overriding Considerations pursuant to *State CEQA Guidelines* Section 15093, in order to move

forward with the Project even though the Project will result in significant and unavoidable impacts (air and noise). This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 30-E:**

Comment noted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 30-F:**

Comment noted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 31 – Twenty-Nine Palms Band of Mission Indians



31

### TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

September 29, 2016

Kyle Smith, Senior Planner  
City of Riverside  
Community & Economic Development Department  
3900 Main Street  
Riverside, CA 92522

**RECEIVED**

SEP 30 2016

Community & Economic  
Development Department

**Re: SYCAMORE CANYON BUSINESS PARK BUILDINGS 1 & 2 ENVIRONMENTAL IMPACT  
REPORT (EIR)**

Dear Mr. Smith:

In regards to consultation in compliance with Senate Bill 18 (California Government Code § 65352.3, 65352.4, 65562, and 65560) for the Sycamore Canyon Business Park Buildings Project, the Tribal Historic Preservation Office (THPO), is not aware of any archaeological/cultural sites or properties that pertain to the Twenty-Nine Palms Band of Mission Indians. We currently have no interest in the project. If there are inadvertent discoveries of archaeological remains or resources, construction should stop immediately and the appropriate agency and tribe(s) should be notified.

31-A

Please do not hesitate to contact the THPO at (760) 775-3259 or by email:  
TNPConsultation@29palmsbomi-nsn.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony Madrigal, Jr.", is written over a horizontal line.

Anthony Madrigal, Jr.  
Tribal Historic Preservation Officer

cc: Darrell Mike, Twenty-Nine Palms Tribal Chairman  
Sarah Bliss, Twenty-Nine Palms Tribal Cultural Specialist

## Response to Comment Letter 31 – Twenty-Nine Band of Mission Indians

### **Response to Comment 31-A:**

The City appreciates the Twenty-Nine Palms Band of Mission Indians' review of the Draft Environmental Impact Report (DEIR). As part of the tribal consultation process required under Senate Bill 18, the City attempted to contact the Twenty-Nine Palms Band of Mission Indians on December 11, 2015, and January 19, 2016. A final letter was sent by the City on February 23, 2016, seeking to consult with the Tribe regarding the proposed Project; however, no response was received from the Twenty-Nine Palms Band of Mission Indians.

Although the City's efforts to consult with the Twenty-Nine Palms Band of Mission Indians were unsuccessful, tribal consultation did occur with the Morongo Band of Mission Indians, Pechanga Band of Luiseño Indians, and Soboba Band of Luiseño Indians. As a result of the consultation process, the following mitigation measures will be implemented to reduce impacts to tribal cultural resources to less than significant. (DEIR, p. 5.5-31 - 5.5-33.)

**MM CR 1: Prior to grading permit issuance:** If there are any changes to project site design and/or proposed grades, the Applicant shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, Applicant and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the Applicant shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject to any future development, erosion or flooding.

**MM CR 2: Archaeological Monitoring:** At least 30-days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities on the site take place, the Project Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.

1. The Project Archaeologist, in consultation with interested tribes, the Applicant and the City, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:
  - a. Project grading and development scheduling;
  - b. The development of a rotating or simultaneous schedule in coordination with the Applicant and the Project Archeologist for designated Native American

Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;

- c. Plan for the controlled grading within 50 feet of the boundaries of CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752. Grading within 50-feet of these sites shall be conducted using controlled grading techniques. Large indiscriminate grading equipment shall not be used, and the controlled grading technique shall be reviewed by the Project Archaeologist, in consultation with interested tribes, the Applicant and the City. The Project Archaeologist and Native Tribal Monitors shall ensure that the grading efforts in these areas are conducted in a manner that allows for the identification of subsurface cultural resources. Any resources observed shall be addressed in accordance with Mitigation Measure CR 3;
- d. The determination by the Project Archaeologist, Applicant, City and Native American Tribal Monitors as to which features of sites CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752 can be successfully relocated to locations onsite that will be mutually agreed upon. The relocated features will be placed in an area that will be preserved in perpetuity, so that no future disturbances will occur;
- e. The protocols and stipulations that the Applicant, City, Tribes and Project Archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;
- f. The 3D modeling on all the sites located within the Project site, specifically in Areas 1 (CA-RIV-8750), 2 (CA-RIV-8751), and 3 (CA-RIV-8752), as delineated on the Site Plan attached to the Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts;
- g. The location of the Cottonwood Tree requested by the Morongo Band of Mission Indians for their tribal requirements shall be noted on the Archaeological Monitoring Plan. The Monitoring Plan shall address the timing of the removal of the tree by the Morongo Band of Mission Indians and transfer of the tree to them; and
- h. The scheduling and timing of the Cultural Sensitivity Training noted in Mitigation Measure CR 4.

**MM CR 3: Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading

for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:

1. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
2. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
  - a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
  - b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
  - c. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and.
  - d. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly

monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center and interested tribes:

- i. Information on the location of, up to, 13 protein residue tests on the site and one or more control sites, will be provided in the final report. (DEIR, pp. 5.5-34–5.5-35.)

**MM CR 4: Cultural Sensitivity Training:** The County Certified Archaeologist and Native American Monitors shall attend the pre-grading meeting with the developer/permit holder’s contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. (DEIR, pp. 5-33–5-36.).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 32 – Sycamore Highlands Action Group

32



Contact Information:  
6012 Abernathy Drive  
Riverside, CA 92507-8407  
Tel: (951) 369-3510  
email: [www.sycamorehighlands.com](http://www.sycamorehighlands.com)

September 19, 2016

City of Riverside  
Community Development Department Planning Division  
3900 Main Street, 3rd Floor  
Riverside, California 92522  
Contact: Ms. Patricia Brenes, Principal Planner

The Sycamore Highlands Community Action Group and residents of the Sycamore Highlands Community have reviewed the draft EIR prepared by Albert WEBB Associates for the proposed Sycamore Canyon Business Park Buildings 1 and 2 (SCH NO. 2015081042). We find there are a number of errors in the methods utilized to acquire data, in the modeling performed to interpret data, and in the analysis of the data acquired. These errors are discussed below:

32-A

### Noise Nuisance

1. Noise measurements were taken at only two locations at the northern edge of the proposed warehouse development adjacent to residential homes. Noise measurements should have additionally been taken behind the homes more to the south near the corner of Bannock Street and Cannich Road, as these homes are closest to existing industrial noise sources and currently have the highest levels of nuisance noise. Modeling noise based upon the two northernmost locations provides an artificially lowered assessment of existing noise.
2. Noise measurements were taken during only one 24-hour period at each of the two locations (on December 28<sup>th</sup>-29<sup>th</sup> and 29<sup>th</sup>-30<sup>th</sup>!) and are not likely to be representative of the expected highest noise level experienced by residents given that measurements were taken during the post-Christmas holiday week and only on one day at each location. The choice of sampling dates alone is grossly suspect [who selected these dates?] and noise measurement methods cannot be expected to hold up as "good sampling practice". Even with these limitations, noise at the two locations sampled exceeded outdoor noise limits allowed in residential areas during nighttime hours (45 dB).

32-B

- a. Noise levels should be resampled with monitors placed at homes closest to existing noise sources (including behind the southernmost home on Cannich Road) for at least several workdays during a period when warehouses are expected to be more active. 32-C
- 3. Noise was determined to be at a CNEL of 60dBA or 52dBA at the two locations measured. This is averaged noise, but the nighttime noise actually exceeds daytime noise due to existing warehouse activities and the Lmax (maximum per period noise) is considerably greater. Nevertheless, even using the averaged noise, the 10dBA penalty for nighttime noise puts this project in the “normally unacceptable” category. Had noise been measured at the home closest to the existing warehouses, and if the noise was weighted to nighttime noise and for impulse noise associated with warehouse vehicle back-up alarms, then we expect noise would be clearly placed into the “normally unacceptable” category. 32-D
  - a. The DEIR inappropriately focuses on acceptable noise levels for “industrial and manufacturing” areas, but at issue here is not the noise levels within the Sycamore Canyon Business Park, it is the noise that penetrates into the residential community. Thus noise resulting from this project (and the existing developments combined) must not exceed the nighttime noise limits at the nearby residential homes. 32-E
  - b. The DEIR fails to include the 10dBA penalty for nighttime noise in a residential area when suggesting that the “normally acceptable” noise ranges up to 60dBA. With the penalty applied, the “normally acceptable” CNEL ranges only up to 50dBA which is exceeded at this site already without the new warehouses even being included! 32-F
- 4. Impulse noise was not determined or modeled. This was a primary concern raised by residents during the scoping meeting held by WEBB Associates, yet this concern appears to have been ignored with noise instead averaged over time diminishing the impact of the impulse noise resulting primarily from truck horns, vehicle back-up alarms, and off-loading of trucks. City ordinance restricts noise in residential areas at night to 45 dB but allows for impulse noise of up to 65dB. We expect that existing warehouse noise already exceeds this level of impulse noise, but this was not measured and reported in the DEIR. 32-G
  - a. Impulse noise during nighttime hours should be determined over several nights to appropriately determine current impulse noise associated with warehousing activities already occurring at distances much greater from residential homes than the proposed mega warehouses would be.
- 3. Modeling of current noise levels into the nearby residential community is flawed. Environmental and meteorological effects are not considered. The DEIR states that conditions were typical at the site, but does not state what the environmental and meteorological conditions were. Thus it is impossible to accurately evaluate how these might impact noise models. Further, it is not the typical night that should be modeled, but the nights that are conducive to highest noise penetration of the residential neighborhood that should be modeled. For example, sound travels farther and noise level is attenuated more slowly under conditions of high humidity and inversion; noise should be modeled on the worst case scenario when these meteorological conditions exist. 32-H

- a. The geology of the Sycamore Canyon Business Park and surrounding residential homes creates an amphitheater effect focusing sounds upward into the residential community as directed by the sloping ground. This effect does not appear to have been modeled though it was brought up as a concern of residents at the scoping meeting with WEBB Associates. 32-I
- 6. Noise mitigation measures suggested in the DEIR are unenforceable or place the burden of mitigation on residential homeowners rather than on the developer. No homeowner will accept a 10 ft tall wall or earthen berm to be placed on his property, removing any view he might have had simply to mitigate noise that he is not responsible for creating!! This is a ridiculous recommendation that would greatly negatively affect the value of any home where such a wall is constructed. In effect, the developer is “taking” the residential property for their own use. And forcing residents to agree to placement of a wall on their property within 60 days of the developer giving notice is simply unjust. 32-J
  - a. Noise must be modeled in the residential community in the absence of the “mitigation” wall. What noise levels can be expected at these homes should they elect not to ruin their home and their views by constructing a wall in their backyard. 32-K
  - b. Ambient-sensitive backup alarms are a useful mitigation measure for noise, but can only be enforced for vehicles own by the developer. Trucks visiting the site will not be equipped with these devices and future tenants of the building will not be required to comply with this mitigation measure. Thus, while well-meaning, this mitigation measure appears to be unenforceable. 32-L
  - c. The restriction of nighttime use for some bays of building 2 is helpful but does not address use of the northwestern bays of building 1 which would similarly be expected to create noise nuisance for nearby residents during nighttime hours. Further, how will these restrictions be enforced when the developer sells the property to a new owner? Noise should be modeled at nearby residences with the assumption that these bays will be utilized during nighttime hours. And with the position of the two building resulting in reflection of sound waves toward homes to the west, these homes will receive more noise than is currently modeled. 32-M
- 7. Noise expect for the Sycamore Canyon Wilderness does not appear to be modeled at all, but presumably will be well above the noise threshold allowed for the Wilderness area which is restricted to the same noise threshold as residential areas. There appear to be no mitigation measures currently recommended to reduce the noise burden on the Wilderness Area west of building 1. 32-N
  - a. The west side of building 1 should have NO truck bays, similar to the north side of building 2. This would reduce noise moving west and northwest considerably.

### Traffic Circulation

- 1. The Sycamore Canyon Business Park Specific Plan indicates that truck traffic is to access the freeway system via Eastridge Ave. The City apparently continues to believe 32-O

<p>that truck traffic follows this intended route to freeway access. However, as traffic continues to worsen (due in great part to increasing truck traffic as a result of overdevelopment of warehousing in the region!) particularly at the Moreno Valley Interchange [215/60 interchange]), trucks are increasingly abandoning the City circulation policies for the Sycamore Canyon Business Park and instead accessing the 60/215 freeway by driving north in Sycamore Canyon Blvd to access the freeway at Box Springs or even at Central Ave.</p>	<p>32-O cont.</p>
<p>a. The draft EIR fails to account for the existing truck traffic on surrounding streets. It appears that no attempt was made to assess the true proportion of truck traffic already ignoring the intended traffic circulation routes. Truck traffic already greatly impacts residents who live in the nearby community and we are seeing increasing traffic on community streets as vehicles attempt to avoid truck-congested Sycamore Canyon Blvd. This will only increase with additional truck traffic to the proposed mega warehouses.</p>	<p>32-P</p>
<p>2. The DEIR identifies Sycamore Canyon Blvd as a 4 lane road, but this street has only a single lane on the northbound side between the Sycamore Canyon Business Park and Fair Isle Drive to the north.</p>	<p>32-Q</p>
<p>a. Trucks also regularly ignore signage on Sycamore Canyon and illegally park on the side of the road between the freeway exit and Fair Isle Drive – this is exceptionally dangerous as vehicles on Sycamore Canyon and those entering Sycamore Canyon from the freeway exit and driveways cannot see around trucks and are at great risk of accidents. These impacts are not modeled at all in the DEIR.</p>	<p>32-R</p>
<p>3. The published trip distribution maps show an appalling lack of experience with the actual traffic patterns in this area. Residents know that 75% of passenger cars and 95% of trucks do NOT move to/from the current warehouses from/to the south. Due to heavy traffic at the 60/215 Moreno Valley interchange, the majority of cars and trucks travel north on Sycamore Canyon Blvd to exit/enter the freeway system at Box Springs or even at Central Ave.</p>	<p>32-S</p>
<p>a. Actual circulation measurements should be required to evaluate the inaccuracy of the traffic models used in this DEIR.</p>	<p>32-T</p>
<p>b. Due to the heavy traffic at the Moreno Valley interchange, vehicle traffic on Sycamore Canyon Blvd is extremely heavy particularly during early morning and early evening hours, with traffic often essentially barely moving, thus leaving higher-polluting trucks from the warehouses to idle on streets nearby residential homes and apartments along with the rest of traffic.</p>	<p>32-U</p>
<p>i. No mitigation measures to improve traffic flow on Sycamore Canyon are provided.</p>	<p>32-V</p>
<p>ii. Vehicles should be prevented by physical structures from making a left turn onto Sycamore Canyon Blvd as they exit Sierra Ridge or Dan Kipper. Left turns from Dan Kipper are especially dangerous and cause traffic issues.</p>	<p>32-W</p>

### Air Quality

- |   |       |
|---|-------|
| 1. Mitigation measures for reducing air quality impacts that are proposed in the EIR are weak and generally unenforceable.  | 32-X  |
| a. Warehouse operators cannot limit access of older and more polluting trucks, and “informational efforts” such as posting signs and encouraging ride sharing are simply window dressing and not worth their space in the EIR.  |       |
| i. How are these measures enforced for future building tenants?   |       |
| b. Loading docks and parking stalls for both proposed buildings will be well within the range for significant impacts to adjacent residential homes due to vehicle exhaust, fuel spills, or other noxious releases from large trucks and other vehicles used in warehousing.  | 32-Y  |
| 2. Air quality for area residents is already poor (as indicated in Table 5.3-B,C of the DEIR). Placing these mega warehouses adjacent to sensitive receptors in residential homes can only make local air quality worse as trucks idle in the near vicinity of homes.   | 32-Z  |
| a. There is no effective mitigation offered for these impacts, particularly for a reduction in NOx to levels that will not result in significant adverse impacts.   |       |
| b. However, a possible mitigation that should be recommended is to reduce building size and number of truck bays, and to move truck bays to the eastern and southern side of these buildings to put them furthest from residential homes.   | 32-AA |
| c. Increasing buffer distances between warehouse buildings and residential homes would also be an effective mitigation measure that was not provided in the DEIR.   | 32-BB |
| 3. The proposed development is counter to the City of Riverside General Plan 2025 objective to “adopt land use policies that site polluting facilities away from sensitive receptors” and counter to the City of Riverside Good Neighbor Guidelines strategy 1b to “locate driveways, loading docks and internal circulation routes away from residential uses or sensitive receptors”. | 32-CC |
| a. The Developers have adjusted building 2 in an attempt to comply with the City of Riverside Good Neighbor Guidelines strategy, but building 1 has numerous truck bays on the side of the building closest to several residential homes.   | 32-DD |
| b. Mitigation measures were not offered in the DEIR to address these City of Riverside development objectives.  | 32-EE |

### Aesthetics and Acoustics

- |  |       |
|--|-------|
| 1. Building 2 is set at too high an elevation relative to all other industrial buildings in the Business Park, negatively affecting aesthetics particularly relative to the much lower residential homes to the northeast. Even with the increased setback of the proposed | 32-FF |
|--|-------|



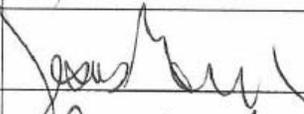
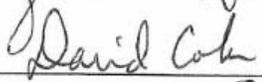
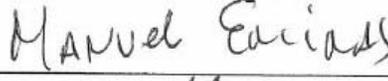
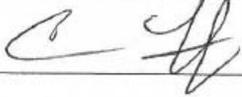
- warehouse relative to the monstrosly poorly planned CT Realty warehouse, residents will be looking out home windows at a monolithic building wall surface that will substantially degrade the aesthetics of the community. ↑ 32-FF cont.
- a. Mitigation measures should include lowering the base (floor) of building 2 to reduce the visual impact of the building on residential homes to the north and the west. Also, current mitigation measures proposed to improve aesthetics of walls (articulation of walls) is insufficient to reduce the monolithic feel of the building particularly in comparison to the adjacent (and substantially dwarfed) residential homes to the north. 32-GG
  - b. Lowering the grade of building 2 will also help substantially to reduce noise nuisance issues and light pollution at nearby residential homes. 32-HH
2. The DEIR does not indicate which homes the “line of sight” analysis depicts. The photo simulations from location C-C are likely to be from the northwestern most homes on Sutherland Drive where homes are at much higher elevation and will be less impacted visually by building 2. 32-II
- a. Photo simulations should be provided for houses at the eastern side of Sutherland Dr. near the intersection with Matheson Drive with views depicted from both ground level and second story level windows to provide a more accurate representation of what residents can expect to see when they look south. 32-JJ
3. The DEIR failed to address acoustical impacts of the building walls. Sound will reflect off the monolithic building walls as is already noted by residents for the nearby CT Realty warehouses, thus causing additional noise burden for residents. Articulation of building walls alone will not be sufficient to mitigate the aesthetic and acoustic impacts on adjacent residences. 32-KK
- a. Acoustic mitigations should be proposed. Noise capture using plantings on walls (vertical vines), rough wall surfaces, or other sound absorbing strategies are some obvious mitigations that should have been offered. 32-LL
4. The degree to which buildings will be articulated is not specified in the DEIR, thus how can this mitigation measure be evaluated? With building expanses of 978 ft (building 2) and 1,394 ft (building 1), numerous articulations, coloring, and textures are needed to avoid a monolithic feel to the building. 32-MM

Sincerely,

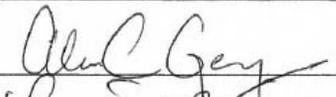
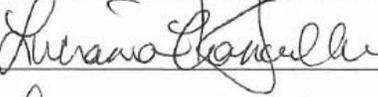
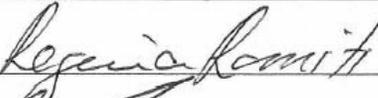
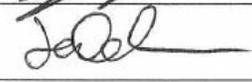
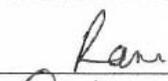
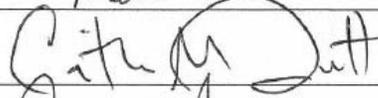
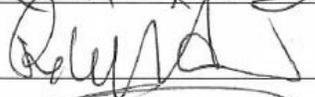
Sycamore Highlands Community Action Group  
Residents of Sycamore Highlands (Signatures recorded on attached sheets)

Attachments: Signature pages

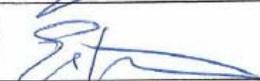
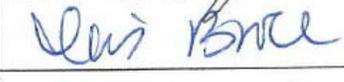
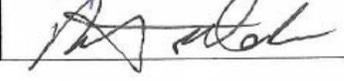
By my signature below, I indicate agreement with and support for the Sycamore Highlands Community Action Group letter of response to the draft EIR prepared by Albert WEBB Associates for the proposed Sycamore Canyon Business Park Buildings 1 and 2 (SCH NO. 2015081042).

Printed Name	Signature	Home Address
Saba Naamo		5880 Four Isle Dr. Riverside, CA 92506
Lina Omany		5880 Four Isle Dr. Riverside, CA 92507
Linda Scott		5563 Applecross Dr. Riverside, CA 92507
Mark Newhall		6040 Cannich Rd Riverside, CA 92507
Reno Barry		6031 Kendrick Dr. Riverside CA 92507
Nilo Alian		6012 Matheson Dr
Jess Galvan		1590 Moor Ct Riv
David Coker		6023 Cannich Rd Riverside CA 92507
Manuel Eni		5701 Applecross Dr. 92507
Casey Finrock		5408 Kirkmichael Cir 92507

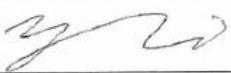
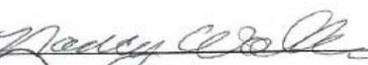
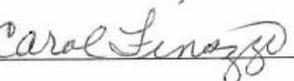
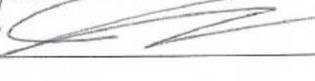
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Printed Name	Signature	Home Address
Alec Gerry		6017 Cannich Road 92507
Lucianna Cianulli		1660 Stockport Dr. 92507
Americo Giordano		1660 Stockport Dr. 92507
Regina Romiti		6039 Cannich Rd Riverside CA 92507
EVERETT WRIGHT		6018 Cannich RD 92507
Jeff Gob		1438 Abernathy Dr 92507
RAMMINDER SEITZEN		5880 Locustwood DR #61 92507 RSLUB
Caitlin McDermot		6017 Cannich Rd 92507
ROBERTO PASSON		6071 BANNOCK DR 92507
Juan Sierra		5970 Abernathy Dr. 92507

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Printed Name	Signature	Home Address
Melissa Mitchell		1378 Celtic Court Riverside, CA 92507
Michael Smith		1380 Celtic Court Riverside, CA 92507
Eric Wierman		1368 Celtic Court Riverside CA 92507
DVANE WINCHELL		1377 CELTIC CT. RIVERSIDE, CA 92507
Andrew Madrigal		5880 Fair Isle Dr Riverside Ca 92507
Kateri Madrigal		130 Riverstone St Hemet CA, 92543
JES BROCE		6002 Hawthorn PK Riverside 92507
Carolina Lara		5923 Matheson Dr. Riverside, CA 92507
JEFF WEBSTER		6055 Spayside Rd Riv CA 92507
RICK WADE		6058 Cannich Rd RIVERSIDE 92507

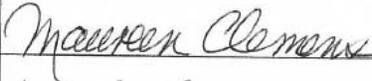
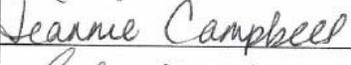
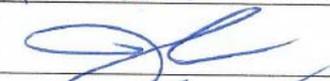
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Printed Name	Signature	Home Address
Yang Li		1459 Sutherland Dr.
Nancy Walker		1427 Sutherland Dr.
Jessica Alfonso		1449 Sutherland
Nick Minkler		1357 Sutherland
Carol Finazzo		1367 Sutherland Dr.
Shelley Mannis		1337 Sutherland Dr
Victor Mannis		1337 Sutherland Dr.
Monica Ward		1317 Sutherland
Matt Reid		1338 Sutherland Dr.
Jonathan Cheung		1348 Sutherland Dr.

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Printed Name	Signature	Home Address
Lois Robinson	<i>Lois Robinson</i>	5644 Applecross Dr, Riverside 92507
CYNTHIA DANIEL	<i>Cynthia Daniel</i>	1491 Allendale Dr. Riverside 92507
RAJ DANIEL	<i>Raj Daniel</i>	1491 Allendale Dr. Riverside 92507
LISA Newhall	<i>Lisa Newhall</i>	6040 Cannich Rd. Riverside, CA 92507
Thomas Seylaz	<i>Thomas Seylaz</i>	1387 Celtic Ct. Riv. Ca. 92507
Kathy Seylaz	<i>Kathy Seylaz</i>	1387 Celtic Ct Riv. Ca. 92507
Heather Hodges	<i>Heather Hodges</i>	1441 Murdock Ct 92507
DENNIS HODGES	<i>Dennis Hodges</i>	1441 MURDOCK CT. RIVERSIDE CA 92507
Kristina Peterson	<i>Kristina Peterson</i>	6041 Kendrick Dr Riverside, CA 92507
Nicholas Peterson	<i>Nick Peterson</i>	6041 Kendrick Dr Riverside CA 92507

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Printed Name	Signature	Home Address
MAUREEN CLEMENS		6012 ABERNATHY DR. 92507
Jeannie Campbell		6023 Kohlberry Ct. 92507
Gabrielle Watson		6069 Cannich Rd 92507
LaTonya Alspough		1458 Stonehaven Ct 92507
Mark Alspough		1458 Stonehaven Ct 92507
Florin Salca		6041 Matheson Dr CA 92507
Thomas Jones		1302 Kirkmichael Circle CA 92507
Teresa Denham		1347 Sutherland Dr. 92507
John Denham		1347 Sutherland Dr. 92507
Joe Campbell		6023 Kohlberry Ct. 92507

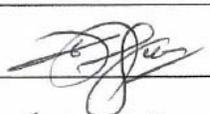
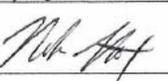
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Printed Name	Signature	Home Address
RITA V. BOYD	<i>Rita V. Boyd</i>	1418 Sutherland Dr. Riv 92507
Stephen Vorhees	<i>Step Vorhees</i>	6040 Boswell ct. Riv. 92507
Jamie Coleman	<i>JNC</i>	1934 Sutherland Dr Riv. 92507
Luz Dillon	<i>L Dillon</i>	1444 Sutherland Dr Riv 92507
Matthew Dillon	<i>MD</i>	1444 Sutherland Dr Riv 92507
Jalicza De la Herran	<i>Jalicza De la Herran</i>	1454 Sutherland Dr. Riv. CA 92507.
JOSE DELA HERRAN	<i>José de la Herran</i>	1454 Sutherland Dr Riv 92507
Janiece Chatman	<i>Janiece Chatman</i>	6062 Matheson Dr. Riverside, CA. 92507
BILL CHATMAN	<i>Bill Chatman</i>	6062 Matheson Dr. Riverside, CA. 92507
Amanda McClure	<i>Amanda McClure</i>	1465 Sutherland Drive 92507

By my signature below, I indicate agreement with and support for the Sycamore Highlands Community Action Group letter of response to the draft EIR prepared by Albert WEBB Associates for the proposed Sycamore Canyon Business Park Buildings 1 and 2 (SCH NO. 2015081042).

Printed Name	Signature	Home Address
THOMAS RUIZ		1358 SUTHERLAND DR.
Jimmy Martis		1378 Sutherland DR
Christina Lee	Christina Lee	1378 Sutherland DR
Tommy Lee	Tommy Lee	1378 Sutherland DR
Leah Lee	Leah Lee	1378 Sutherland DR
Richard Schwaab		1379 Sutherland Dr.
Kathleen Parker	K. Parker	1368 Sutherland Dr.

By my signature below, I indicate agreement with and support for the Sycamore Highlands Community Action Group letter of response to the draft EIR prepared by Albert WEBB Associates for the proposed Sycamore Canyon Business Park Buildings 1 and 2 (SCH NO. 2015081042).

Printed Name	Signature	Home Address
I. MICHAEL D'AGUIAR		5726 ALLENDALE DR RIVERSIDE, CA 92507
Deborah McDonald	Richard McDonald	1604 Stoneman Kirk Dr. Riverside, CA 92507
Noah Holzknrecht		1481 Sutherland Drive Riverside, CA 92507

## **Response to Comment Letter 32 – Sycamore Highlands Action Group**

### **Response to Comment 32-A:**

Although noise measurements were only taken at two locations along the northern edge of the Project site, the ambient noise measurements were taken near sensitive receptors adjacent to the Project site as these are the most likely to be affected by project noise. The noise model, SoundPLAN, is a three-dimensional noise model that takes into consideration the acoustic effects of existing and proposed topography as well as existing and proposed buildings. So, any sound reflection associated with the topography and the proposed buildings was taken into consideration. It is also important to understand that existing ambient noise levels were taken to document existing ambient noise levels and were not taken as representative noise measurements to be utilized in the noise model. The SoundPLAN noise model has an expansive library with a variety of construction, industrial and recreational noise reference levels. Appropriate assumptions were entered for Project operations, including back-up beeper noise, trailer drop noise, HVAC noise etc. Meteorological effects were taken into account in the noise model. SoundPLAN allows the user to input temperature, humidity and air pressure. The following meteorological parameters, representative of the average weather in Riverside were entered: humidity 49%, average annual temperature 66°F, air pressure 985 mbar. Please see Response to Comment 32-H for a discussion regarding the effects of meteorological conditions on sound.

Please see Response to Comment 32-B for a discussion regarding the ambient noise measurements and how they were used in the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (DEIR Appendix I) and the Draft Environmental Impact Report (DEIR)

Noise events that occur within the line of sight of the homes on the ridge west of the Project site are expected to be more audible than those events that may be closer in distance but not within a direct line of sight.

Project-related noise impacts will be significant and unavoidable as disclosed in the DEIR. (DEIR, pp. 5.12-34, 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 32-B:**

The comment expresses concern over the methodology of ambient noise measurements. Ambient noise measurements were taken during preparation of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (the NIA) to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that the change in the noise levels resulting from Project implementation would be overstated. Existing noise levels in the Project vicinity were measured on five separate days in December 2015. (DEIR, Table 5.12-B.) These measurements consist of three 10-minute, short-

term, noise measurements and two 24-hour, long-term, noise measurements. Noise measurement locations were chosen to reflect different existing noise environments from the residents to the northwest of the Project site as well as residents to the north of the Project site. It is important to note, that in selecting the locations for ambient monitoring, locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to an increase in noise associated with the Project. Again, the purpose of the ambient noise measurements is to provide a basis for the comparison of noise with and without the Project; thus, longer term measurements are not necessary. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City's Noise Ordinance or applicable standards. It is also important to understand that the ambient noise measurements were not input into the SoundPLAN model to determine the Project's construction and operational noise levels.

The DEIR discloses that the measured ambient noise exceeded the City's daytime and nighttime residential standards on pages 5.12-9-5.12-10, which state:

For location LT1 (the northeast corner of the Project site), the results of the 24-hour ambient noise measurements (**Table 5.12-C**), indicate that daytime (7:00 a.m. to 10 p.m.) noise levels ranged between 42.4 dBA  $L_{eq}$  (at 3:00 p.m.) and 60.5 dBA  $L_{eq}$  (at 10:00 a.m.). The daytime residential standard of 55 dBA was exceeded at 8:00 a.m., 10:00 a.m., and 11:00 a.m. Nighttime (10:00 p.m. to 7:00 a.m.) noise levels measured at location LT1 ranged from 51.0 dBA to 58.1 dBA and exceeded the nighttime residential standard of 45 dBA for all hours. Based on the 24-hour ambient measurements taken at this location the CNEL is 60 dBA. It is important to note that there is an existing wooden fence along the residential property line at location LT1 and the noise meter was placed on the Project side of the property line; thus, the noise level on the residential side may be lower.

For location LT2 (the northwest corner of the Project site), the results of the 24-hour ambient noise measurements (**Table 5.12-C**), indicate that daytime noise levels ranged between 38.8 dBA  $L_{eq}$  (at 1:00 p.m.) and 51.9 dBA  $L_{eq}$  (at 8:00 a.m. and 9:00 a.m.). Measured nighttime noise levels at location LT2 ranged from 39.8 dBA to 50.5 dBA. The nighttime residential standard of 45 dBA was exceeded at 10:00 p.m. and from 4:00 a.m. – 7:00 a.m. Based on the 24-hour ambient measurements taken at this location the CNEL is 52 dBA. There are no fences or barriers between the Project site and the residential lots to the west.

As described in the NIA and DEIR, measured noise sources included residential noise, dogs barking, and construction activity. Vehicular noise from the I-215 Freeway was audible but not dominant. Occasional aircraft noise, rustling of leaves, and bird song were also audible. (DEIR Appendix I, p. 9 and DEIR p., 5.12-5.) The ambient noise measured captured all of the expected sources of noise for the surrounding area.

Although these measurements were taken during the post-Christmas holiday week, many of the existing warehouses and distribution centers operate 24-7, and it is not anticipated that they would slow operations enough to significantly impact the noise, analysis. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-C:**

Comment noted. Please see Response to Comment 32-B, above.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-D:**

The Community Noise Level Equivalent (CNEL) is a weighted measure of the 24-hour noise environment. The CNEL is calculated based on the  $L_{eq}$ , which is the average noise over a one-hour period. A maximum noise level ( $L_{max}$ ) is not a factor in calculating the CNEL.<sup>1</sup> In order to account for the greater sensitivity of people to noise at night, the CNEL weighting includes a 5-decibel penalty on noise between 7:00 PM and 10:00 PM and a 10-decibel penalty on noise between 10:00 PM and 7:00 AM the next day. (DEIR, Figure 5.12-2.) The “penalties” for nighttime noise are part of the weighted average calculation used to determine CNEL. Thus, “the 10-dBA penalty for nighttime noise” referenced by the commenter was applied during development of the City’s CNEL standard, and not (i) applied as a “penalty” on top of the measured noise levels or (ii) subtracted from the City’s standard. Therefore, the calculated CNEL of 60 dBA or 52 dBA, which is based on the ambient noise measurements, at the two locations is within the “normally acceptable” range for single family residential property for the City. (DEIR, **Figure 5.12-2 – Noise/Land Use Compatibility Criteria.**)

As stated in Response to Comment 32-B, ambient noise measurements are used to document the existing conditions of the site in order to provide a basis against which Project-generated noise is compared. Even if the existing noise environment were to be placed into the “normally unacceptable” range, as the commenter suggests, this would simply mean that when Project-generated noise is compared to the ambient noise, the difference between the two noise levels would be less. Even so, Project-related noise impacts would be still significant and unavoidable as disclosed in the DEIR. (DEIR, pp. 5.12-24, 5.12-34, 5.12-44, 5.12-48, 6-19.) Nonetheless, the City has the authority to adopt a Statement of Overriding Considerations and move forward with the Project if findings can be made that the potential benefits of the Project outweigh the potential costs. (CEQA Guidelines, § 15093.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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<sup>1</sup> As a measurement of the 24-hour noise environment, CNEL represents the constant A-weighted noise level that would be measured if all the sound energy received over the day were averaged. (DEIR **Figure 5.12-2 – Noise /Land Use Compatibility.**)

### **Response to Comment 32-E:**

The DEIR does not inappropriately focus on the acceptable noise levels for industrial and manufacturing areas as suggested by the commenter. As stated on page 5.12-13 of the DEIR:

#### **General Plan 2025 Noise Element**

In compliance with California Government Code Section 65302, the GP 2025 Noise Element identifies noise and land use compatibility criteria that identifies “Normally Acceptable,” “Conditionally Acceptable,” “Normally Unacceptable,” and “Conditionally Unacceptable” noise exposure ranges for various land uses as shown in **Figure 5.12-2 – Noise/Land Use Compatibility Criteria** (Figure N-10 of the GP 2025).

These standards are primarily used for planning purposes such as determining a project’s compatibility with a proposed site with regard to existing and future acoustical impacts upon a project site sourced from the surrounding environment. In other words, the noise impacts *from* existing surrounding land uses *to* a proposed project.

Because the proposed Project falls within the “Industrial, Manufacturing, Utilities, Agriculture” category on **Figure 5.12-2**, this is the appropriate compatibility criteria to use for evaluating impacts *to* the Project. (DEIR, p. 5.12-20.)

The analysis in the DEIR evaluates noise impacts *to* the Project and noise impacts *from* the Project. Impacts *from* the Project consist of construction noise and operational noise. (DEIR, p. 5.12-20.) The DEIR analyzes both construction and operational impacts from the Project on the sensitive receptors, the residences, to the north and northwest of the Project site. The DEIR appropriately concluded that noise impacts will be significant and unavoidable during Project construction because construction noise will exceed 55 dBA at the property lines of the residential units adjacent to the Project site. (DEIR, p. 5.12-24.)

The DEIR analyzed construction noise per the City’s Noise Code standards that were in effect at the time of the Notice of Preparation for DEIR. On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City Council of the City of Riverside, amending the Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code. Under these new provisions, construction noise would be less than significant.

Operational impacts will be significant and unavoidable for two residences located northwest of the Project site without implementation of mitigation measure **MM NOI 16**, which recommends installation of a 10-foot noise barrier, subject to homeowner permission, to reduce noise levels to an acceptable level. However, as stated in the DEIR, installation of the noise barrier requires approval from the two property owners on whose land the proposed noise barrier will be installed and such approval to construct the barrier wall may not be provided by these property owners. Therefore, because neither the City nor the Project

Applicant has the authority to implement mitigation measure **MM NOI 16** (listed below); the Project's operational nighttime noise impacts will remain significant and unavoidable. (DEIR, pp. 5.12-26 – 5.12-28, 5.12-48.)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block, stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

Although the City's nighttime noise standards would be exceeded at two residences (assuming the noise barrier in **MM NOI 16** is not installed), pursuant to State CEQA Guidelines Section 15093, the City has the authority to adopt a Statement of Overriding Considerations to move forward with the Project if benefits of the Project outweigh the costs. (CEQA Guidelines, § 15093.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 32-F:**

Please see Response to Comment 32-B. As discussed in that response, the 10-dBA adjustment for nighttime noise was used by the City in setting the CNEL standards. Thus, it is not appropriate to subtract 10 dBA from the City's Noise/Land Use Compatibility. Because the 10-dBA adjustment is a function of the CNEL calculation it is not appropriate to add it to individual measured noise levels. The commenter's assertion that the DEIR fails to account for the 10-dBA penalty for nighttime noise is not true. The CNEL values reported on DEIR pages

5.12-95.12-10 and in the column titled “Measured Noise Level (CNEL) in dBA in DEIR **Table 5.12-J – Pre-and Post-Project**, were calculated by inputting the hourly monitored ambient noise level in  $L_{eq}$  reported in **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity** into the “Ldn, Lden, CNEL Community Noise Calculators” (available at <https://www.noisemeters.com/apps/ldn-calculator.asp>.) The “Ldn, Lden, CNEL Community Noise Calculators” uses an algorithm that incorporates the 5-decibel penalty on noise between 7:00 PM and 10:00 PM and a 10-decibel penalty on noise between 10:00 PM and 7:00 AM. Thus, the CNEL is accurately reported in the DEIR and the existing ambient noise is within the City’s normally acceptable single family residential CNEL. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-G:**

Existing impulse noise is reported in **Table 5.12-C** in the  $L_{max}$  column under the column titled “Monitored Ambient Noise Level (dBA). (DEIR, pp. 5.12-8.) As discussed in Response to Comment 32-B, the purpose of ambient noise measurements is to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City’s Noise Ordinance or applicable standards. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that the change in the noise levels resulting from Project implementation would be overstated. Thus, additional or extended ambient noise monitoring is not necessary.

It is assumed that the comment “...with noise instead averaged over time...” is referring reporting noise impacts as  $L_{eq}$ .  $L_{eq}$  is used in the NIA and DEIR because that is the basis of the City’s daytime and nighttime noise standards. Noise impacts projected onto adjacent properties from the Project are regulated by Sections 7.25.010 and 7.35.010 of the Riverside Municipal Code. Section 7.25.010 and 7.35.010 of the Riverside Municipal code provide general regulations with regard to noise that is produced and projected onto surrounding land uses. **Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits** from the DEIR, reproduced below, clearly defines the City’s noise level limits for applicable land uses in the Project vicinity. (DEIR, pp. 5.12-15–5.12-16.)

**Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits<sup>a</sup>**

Land Use Category	Time Period	Noise Level Limit
Residential	Night (10 p.m. to 7 a.m.)	45 dBA
	Day (7 a.m. to 10 p.m.)	55 dBA
Office/Commercial	Any Time	65 dBA

Land Use Category	Time Period	Noise Level Limit
Industrial	Any Time	70 dBA
Public Recreation Facility	Any Time	65 dBA

Notes:

<sup>a</sup> Source: City of Riverside, Riverside Municipal Code, Title 7 Noise Control, Table 7.25.010A

Section 7.25.010 of the City’s Municipal Code also provides criteria that apply to any exceedance of the limits and outlines parameters by which a noise exceedance would be evaluated. (DEIR, p. 5.12-16.)

The Project’s operational noise levels shown on DEIR **Figure 5.12-5 – Project Operational Noise Levels (Leq) No Mitigation** and **Figure 5.12-6 – Project Operational Noise Levels (Leq) with Mitigation** includes all noise associated with Project operations including: vehicles arriving, trucks and trailers moving around the Project site, back-up beepers, hitching and unhitching of trailers, and the movement of trailers into the loading docks averaged over a one hour period. During any given one hour period, there will be a maximum noise level ( $L_{max}$ ). The  $L_{max}$ , generally results from an impulsive noise event, which is why the City’s Municipal Code places time limits for noise events exceeding the exterior noise standard as discussed below.

Section 7.25.010 of the Riverside Municipal Code outlines exterior and interior nuisance sound level limits and provides criteria that apply to any exceedance of the codified noise nuisance limits (DEIR, **Table 5.12-E – Riverside Municipal Code Exterior Noise Sound Level Limits** and **Table 5.12-F – Riverside Municipal Code Interior Noise Sound Level Limits**). These criteria are primarily used for the purposes of code enforcement, but are provided below to outline the parameters by which a noise exceedance would be evaluated. (DEIR, p. 5.12-15–5.12-16.) The applicable exterior noise criteria state:

- A. Unless a variance has been granted as provided in this chapter, it shall be unlawful for any person to cause or allow the creation of any noise which exceeds the following:
  1. The exterior noise standard of the applicable land use category, up to 5 decibels, for a cumulative period of more than 30 minutes in any hour; or
  2. The exterior noise standard of the applicable land use category, plus 5 decibels, for a cumulative period of more than 15 minutes in any hour; or
  3. The exterior noise standard of the applicable land use category, plus 10 decibels, for a cumulative period of more than 5 minutes in any hour; or
  4. The exterior noise standard of the applicable land use category, plus 15 decibels, for the cumulative period of more than 1 minute in any hour; or

5. The exterior noise standard for the applicable land use category, plus 20 decibels or the maximum measured ambient noise level, for any period of time.
  - B. If the measured ambient noise level exceeds that permissible within any of the first four noise limit categories, the allowable noise exposure standard shall be increased in five decibel increments in each category, as appropriate, to encompass the ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.
  - C. If possible, the ambient noise level shall be measured at the same location along the property line with the alleged offending noise source inoperative. If for any reason the alleged offending noise source cannot be shut down, then the ambient noise must be estimated by performing a measurement in the same general area of the source but at a sufficient distance that the offending noise is inaudible. If the measurement location is on the boundary between two different districts, the noise shall be the arithmetic mean of the two districts. (DEIR, pp. 5.12-16–5.12-17.)

The noise levels disclosed on page 5.12-31 of the DEIR for back-up beepers and trash compactors are the maximum noise, the  $L_{max}$ , not the  $L_{eq}$ , because refrigeration units, back-up warning beepers, and trash compactors would not be in use continuously at the Project site, noises associated with these activities would be subject to the short-term decibel exceedance limits outlined in Section 7.25.010 of the City's Municipal Code. For instance, if a trash compactor were to operate for one-half hour within any hour, noise associated with operation could be up to 5 decibels greater than the City's exterior noise standard without being in violation of the City's Noise Code.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 32-H:**

Regarding meteorological conditions, precipitation, rain, snow, or fog, has an insignificant effect on sound levels although the presence of precipitation will affect humidity and may also affect wind and temperature gradients. (Sound Propagation.<sup>2</sup>) As sound travels through the atmosphere, it is affected by temperature, humidity, and wind currents, which can change the speed and direction of sound. Just as light bends when traveling through a prism, sound bends as a result of the varying atmospheric properties. Sound waves tend to bend toward cooler temperatures and away from warmer temperatures. For example, on a typical summer afternoon, because air temperatures generally decrease with altitude, sound generated at ground level would bend upward towards the cooler air. For a person at the same level as the

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<sup>2</sup> Sound Propagation website. (Available at [https://www.sfu.ca/sonic-studio/handbook/Sound\\_Propagation.html](https://www.sfu.ca/sonic-studio/handbook/Sound_Propagation.html), accessed November 27, 2016.)

sound, the sound waves are bending up and over the person listening, creating what is known as a shadow zone. When this occurs, a noise source may be visible at a distance but be perceived as quieter than expected. When the air temperature is cooler close to the ground than it is at higher altitudes, such as late at night or over calm lakes or icy surfaces, the sound waves bend closer to the ground and if the ground is reflective, the sound bounces off the ground and may propagate (travel) further than expected. (Cowan,<sup>3</sup> pp. 11, 19-21.) Because the effects of temperature gradients are more important over long distances (Caltrans TeNS<sup>4</sup>), these gradients would not substantially change the results of the NIA.

Generally speaking, wind currents allow sound to travel further than expected when the sound is being emitted in the same direction as the wind (downwind) and sound will travel a shorter distance than expected when the sound is being emitted in the direction against the wind (upwind). (Cowan, p. 21.)

The NIA used SoundPLAN to model the Project’s construction and operational noise. SoundPLAN allows the user to input humidity and temperature into the model. For purposes of the NIA, modeled temperature was 66 degrees Fahrenheit (66° F) and 49 percent humidity. According to Weather Underground, the average temperature for the City of Riverside is 69° F and average humidity is 49.7 percent. Between November 2015 and November 2016, the highest temperature in Riverside was 114° F and the lowest temperature was 33° F. To evaluate the effects of changes in temperature and humidity referenced in the commenter’s comment, four new modeling runs were prepared assuming: (i) temperature at 33° F and 0% humidity, (ii) temperature at 33° F and 100% humidity, (iii) temperature at 114° F and 0% humidity, and (iv) temperature at 114° F and 100% humidity. The results of this analysis, which does not change or materially impact the conclusions set forth in the NIA and DEIR, is summarized in the table below.

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity	Noise Level at 33° F and 100% humidity	Noise Level at 114° F and 0% humidity	Noise Level at 114° F and 100% humidity
1 first floor	43	42	43	41	41
1 second floor	45	44	45	43	44
2 first floor	30	30	30	30	30
2 second floor	32	32	32	32	32
3 first floor	45	45	45	44	44
3 second floor	49	48	49	48	48
4 first floor	48	47	48	47	47
4 second floor	52	51	52	51	51
5 first floor	49	49	49	49	49
5 second floor	50	49	50	49	49

<sup>3</sup> Cowan refers to the *Handbook of Environmental Acoustics*, published by John Wiley & Sons, Inc., 1994.

<sup>4</sup> Caltrans TeNS refers to the Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013. (Available at [http://www.dot.ca.gov/hq/env/noise/pub/TeNS\\_Sept\\_2013B.pdf](http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf), accessed November 27, 2016.)

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity	Noise Level at 33° F and 100% humidity	Noise Level at 114° F and 0% humidity	Noise Level at 114° F and 100% humidity
6 first floor	43	43	43	43	43
6 second floor	44	43	44	43	43
7 first floor	38	38	38	38	38
7 second floor	39	39	39	39	39
8 first floor	33	33	33	33	33
8 second floor	35	35	35	35	35
9 first floor	35	35	35	34	35
9 second floor	37	37	37	36	36
10 first floor	39	38	39	37	38
10 second floor	41	40	41	39	40
11 first floor	33	33	33	33	33
11 second floor	35	35	35	35	35
12 first floor	31	31	32	31	32
12 second floor	34	34	34	34	34
13 first floor	30	30	30	30	30
13 second floor	32	32	32	32	32
14 first floor	31	31	31	31	31
14 second floor	33	33	33	33	33
15 first floor	32	31	32	32	32
15 second floor	34	34	34	34	34
16 first floor	31	31	31	31	31
16 second floor	34	33	34	34	34
17	30	30	30	30	30
18 first floor	44	43	44	43	43
18 second floor	45	44	45	44	44
19 first floor	43	43	43	42	42
19 second floor	43	43	43	43	43
20 first floor	31	31	31	31	31
20 second floor	37	37	37	37	37
21 first floor	34	34	34	34	34
21 second floor	39	39	39	38	38
22	36	36	36	36	36
23 first floor	36	36	36	35	36
23 second floor	37	37	38	37	37
24 first floor	33	32	33	32	32
24 second floor	35	34	35	34	34
25 first floor	31	30	31	30	31
25 second floor	34	34	34	34	34
26 first floor	29	29	29	29	29
26 second floor	32	32	32	32	32
27 first floor	32	32	32	32	32

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity	Noise Level at 33° F and 100% humidity	Noise Level at 114° F and 0% humidity	Noise Level at 114° F and 100% humidity
27 second floor	34	33	33	33	33
28 first floor	31	31	31	31	31
28 second floor	34	34	34	34	34
29 first floor	30	30	30	30	30
29 second floor	33	33	33	33	33
30 first floor	31	31	31	31	32
30 second floor	35	35	35	34	35
31	48	48	48	48	48
32	47	47	47	47	47
33	38	38	38	37	37
34	55	54	54	54	54

The amplification of the effects of meteorological conditions on sound does not constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-I:**

Because of comments raised at the Scoping meeting, in order to account for the topographical differences between the Project site and the location of sensitive receptors, the SoundPLAN Noise Model<sup>5</sup> was used to model Project construction and operational noise. Existing and proposed elevation lines, points on the Project site and adjacent residential uses, and existing and proposed structures were uploaded into the model in order to take into account the effects of topography. (DEIR, pp. 5.12-22, 5.12-24.) To account for the topographical differences between adjacent residences and the Project site a total of 30 sensitive receptor locations were input into SoundPLAN in addition to locations representing the western property line, which is at a lower elevation than the residences west of the Project site. As shown on DEIR **Figure 5.12-5** through **Figure 5.12-8** and NIA Figure 7a through Figure 11b, SoundPLAN modeled and reported expected noise levels for a variety of Project-generated operations for all of the sensitive receptors adjacent to the Project site.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-J:**

Assuming noisiest conditions, noise levels at the first floor and second floor of all the receptors to the north and northwest of the Project site are below the City’s daytime exterior noise standard of 55 dBA (see DEIR **Figure 5.12-5**). Without any restriction on nighttime use, as

<sup>5</sup>The SoundPLAN Noise Model was used for this analysis as this model can consider differences in topography between a noise source and a receptor.

required by mitigation measure **MM NOI 15** (see below), Project-generated operational nighttime noise will exceed the City’s nighttime exterior noise standard of 45 dBA at three residences: receptor locations 3, 4, and 5 as shown on DEIR **Figures 5.12-5 and 5.12-6**. With implementation of mitigation measure **MM NOI 15**, Project-generated operational noise will exceed the City’s nighttime exterior noise standard at the second floor of two residences to the northwest of the Project site (shown as receptor nos. 3 and 4 on DEIR **Figures 5.12-5 and 5.12-6**). Thus, additional mitigation is required to reduce Project-generated operational noise at these locations. Implementation of mitigation measure **MM NOI 16** (see Response to Comment 32-E, above), which entails the installation of a noise barrier at the top of the slope of these receptor locations, would reduce operational noise levels to below the City’s nighttime standard of 45 dBA (see DEIR **Figure 5.12-6**). However, as stated in the DEIR, installation of the noise barrier requires approval from the two property owners on whose land the proposed noise barrier will be installed and such approval to construct the barrier wall may not be provided by these property owners. Therefore, because neither the City nor the Project Applicant has the authority to implement mitigation measure **MM NOI 16**, the Project’s operational nighttime noise impacts will remain significant and unavoidable. (DEIR, pp. 5.12-26 – 5.12-28, 5.12-48.)

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L<sub>eq</sub>) with Mitigation**. (DEIR, p. 5.12-46.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-K:**

Because the implementation of mitigation measure **MM NOI 16** is uncertain, post-Project CNEL was determined for receptor nos. 3 and 4 as shown in the table below. The mitigated operational noise levels for receptor nos. 3 and 4 with mitigation measure **MM NOI 15** (listed below) only (i.e., no noise barrier as required by **MM NOI 16**) is shown in the column titled “Mitigated Operation Noise Level with **MM NOI 15** only.”

Monitored Location	Measured Noise Level (CNEL) In dBA	Receptor No.	Mitigated Operational Noise Level (with MM NOI 15 only) (CNEL) In dBA	Difference In dBA	Substantial Increase?	Mitigated Operational Noise Level (includes MM NOI 15 and MM NOI 16) (CNEL) In dBA	Difference In dBA	Substantial Increase?
ST2/LT2	52	4 (1 <sup>st</sup> floor)	52	0	No	46	-6	No
		4 (2 <sup>nd</sup> floor)	54	2	No	51	-1	No
		3 (1 <sup>st</sup> floor)	51	-1	No	46	-6	No

Monitored Location	Measured Noise Level (CNEL) In dBA	Receptor No.	Mitigated Operational Noise Level (with MM NOI 15 only) (CNEL) In dBA	Difference In dBA	Substantial Increase?	Mitigated Operational Noise Level (includes MM NOI 15 and MM NOI 16) (CNEL) In dBA	Difference In dBA	Substantial Increase?
		3 (2 <sup>nd</sup> floor)	54	2	No	50	-2	No

As shown in the above table, noise impacts at receptor locations without the proposed 10-foot will be greater than 45 dBA  $L_{eq}$  at these affected sensitive receptors.

This amplification of the noise analysis to exclude implementation of mitigation measure **MM NOI 16** on two receptors does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-L:**

Mitigation measure **MM NOI 13** (listed below) will reduce noise impacts resulting from the use of back-up beepers on the Project site.

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm’s mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan’s noise and adjust accordingly.

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

Pursuant to State CEQA Guidelines Section 15097, a Mitigation Monitoring Reporting Program (MMRP) will be prepared for the Project and adopted by the City. The MMRP is a written monitoring and reporting program that will be used by the City to verify implementation of adopted mitigation measures. The MMRP identifies the timing for each mitigation measure, i.e.

when the measure will be implemented, the responsible monitoring party or parties, and the monitoring/reporting method that will be used to ensure implementation of the mitigation measures identified in the DEIR. All of the Project's mitigation measures are fully enforceable as required by CEQA. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-M:**

Noise impacts at the Project site were modeled assuming 24-7 operations and no restrictions and the results are shown on DEIR Figure 5.12-5 –Operational Noise Levels (Leq) No Mitigation. Because 24-7 operations would result in operational noise in excess of the City's nighttime noise standard, noise impacts at the Project site were modeled assuming 24-7 operations, with the exception of the 10:00 PM to 7:00 AM restriction for a portion of the loading area and trailer parking located just south of Building 2. Therefore, with implementation of mitigation measure **MM NOI 15** (listed under Response to Comment 32-J), impacts associated with operation of Building 1 and operation of Building 2 would meet the City's noise standard for all adjacent residences except for two residences (receptor locations 3 and 4.) The Project's operational noise impacts to the residences at receptor locations 3 and 4 will be mitigated to the City's nighttime standard with installation of the 10-foot tall noise barrier for per mitigation measure **MM NOI 16** (listed under Response to Comment 32-E).

With regard to the reflection of sound between Building 1 and Building 2, as discussed in Response to Comment 32-I, existing and proposed elevation lines, points on the Project site and adjacent residential uses, and existing and proposed structures were uploaded into the SoundPLAN model. Thus, the NIA and DEIR have considered not only the effects of topography on noise but also the effects of the Project's Building 1 and Building 2.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-N:**

Both construction and operational noise impacts from the Project on the Sycamore Canyon Wilderness Park were analyzed in the DEIR. Project-related noise impacts will have a significant impact on the Park during Project construction, even with implementation of mitigation measures. (DEIR, p. 5.12-24.) Nonetheless, the City may adopt a Statement of Overriding Considerations if Project benefits outweigh the cost of the significant and unavoidable impacts. (CEQA Guidelines, § 15093.)

Operational noise will have a less than significant impact on the Sycamore Canyon Wilderness Park because the noise level will still be below the Municipal Code noise standard for public recreational facilities. (DEIR, p. 5.12-26.) Because operational noise impacts to the Park will be less than significant, it is unnecessary for the west side of Building 1 to have no truck bays to reduce noise impacts to the Park. Thus, the DEIR adequately analyzed Project noise impacts to the Sycamore Canyon Wilderness Park, and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-O:**

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the TIA, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the TIA scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Thus, it is reasonable to expect that outbound cars and trucks will use the Eastridge-Eucalyptus interchange.

With regard to the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Road, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations restrictions are in place may call 311 and will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

With regard to the existing traffic flow of the area, as discussed in Response to Comment 28-V, traffic counts by vehicle type were taken and disclosed in Appendix C of the TIA. (DEIR Appendix J.)

The DEIR fully discloses that traffic impacts will be significant and unavoidable until Caltrans funds and constructs the necessary freeway improvements. The identification of new conditions of approval does not constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-P:**

As part of the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA), which is, DEIR Appendix J, traffic counts by vehicle type (i.e., passenger car, 2 axle truck, 3 axle truck, and 4+ axle trucks) were conducted for Fair Drive-Box Springs Road from

Sycamore Canyon Boulevard to the I-215 Northbound Ramps, Sycamore Canyon Boulevard, from Fair Isle Drive to Eastride Avenue, and Eastride Avenue from Sycamore Canyon Boulevard to Box Springs Boulevard. (**DEIR Figure 5.16-1 – Study Area.**) The results of these counts for are included in Appendix C of the TIA. The table below presents the existing condition for the portion of Sycamore Canyon Boulevard within the study area of the TIA and the trips generated by the proposed Project.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastride Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

As noted in the response to Comment 32-0, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations restrictions are in place may call 311 and will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

This comment does not any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 32-Q:**

Sycamore Canyon Boulevard is generally a 4-lane divided road and individual intersections are analyzed based on the individual geometrics of each intersection. This means that the TIA takes into account traffic impacts as a result of areas where there is only one lane, such as northbound Dan Kipper Drive and the approximately 1,300-foot-long single segment along Sycamore Canyon Boulevard between Dan Kipper Drive and Lochmoor Drive. Therefore, this

comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-R:**

Although trucks visiting existing warehouses and distribution centers in the Sycamore Canyon Business Park may illegally park on the side of the road between the freeway exit and Fair Isle Drive, this is not germane to the proposed Project because operations at the Project site will be independent of these other operators.

Per Riverside Municipal Code Section 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. There are only five streets in the City where commercial vehicle, commercial trailers, and semi-trailers may be parked: Atlanta Avenue, Box Springs Boulevard, Marlborough Avenue, Northgate Street, and Palmyrita Avenue; Box Springs Boulevard is within the Sycamore Canyon Business Park. Parking on Sycamore Canyon Boulevard, Lance Drive, and Sierra Ridge Drive is not permitted. (DEIR, p. 5.16-49.) Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight that are illegally parked may call 311 and will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-S:**

Comment noted. Please see Response to Comment 32-O. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-T:**

Comment noted. Please see Response to Comment 32-P. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-U:**

Comment noted. Please see Response to Comment 32-O. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-V:**

Comment noted. Please see Response to Comment 32-U. All study area intersections along Sycamore Canyon Boulevard, with the exception of the Sycamore Canyon Boulevard/Dan Kipper Drive intersection, will operate at an acceptable level of service when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects. With regard to the Sycamore Canyon Boulevard/Dan Kipper Drive

intersection, this intersection is expected to operate at LOS F as a result of traffic from cumulative development projects. When Project traffic is added to the existing traffic, traffic from ambient growth and cumulative development project traffic, the delay at this intersection will increase by 0.9 seconds. Because this delay is increased by less than one second, this impact is considered not significant. (DEIR, p. 5.16-52.)

Therefore, no mitigation measures are required to improve traffic flow on Sycamore Canyon Boulevard. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-W:**

Comment noted. Please see Response to Comment 32-O. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-X:**

The mitigation measures referenced by the commenter will not result in quantifiable reductions in greenhouse gas emissions; however, by sharing information on best management practices, these mitigation measures will contribute incrementally to emissions reductions and air quality improvements. The DEIR utilized a conservative approach by not claiming credit for any potential reductions from these non-quantifiable mitigation measures.

Additionally, a Mitigation Monitoring or Reporting Program (MMRP) will be prepared for the Project and adopted by the City, as required by State CEQA Guidelines Section 15097. The purpose of the MMRP is to ensure that all mitigation measures contained in the DEIR, including mitigation measures related to air quality, are implemented. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-Y:**

The proposed Project does not involve refueling operations at the Project site; therefore, the likelihood that residences could be impacted from a fuel spill is highly unlikely.

Although the Project site includes several design features and mitigation measures aimed at reducing air quality impacts, NO<sub>x</sub> emissions will have a significant and unavoidable impact to the adjacent residences during Project operation, as disclosed in the DEIR. (DEIR, p. 5.3-40.) However, the City has the authority to adopt a Statement of Overriding Conditions if there is evidence that the benefits of the Project may outweigh the significant and unavoidable impacts. (CEQA Guidelines, § 15093.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-Z:**

Long-term operational emissions are anticipated to exceed the South Coast Air Quality Management District (SCAQMD) regional significance threshold for NO<sub>x</sub>, even after implementation of mitigation; therefore, long-term operational impacts are considered

significant and unavoidable. (DEIR, p. 5.3-40.) Although there is no realistic, effective mitigation that would reduce NO<sub>x</sub> to levels that would not result in significant adverse impacts, the City has the authority to adopt a Statement of Overriding Considerations to move forward with the Project, if there is evidence that the benefits of the Project may outweigh the significant and unavoidable impacts. (CEQA Guidelines, § 15093.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-AA:**

Alternative 3 – Reduced Density Alternative, which would scale down building floor area by 30 percent of that proposed in the original 1.43 million square foot project, was one of the alternatives to the proposed Project considered in the DEIR. However, this alternative would meet the Project objectives to a lesser degree and due to the scarcity of sites of this size, the attendant land costs of sites of this size, and the low Inland Empire market lease rates for products of this type, the rate of return from the lease would be too low to justify the cost and risk of investment under the reduced density alternative. Further, this alternative would also result in significant and unavoidable impacts to air quality, noise, and transportation/traffic. (DEIR, p. 8-26 – 8-30.)

Thus, because a reduction in the number of truck bays and building size was considered in the DEIR as Alternative 3 and rejected as infeasible, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-BB:**

The Project will not result in significant localized air quality impacts based on the South Coast Air Quality Management District's Localized Significance Thresholds and the Health Risk Assessments (HRAs) prepared for the Project. (DEIR, p. 5.3-40, FEIR Attachment A.1, FEIR Attachment A.2.) A Screening Health Risk Assessment (HRA) prepared in June 2016 to evaluate cancer and non-cancer risks associated with the proposed Project (included in Appendix B of the DEIR). In response to the October 5, 2016 comment letter received from the South Coast Air Quality Management District (included in the FEIR as Comment Letter 36), a Refined HRA was prepared in November 2016 consistent with SCAQMD guidance and methodology (included as Attachment A.1 to the FEIR). Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling (included as Attachment A.2 to the FEIR.) was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to December 23, 2016 letter from SCAQMD. According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017,

SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

The Project will incorporate a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, Because Project Design Features are also listed as mitigation measures in the DEIR (DEIR, p. 5.3-35), mitigation measure **MM AQ 17b** (listed below) will be included in the FEIR and Mitigation Monitoring and Reporting Program (MMRP).

**MM AQ 17b:** All medium and heavy duty diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

Mitigation measure **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

The Project will result in significant and unavoidable regional air quality impacts related to NO<sub>x</sub>; however, an increased buffer between the sensitive receptors and the buildings at the Project site would not change the significance of this regional impact.

The Project as originally submitted and presented at the August 26, 2015, scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project applicant received feedback from the community and the City encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. As a result, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. The Project as proposed has 64 feet of landscaping, a 30-foot wide drive aisle

(vehicles only, no trucks) and an additional 6-foot wide landscape area between Building 2 and the northern property line of the Project site. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**)

It is not feasible to increase the buffer distances between Buildings 1 and 2 and the residents without reducing the size of the buildings; however, the reduced density alternative was rejected as infeasible (see Response to Comment 32-AA). Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-CC:**

The commenter is referring to Air Quality objective AQ-1 and its associated policies. The proposed Project is consistent with this objective as stated in Appendix M. (DEIR, Appendix M.) The Project is consistent with the existing land use designations for the site in both the City's General Plan 2025 and the Sycamore Canyon Business Park Specific Plan. The Project site has several features to minimize impacts to the residences, including: loading dock doors and internal circulation routes located away from the residences, and right-only egress onto Dan Kipper Drive from all Project driveways to direct truck and passenger car traffic away from the residential areas adjacent to the north and northwest of the Project site. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-DD:**

The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Although Building 1 has several truck bays on the side of the building closest to the residences, it is important to note that the residences are not directly adjacent to these dock doors. Overall, the site has been designed to minimize impacts to the residents and sensitive receptors in the Project vicinity in accordance with the *Good Neighbor Guidelines*.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-EE:**

The Project is consistent with the policies contained in the City's General Plan 2025 and the *Good Neighbor Guidelines*; therefore, no mitigation is required to address these City development objectives. (DEIR, p. 5.3-16; Appendix M, pp. M-66–M-72.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-FF:**

Building 1 is proposed to be 41-feet high from a pad elevation that ranges from 1,561-feet at the south end of the building to 1,568-feet at the north end of the building (above Mean Sea Level (MSL)). Building 2 is proposed to be 37-feet high from a pad elevation that ranges from 1,594-feet at the northwest corner to an elevation of 1,590-feet at the northeast corner (above MSL). With regard to the commenter's request to lower the pads, there is a consistent elevation change of roughly 50 feet from the north end (the higher end) of the Project site to the south end (the lower end). To lower the pads, a large amount of soil would have to be exported to level the site. Due to the existing granite material that lays a few feet beneath the existing terrain, a major blasting operation would be needed to remove the granite material to place the buildings at a lower elevation. This would necessitate a greater number of truck trips during construction to haul the exported soil off site in addition to creating noise and vibration impacts associated with the blasting operation. Blasting is prohibited by mitigation measure **MM NOI 12**. (DEIR, p. 5.12-46.)

**MM NOI 12:** No blasting shall take place on the Project site.

The buildings have been designed to incorporate design features, such as building articulation, to minimize the long expanses of views of the building. With incorporation of design features and mitigation measures, aesthetic impacts of the Project will be less than significant. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-GG:**

Regarding the commenter's suggestion to further lower Building 2, please see Response to Comment 32-FF.

Additionally, articulation of walls will substantially reduce the monolithic feel of the buildings from the residences. In particular, mitigation measure **MM AES 9** requires that the west elevation of Building 1 and the north elevation of Building 2 include some of the same elements used on the front elevation to offset the long expanse of wall surface. These design features will be reviewed and approved by City Design Review staff prior to Grading Permit issuance.

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.

- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-HH:**

Comment noted. Please see Responses to Comment 32-FF and 32-GG. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-II:**

Cross sectional line of sight exhibits were prepared for four locations to represent the view from four representative residential locations adjacent to the Project site. (DEIR, **Figures 3-10 – Proposed Site Plan and 3-13a – Line of Sight Exhibit**, Sections A-A (6050 Cannich Road), B-B (1443 Sutherland Drive), C-C (1465 Sutherland Drive), and D-D (6071 Kendrick Drive).) As discussed in the DEIR and shown on DEIR **Figure 3-13a**, Section A-A is the line of sight of the northwestern portion of the Project site from the vicinity of 6050 Cannich Road, which is west of the Project site. All of the residences along Cannich Road are at a higher elevation than the Project site. (DEIR, pp. 5.1-14–5.1-15.)

Sections B-B, C-C, and D-D, as shown on DEIR **Figure 3-13a – Line of Sight Exhibit**, are from residences to the north. As discussed in the DEIR and shown on **Figure 3-13a**, the rear yards of these residences are either below or at grade with the Project site in the post-Project condition (i.e., after grading). Cross sections were prepared at locations in proximity to the following residences:

- A-A: 6050 Cannich Road
- B-B: 1443 Sutherland Drive
- C-C: 1465 Sutherland Drive
- D-D: 6071 Kendrick Drive

Section B-B as shown on DEIR **Figure 3-13a**, is from the vicinity of 1443 Sutherland Drive. As discussed in the DEIR and shown on **Figure 3-13a**, Section B-B depicts the line of sight from a residences and rear yards that are at approximately the same finished grade as the Project site. (DEIR, pp. 5.1-15–5.1-16.) Section C-C as shown on DEIR **Figure 3-13a**, is from 1465 Sutherland Drive. As discussed in the DEIR and shown on **Figure 3-13a**, Section C-C depicts the line of sight from residences and rear yards that are slightly below the Project site's finished grade. (DEIR, pp. 5.1-15–5.1-16.) Section D-D, as shown on DEIR **Figure 3-13a** is from the vicinity of 6071 Kendrick Drive (where Stockport Drive turns north). As discussed in

the DEIR and shown on **Figure 3-13a**, the residence and flat portion of the rear yard in Section D-D are located downslope from the finished grade at the Project site and proposed buildings.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-JJ:**

The topography of the site at Cross Section C-C (1465 Sutherland Drive) and the houses at the eastern side of Sutherland Drive near the intersection with Matheson Drive is similar; thus, Cross Section C-C can be used as an approximation of the views from homes referenced by the commenter in Comment 32-JJ. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-KK:**

Comment noted. Acoustical modeling prepared to quantify Project-related impacts to the nearby residences accounts for the buildings and the operation of the buildings onsite. Nonetheless, noise impacts will be significant and unavoidable because installation of the noise barrier wall proposed in mitigation measure **MM NOI 16** (listed in Response to Comment 32-E) requires permission from private landowners and cannot be forced by the City or the Project Applicant. (DEIR, pp. 5.12-28, 5.12-34, 5.12-48.)

Pursuant to mitigation measures **MM AES 9** and **MM AES 11**, articulation of building walls will be approved by the City Design Review staff to ensure that aesthetic impacts of development of the Project site will be less than significant.

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow. (DEIR, p. 5.1-35.)

**MM AES 11:** In order to avoid the appearance of a flat wall, as part of the Design Review process prior to the issuance of a grading permit, revised plans showing the incorporation of design features such as articulation and the use of color on the 14-

feet-tall wall proposed along the east side of the truck parking and loading docks east of Building 1 shall be submitted for review and approval by Design Review staff. (DEIR, p. 5.1-35.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-LL:**

With mitigation currently identified in the DEIR as well as construction of the noise barrier described in mitigation measure **MM NOI 16**, (listed in Response to Comment 32-E) noise impacts as a result of the Project would be within the City's daytime and nighttime standards. Without the noise barrier proposed in **MM NOI 16**, the City's daytime standards would be met at all receptor locations modeled in *the Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (the NIA). Project-generated noise would be within the City's nighttime standards at all receptor locations except for receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) (as shown on DEIR **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**). The noise barrier wall proposed in **MM NOI 16** can only be installed on these residents' private property with the residents' permission; neither the Project Applicant nor the City can require actual installation of **MM NOI 16**. Therefore, impacts will remain significant and unavoidable. (DEIR, pp. 5.12-28, 5.12-34, 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 32-MM:**

The Project has been subject to the City's Design Review process under this DEIR. The Project incorporates a variety of features, including but not limited to articulation, coloring, and textures, to avoid a monolithic feel to the building, pursuant to mitigation measures **MM AES 9** and **MM AES 11**. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 33 – Scott Morgan, State Clearinghouse



EDMUND G. BROWN JR.  
GOVERNOR

September 26, 2016

Patricia Brenes  
City of Riverside  
3900 Main Street, 3rd Floor  
Riverside, CA 92522

Subject: Sycamore Canyon Business Park Buildings 1 and 2  
SCH#: 2015081042

Dear Patricia Brenes:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on September 23, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

33



KEN ALEN  
DIRECTOR

**RECEIVED**

SEP 28 2016

Community & Economic  
Development Department

33-A

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

## **Response to Comment Letter 33 – Scott Morgan, State Clearinghouse**

### **Response to Comment 33-A:**

This comment is a response from the State Clearinghouse stating that the agency has forwarded the Draft Environmental Impact Report (DEIR) to state agencies for review. This comment also notes the review period ended on September 23, 2016, and that no state agencies had commented. The comment notes that the Project complies with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Based on a number of requests to extend the review period, the public comment period for the Project was extended from September 23, 2016, to October 7, 2016.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 34 – Craig Collins, Blum Collins LLP

*Note: The two exhibits attached to this letter follow the responses.*

34

**BLUM | COLLINS** LLP

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213.572.0400 phone  
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September 23, 2016

Patricia Brenes  
City of Riverside  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92522  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

*Via Email & U.S. Mail*

Re: *Comments on Sycamore Canyon Business Park Buildings 1 and 2 DEIR,  
State Clearinghouse # 2015081042*

Dear Ms. Brenes and the City of Riverside:

Pursuant to the California Environmental Quality Act (“CEQA”), this letter is to serve you with comments on behalf of the SoCal Environmental Justice Alliance (“SEJA”) regarding the Sycamore Canyon Business Park Buildings 1 and 2 (“the Project”) Draft Environmental Impact Report (“DEIR”). We understand the Project to comprise the removal of a blue line stream and its replacement with a 2.96 acre “mitigation area,” and the construction and operation a logistics center consisting of two buildings located approximately 0.4 miles west of Sycamore Canyon Boulevard at the western terminus of Dan Kipper Drive and north and west of Lance Drive in the City of Riverside, California, along with its associated street and utility improvements on a 76 gross acre, 71 net acre set of parcels. Building 1 would be sited on Parcel 1 and approximately 1,012,995 square feet in size. Building 1 would have 147 dock doors located along the east and west sides of the structure and would be approximately 41 feet from grade. Building 2 would be sited on Parcel 2 to the north of Building 1. Building 2 will be approximately 362,174 square feet in size, which includes up to approximately 10,000 square feet of office space, and approximately 352,174 square feet of logistics/industrial use. Building 2 will have 45 dock doors along the south side of the structure and would be approximately 37 feet from grade. The two Buildings would have separate owners and the Project is being built on speculation with no future tenants identified.

34-A

Our comments track the sections of the DEIR as reorganized by you or your consultant. Thus, we go from Section 5.1 Aesthetics to Section 5.10 Land Use and Planning and then back to Section 5.3 Air Quality (we have no comments Section 5.2 Agriculture and Forestry).

34-B

Patricia Brenes, City of Riverside  
September 23, 2016  
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**Project Objectives**

We believe your Project Objectives are tightly defined to require the construction of two logistics centers on the Project site. This is disappointing as they will pose a threat to residents and to the adjacent Sycamore Canyon Wilderness Park. The applicants and you could have chosen an office use, which would be compatible with the General Plan designation and zoning, and was recommended by at least one neighborhood group.

34-C

**Comments on NOP**

You received comments from among other entities the City of Moreno Valley, which calculated based on the ITE Trip Generation Manual that the Project would generate 1006 truck trips daily. Your assessment was that it would “only” generate 917. Please explain this discrepancy.

34-D

Friends of Riverside’s Hills commented that the DEIR should assess impacts to the federally endangered Stephens’ Kangaroo Rat (“SKR”), for which a Core Reserve exists immediately adjacent to the site in the Sycamore Canyon Wilderness Park. You failed to do this entirely, relying solely on the payment of a mitigation fee. The payment of a mitigation fee will not avoid mortality to any SKR on the Project site, and you did not survey for them. Friends also noted that the City’s General Plan is adjacent to a residential neighborhood (two, actually) and will pollute; this is contrary to General Plan Policy AQ-1.3 which says to separate, buffer and protect sensitive receptors from significant sources of pollution to the greatest extent possible. An office use would have avoided this conflict.<sup>1</sup>

34-E

The Pechanga had extensive comments on impacts to Cultural Resources which we will discuss when we get to that section of the DEIR but also they mentioned in particular that the DEIR should address impacts from smog to rock art in the area which the DEIR does not do.

34-F

The Sycamore Highlands Action Group (“SHAG”) commented that residents were led to believe that that site would be used for an office building or an appropriate light industrial building that would buffer the nuisance and environmental effects from the nearby distribution centers. The present use will significantly exacerbate those effects. SHAG noted that the Project would lead to significant noise pollution, light pollution, traffic impacts, and health impacts. SHAG specifically mentioned that the health impacts of cumulative projects should be assessed with this one, such that the diesel particulate matter (“DPM”) from the other adjacent distribution centers *along with* the present Project would be honestly assessed. This was not done.

34-G

<sup>1</sup> To the extent that you assert that office use would be precluded by the March Air Reserve Base Airport Compatibility Plan, we disagree: office uses are apparently not precluded because you are including them in the Project anyway. Indeed, the DEIR concedes that Zones D and C1 of the MARB/Inland Port Land Use Compatibility Plan permits residential uses on the site.

Patricia Brenes, City of Riverside  
September 23, 2016  
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In oral comments on the NOP residents asserted that 2001 should be used as a baseline on noise, and that cumulative impacts from the World Logistics Center (“WLC”) should be considered. The WLC was considered, but, as we note below, a number of other projects appear to have been left out. Commenters also noted that the NOP was apparently only sent to 18 homes in the area and that this was inadequate notice. We agree, and it appears that the NOP only gave an effective two days’ notice for the community meeting.

34-H

#### Alternatives Analysis Summary

You did not evaluate an office use; you chose to evaluate a manufacturing use that was more intensive. You did not evaluate an alternative that allowed the blue line stream to continue running through the site, despite the requests of NOP commenters that you do so. You rejected a Reduced Density Alternative as economically infeasible. CEQA requires you to assess alternatives that *reduce* environmental impacts; your manufacturing use did not do this, and your choice of alternatives did not represent a reasonable range. With regard to your rejection of a 700,000 square foot and 300,000 square foot building as infeasible, this is cherry-picking, as the smaller building would be in this range anyway. You did not need to define the Project Objectives to have a building over 1,000,000 square feet in size and you haven’t provided an economic analysis supporting your conclusion that only such a building would have a market.

34-I

#### Other CEQA Topics

The document refuses to acknowledge that the construction of two logistics centers on undeveloped land represents a significant and irreversible change, on the ground that the site is designated for development under the Sycamore Canyon Business Park Specific Plan (“SCBPSP”). This ignores reality: the site is undeveloped and presently contains a blue line stream, and you propose to develop it and eliminate the stream. This is by definition a significant and irreversible change. Also you state there will be no significant long term energy use. We beg to differ, based at very least on all the combustible diesel fuel that will go into the operation and use of the Project and the fact that you have failed to require rooftop solar, which you could have.

34-J

#### Project Site – Existing Conditions and Proposed Project

You acknowledge that the Project site is bordered by the Sycamore Canyon Wilderness Park to the west, residential development to the north and northwest, a Ralph’s Distribution Center to the south, Big 5 and Flex Steel Distribution Centers to the east, and the recently approved Sycamore Canyon Business Center at the site’s northeast corner. In light of all these intensive uses to the east and south and the sensitive uses to the west and north, a buffering use such as an office building or light manufacturing should have been considered. Neither were. The General Plan designates the site as Business/Office Park (B/OP). While the SCBPSP designates the site as industrial, this conflicts with the General Plan, which would have to be amended.

34-K

Patricia Brenes, City of Riverside  
September 23, 2016  
Page 4

The Project proposes General Plan and Specific Plan amendments to eliminate planned circulation through the site. The Tentative Parcel Map would combine 17 existing parcels into 2 parcels and three lettered lots. Grading exceptions would be required. Building 1 would be 41 feet from grade and Building 2 would be 37 feet from grade. You claim that the buildings won't be visible from the residential areas because they will be below grade from them; however, in your Aesthetics discussion you contain renderings which belie this assertion.

34-L

Under "Sustainability Features," it appears that you largely intend to comply with green building codes; nothing more. You provide for "solar ready" roofs, not solar. You provide for three EV charging stations for the hundreds of cars that will be accessing the site; you do not provide for EV charging for the trucks. You provide for bicycle parking though this will exacerbate the risk of lung damage and asthma for employees given the use of the site. And you do not prohibit the use of transport refrigeration units ("TRUs") onsite though they will be in close proximity to residents and pose significant health threats to them according to the California Air Resources Board ("CARB").

34-M

#### **Effects Found Not to Be Significant**

We disagree with your conclusion that the following effects are not significant, as discussed in the following sections: aesthetics, cultural resources, biological resources, greenhouse gases ("GHGs"), hydrology and water quality.

34-N

#### **Aesthetics**

At 5.1-9 you note that the proposed trail will interfere with the fire access/maintenance road as presently planned. We question whether there will be room for any landscaping on this side of the development.

34-O

Here you acknowledge that Buildings 1 and 2 will be visible to the homes to the north and northwest. You indicate that the Buildings will have mounted lighting 34 and 32 feet above finished floor elevations, respectively. You try to suggest that the lighting will have no impact on residents or the adjacent Wilderness Park because these lights will have "no uptilt," but the light is going to disperse. With respect to the Wilderness Park you assert that the lighting will comply with the Sycamore Canyon Wilderness Park SKR Management Plan and Updated Conceptual Development Plan but you do not specify how. You acknowledge that the lighting will be sufficient for the distribution centers' 24/7 hours of operation, and you acknowledge that Building 2 is a mere 100 feet from the residential lots to the north. DEIR at 5.1-8.

34-P

*Threshold A: Would the Project substantially affect a scenic vista?* Here you acknowledge that construction of the Project has the potential to impact views of the Box Springs Mountains for homes to the west of the Project site, but you claim it won't due to the height of the Mountains. You have not provided any depictions to convince us of this, and the buildings could obstruct views of the lower parts of those Mountains. You further acknowledge that views from homes to the north of the Project site will be

34-Q

Patricia Brenes, City of Riverside  
September 23, 2016  
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impacted but say this isn't significant because the proposed Project is within an area zoned for industrial use. This is still a significant impact, which you fail to recognize, especially for homes to the northeast which presently have unobstructed views of the Sycamore Canyon Wilderness Park through the Project site.

↑ 34-Q  
cont

*Threshold B: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?* You read this threshold to mean only impacts to a state scenic highway, but that reads out the first part of the sentence, which specifically makes the latter part of the sentence dependent upon it. This is not based on substantial evidence. You assert that the trees that will be lost as a result of development "are typical of riparian vegetation and not unique to the area," but they are natural, unlike those immature trees that you will plant in the proposed Mitigation Area. We disagree with your assessment.

34-R

*Threshold C: Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?* Again you claim the riparian feature is not "unique." We disagree, as it is to the area. The fact that development is occurring "as intended per the General Plan 2025, the Sycamore Canyon Business Park Specific Plan, and the Zoning Code," does not detract from this being a significant impact.

34-S

You provide sample views from the residences to the west and north once landscaping is "mature" but you do not specify how long that will take. We project ten years. At 5.1-25 the view from the residences to the north from the second story discloses that the Project will totally obstruct their view of the hills in the distance. You also do not include a photo rendering of how views from the Sycamore Canyon Wilderness Park will be affected.

34-T

You assert that the development "will not substantially degrade the existing visual character or quality of the Project site or its surroundings," because the Project is consistent with views to the east and south of other logistics warehouses, and will eliminate illegal dumping, but the Project will eliminate open space which offers expansive views to the homes to the north, and any illegal dumping is not visible from those homes especially based on the photos provided.

34-U

Mitigation Measure ("MM") AES 1 provides for an eight-foot tall decorative block wall between the Project site and the homes to the north and west. This will not be sufficiently high to screen views of the trucks. The same is true for AES 4.

34-V

*Threshold D: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* You say "the" potential impact associated with exterior lighting is spill light or light trespass but you go on to acknowledge that glare can also be an impact, though you do not evaluate it. You seem to be asserting that MM HAZ 4, which requires compliance with the Zoning Code and Riverside County Airport Land Use Commission conditions of approval, will reduce impacts to less than significant. We disagree with your conclusion as not based on substantial evidence. The Zoning Code, according to you, requires "that on-site lighting

34-W  
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be arranged so as to reflect away from the adjoining property or any public streets, and that lighting not be directed skyward or in a manner than [sic] interferes with aircraft operation.” Whether or not the building lights are directed skyward or toward the adjacent properties, there will be significant spill light given that they will be mounted 34 and 32 feet up. You say this will be so “except along the north building wall where the lights will be lowered to a level to provide safety while not producing glow into the neighboring yards *to the maximum extent feasible*,” which you do not define. This is a significant impact for the properties to the north of Building 2 which will only be 100 feet from the property line. And you haven’t addressed the properties facing the western portion of Building 2, which will only be 138 feet east of the property line. Finally, you have not addressed glare or light spill from the parking lot lighting which will face the residences to the west. *Compare* Figure 3-10 with Figure 3.1-1, Surrounding Area. That lighting is proposed at the maximum height permissible under the Zoning Code, 20 feet.

↑  
34-W  
cont

Next you state that “Existing large-scale light industrial uses to the east and south of the Project site provide night lighting in the area, and also “street lights on roadways within the Sycamore Canyon Business Park, including Dan Kipper Drive and Lance Drive . . . as well as on roadways within the residential subdivisions north and northwest of the Project site provide an additional source of existing lighting,” and that “As a result, lighting from the proposed Project would not result in a substantial source of new light or glare.” We disagree strongly. The backyards of the houses to the north and northwest face the Project site. The new lights will be *substantially* higher and closer than anything they are experiencing now.

34-X

In short, we disagree with your conclusion that impacts to aesthetics, light and glare are less than significant with mitigation.

34-Y

Concerning your MM’s, MM AES 9 requires the “same elements” as used in the front elevation, including office areas, at every corner of Buildings 1 and 2. To the extent this calls for windows, those windows will create a source of daytime glare that was not evaluated, particularly from the western elevations of Buildings 1 and 2 when the sun is setting. MM HAZ 4 is solely addressed to hazards from or to the nearby March Air Reserve Base and only prevents lights from being directed upwards.

34-Z

### Land Use and Planning

You skip from section 5.1 to section 5.10. We’re not sure why, but to the extent that you are trying to demonstrate in Section 5.10 (Land Use) that the Project was pre-ordained, we beg to differ for the reasons stated earlier.

34-AA

Here you seek a “minor” CUP to allow for a warehouse of greater than 400,000 square feet pursuant to Riverside Municipal Code 19.150 Base Zones Permitted Land Uses, which requires discretionary review to look at the Riverside Good Neighbor Guidelines as to compatibility. We disagree with any conclusion that the Project is consistent with the Good Neighbor Guidelines, particularly since you did not designate truck routes to avoid residential neighborhoods as they require.

34-BB

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You assert that the Project is consistent with the SCBPSP because it recommends the development of light industrial, distribution warehousing or product assembly. Either light industrial or product assembly uses would result in far less intensive air quality and other impacts to adjacent residents. The DEIR concedes the backyards along the northwest portion of the site will be 138 feet from Building 2 and accordingly they won't be much further from the loading docks at Buildings 1 and 2. Building 1 will have dock doors and truck exhaust directly facing the residences.

34-CC

You fail to analyze the Good Neighbor Guidelines in the DEIR, relegating the discussion to an appendix. This violates CEQA. *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal. 4th 412.

34-DD

*Threshold A: Will the Project physically divide an established community?* We believe the answer is yes. The development of the Project will eliminate pedestrian access between the Very Low Density Residential to the west and the Medium Density Residential to the north. You are effectively placing an industrial use between two residential neighborhoods.

34-EE

*Threshold B: Would the Project conflict with any applicable land use plan, policy or regulation . . . adopted for the purpose of avoiding or mitigating an environmental effect?* Here, the answer is again yes, based on conflicts between the Good Neighbor Guidelines and the Project. Specifically, as noted above, you should have designated truck routes to avoid residential areas and did not. Further, your health risk assessment did not address background levels of DPM from existing distribution facilities in the vicinity, and if it had, it would have found a significant impact.

34-FF

#### Noise

As predicted by local residents, local nighttime noise levels exceeded the 45 dBA nighttime residential noise standard "for all hours," at least at location LT1, and ranged from 51.0 dBA to 58.1 dBA.<sup>2</sup> This is almost certainly due to the existing distribution center uses in the vicinity. This situation would almost certainly be exacerbated by the Project. For location LT2 the nighttime residential noise standard of 45 dBA was exceeded at 10 pm and from 4 am to 7 am.

34-GG

You report that noise levels for single family residences which the Project is adjacent to, are per the General Plan 2025:

- Normally Acceptable at up to 60 dBA CNEL/L<sub>dn</sub>
- Conditionally Acceptable at 60-65 dBA CNEL/L<sub>dn</sub>

34-HH

<sup>2</sup> You write "It is important to note that there is an existing wooden fence along the residential property line at location LT1 and the noise meter was placed on the Project side of the property line; thus, the noise level on the residential side may be lower." It is unlikely that the noise level is lower due to a wooden fence and if so it would only be minimally lower. Also there is a drop from the residential properties to the Project site. Therefore the noise more than likely travels to the residences as there is no barrier to stop it, as the residents report from their direct experience.

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- Normally Unacceptable at 65-70 dBA CNEL/L<sub>dn</sub>
- Conditionally Unacceptable at 70 dBA CNEL/L<sub>dn</sub>

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34-HH  
cont

Nuisance sound limits per the Municipal Code are 70 dBA for industrial anytime (exterior) and 45 dBA night or 55 dBA day for residential (exterior), although for *Code Enforcement* purposes, the City grants 5 dBA leeway for 15 or 30 minutes per hour, or 10 dBA for five minutes or 15 dBA for 1 minute in any hour, or 20 dBA for (apparently) an instantaneous noise.

You quote the Municipal Code Section 7.35.010(B) which makes it unlawful to load and unload from 10 pm to 7 am “in such a manner as to cause a noise disturbance across a residential property line,” but then you promptly disregard this standard.

34-II

At 5.12-19 you actually suggest that the immature landscaping to the north of the Project site will limit sound traveling from the site to the residences. Then you state that the Project will be designed to allow for “right-in, right out” access so as to limit the amount of traffic coming from Dan Kipper Drive. This makes no sense, you would need left-in, right out to achieve this result.

34-JJ

*Threshold A: Noise levels in excess of local General Plan or noise ordinance.* You concede that construction noise will reach 80 dBA L<sub>eq</sub> at residences to the north and northwest and in Sycamore Canyon Wilderness Park and that even with the placement of a 12 foot noise barrier the impacts will be significant and unavoidable. With regard to operational noise you state impacts will be less than significant except as to receptor numbers 3 and 4 where the noise will exceed the exterior noise nighttime standard of 45 dBA L<sub>eq</sub>. As to these two receptors you propose placing sound barriers *on their property*. You then conclude noise inside the residences would be 35 dBA L<sub>eq</sub>, but you do not address whether the 45 dBA outdoor standard would still be exceeded. You concede the impact is significant and unavoidable because you cannot assure the residents will accept the barriers.

34-KK

You then assert the maximum permissible noise threshold is 75 dBA for daytime and 65 dBA for nighttime. You get there by using the Code Enforcement leeway of 20 dBA for an instantaneous noise of less than one minute. Since the operational noise will not be instantaneous you have misapplied the Municipal Code to the severe detriment of your residents. You then assert that the maximum noise from backup beepers is 55 dBA L<sub>max</sub>. This is in excess of the 45 dBA outdoor noise standard for residences, but you misread the Municipal Code again to justify your result. We also disagree with your implicit assertion (where you say that noise will be 44 dBA indoors, which you say is OK relative to the 45 dBA standard) that the cited Municipal Code provision addresses *indoor* noise. And this conclusion is again based on the assumption that you can place the noise barriers on private property under MM NOI 16.

34-LL

You then move on to trash compactors which the applicants apparently intend to have operating outside. The trash compactors would, you say, generate levels of 59 dBA and 62 dBA at the top of the slope to the west which you claim would be dampened by 10

34-MM  
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dBA by the NOI 16 barriers. Again, you are presuming they can be placed there. And you again are relying on your misreading of the Code to allow for 65 dBA nighttime noise.

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34-MM  
cont

At 5.12-33 it appears from Figure 5.12-7 that you have modeled all of 1 backup beeper at the nearest dock from Building 2 to the west. This is not representative as there will likely be multiple backup beepers going at once, including from Building 1, which while further to the south is completely exposed to the residences to the west and has 72 loading docks.

34-NN

At 5.12-34 you summarize. You nowhere address operational noise impacts to Sycamore Canyon Wilderness Park. There will be no sound barrier present to protect the Park.

34-OO

*Threshold B: Would the Project cause the exposure of persons to or the generation of excessive groundborne vibration or groundborne noise levels?* Here you contend at 5.12-37 that “According to the FTA, buildings can be exposed to ground-borne vibration levels up to 0.5 PPV without experiencing structural damage. Additionally, the FTA has determined that individuals can experience vibration levels up to 80 VdB (RMS) before being adversely affected by vibration.” We think this is a serious mischaracterization of what the FTA said. With respect to buildings, some buildings are far more fragile and can only tolerate 0.25 in/sec PPV (FTA 2006). With respect to human response, what the FTA said was that 80 VdB relative to  $10^{-6}$  in/sec would result in residential annoyance for *infrequent* events, but that for frequent events (e.g., rapid transit, or here, vibration from construction) annoyance occurs at about 72-73 VdB. See Figure 7-3, Typical Levels of Ground-Borne Vibration, from *Transit Noise and Vibration Impact Assessment*, Chapter 7 (included as Attachment A).

34-PP

You then assert that Table 5.12-I shows that heavy construction equipment will be perceptible but not annoying. The Table doesn't show this. To the extent that 87 RMS is VdB, that *would* be considered annoying. You then assert that the vibration would be attenuated at 40 feet and that “the majority” of the construction equipment would be operating at a distance of 40 or more feet away from the residences. Here you assert that the nearest residential structure is 14 feet from the property line. This conflicts with what you said in the Aesthetics section. If it is true there is no substantial evidence for your 40 foot figure, and you don't translate to VdB so we cannot evaluate your conclusions. Under *Vineyard* and other cases you need to establish the path from your analysis to your conclusions and you have not done that here.

34-QQ

*Threshold C: Would the Project create a substantial permanent increase in ambient noise levels existing without the Project?* Unbelievably, in this section, you claim that the ambient noise levels will go *down* from existing levels at all but two receptors, at one of which noise will remain the same and at one of which it will increase by 10 dBA CNEL. This is not at all credible. Since you acknowledge that the only noise mitigation measure is the noise barrier at the residences which you do not know that you can impose, there is no basis for concluding that the noise from a vacant field will be less

34-RR  
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than the noise from two large 24/7 distribution center buildings with truck bays in the hundreds.

↑ 34-RR  
cont

Next you claim that even as to the one receptor where noise will go up by 10 dBA, the mitigated noise levels would still be within the GP 2025 "Normally Acceptable" compatibility criteria for neighborhood parkland use. This isn't neighborhood parkland, and in any event, you earlier stated the threshold was whether there was a substantial increase in noise, measured as 5 dBA, which at least that one receptor will experience. Also, it appears you have not modeled the noisiest uses identified in the immediately preceding section: you state here that the "dominant operational noise will generally include noise associated with diesel truck engines, exhaust systems, braking and fork lifts," in other words, you did not apparently model (1) the backup beepers, (2) the trash compactors, or (3) the HVAC systems. But above all, you have not explained how you reached the implausible conclusion that noise levels from the site would be reduced.

34-SS

Next you get into off-site noise, which you should have modeled with the on-site noise but did not.

34-TT

Concerning your mitigation measures, MM NOI 8 purports to limit haul truck deliveries to the same hours as for construction equipment, but the hours for deliveries of construction equipment are nowhere specified.

34-UU

#### Public Services

Your discussion of Fire Protection does not address the comments of residents that "emergency responders stationed at the firehouse on Sycamore Canyon Blvd. will be unable to exit their facility or quickly traverse Sycamore Canyon Blvd. when responding to an emergency." NOP at 48 of PDF document.

34-VV

#### Recreation

At 5.15-1 you acknowledge there are nine categories of parks in the City including neighborhood parks and wilderness reserve parks. You then try to call Sycamore Canyon Wilderness Park a "reserve/open space park," which obfuscates its true role. Then you assert (at 5.15-6) SKR Management Plan and Conceptual Development Plan calls for either a masonry wall or a fence per Standard Detail No. 5520. We believe the Management Plan prefers a masonry wall, in part due to the noise issue, and we think a wall should be placed there.

34-WW

You also indicate here that the access to the Park which was previously planned via Kangaroo Court would instead be provided by an extremely narrow fire lane delineated in Figure 3-11 Conceptual Landscape Plan. Figure 3-7B shows that Kangaroo Court was to be a paved 2-lane road whereas the fire lane looks to be less than one lane and gravel. You state at 5.14-1 there will be a less than significant impact regarding fire "because some fire access will be maintained via the proposed on-site trail and parking lot." This

34-XX  
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doesn't address whether the fire access will be adequate, and access via that fire lane would be the only access for the entire east end of the Park.

↑ 34-XX  
cont

**Transportation and Traffic**

Figure 5.16-5 Project Trip Distribution (Trucks – Outbound) discloses that you assume only 5% of the truck traffic will merge onto the I-215 and SR 60 at Fair Isle Drive while 45% will go northbound on I-215 from Eastridge Ave/Eucalyptus. This is a convenient assumption but we do not think it has a basis in reality as the residents have observed from existing truck traffic. Unless you prohibit access at Fair Isle Drive (which you should) there is nothing to prevent far higher numbers of trucks traversing a residential neighborhood via the Sycamore Canyon Blvd./Fair Isle Drive route. You display similar optimism at Figure 5.16-6 Project Trip Distribution (Trucks – Inbound). We also do not see a basis for your conclusion that 15% of trucks will go to/from Sycamore Canyon Blvd. as opposed to taking Eastridge Avenue to the I-215 south, but this has far less consequences to the most affected residents.

34-YY

As noted earlier, you claim to have relied upon the ITE Trip Generation Manual 9<sup>th</sup> edition, but your numbers are at odds with those generated by the City of Moreno Valley. See NOP Comments, PDF at 24, projecting 1006 truck trips versus the 917 you identify. Also you should have disclosed the number of truck trips in your Transportation and Traffic section but you did not.

34-ZZ

At 5.16-18 Table 5.16-E Trip Generation Rates has Peak Hour trip rates where the numbers do not add up for trucks. This may have led to underestimates for your air quality analysis.

34-AAA

*Threshold A: Would the Project conflict with an applicable plan ordinance or policy establishing measures of effectiveness for the circulation system?* We believe Table 5.16-J represents an underestimate as to intersections 1 (I-215 Northbound Ramps/Fair Isle Drive/Box Springs Road) and 2 (Sycamore Canyon Blvd./Fair Isle Drive) based on your failure to assign a truly representative number of trips to and from the Project site along this route.

34-BBB

At 5.16-08 you indicate that you identified cumulative projects in the City of Riverside and the City of Moreno Valley. Your failure to identify cumulative projects in unincorporated Riverside County is a major omission. We are aware of at least two distribution center projects that would show up on the cumulative projects map if you had bothered to include them: the Alessandro Commerce Centre (off Alessandro Blvd.) and the Freeway Business Center (between old 215 Frontage Road and the I-215). These projects are highly significant to both traffic and air quality and should have been included.

34-CCC

At 5.16-45 you concede that the Northbound Ramps for I-215 at Fair Isle Drive/Box Spring will be at LOS F under EAC and EAPC conditions and that this is significant. However, for the reasons stated above we believe you have underestimated this impact.

34-DDD

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Regarding queuing, you concede that the number of trucks projected to arrive at Building 2 in the AM peak hour may result in queuing by three or four trucks outside the facility. This violates Strategy 1a of the Good Neighbor Guidelines, attached as Attachment B. You claim that this won't result in parking on nearby residential streets because there is designated parking on Sycamore Canyon Blvd. and portions of Box Springs Blvd., and commercial parking elsewhere would violate RMC 10.52.155(a). That doesn't mean it won't happen. It is likely the trucks will stop, and idle, on Dan Kipper Drive and Lance Drive, increasing the pollutant load to which nearby residents are exposed. To the extent they are discouraged from parking on Dan Kipper Drive, they may well park on residential streets. This is a significant impact.

34-EEE

*Threshold E: Will the Project result in inadequate emergency access?* You acknowledge here that the fire lane will only be 12 feet wide and made of gravel. This is extremely narrow for fire vehicle access. And again you did not address the issue of Fire Station egress raised by SHAG.

34-FFF

#### Utilities and Service Systems

*Threshold D: Would the Project have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new and expanded entitlements required?* Here you concede the Project's projected demand is 100 afy and that this demand is "almost double" the planned development for the Project site estimated in Western's 2010 UWMP. Actually, it is over double. You claim nevertheless that it is consistent with the "overall projected increase in commercial water demand within Western's Riverside Retail Area as set forth in the 2010 UWMP." This does not mean Western will have enough water. The projected increase will happen anyway from Western's additional and existing customers.

34-GGG

You say Metropolitan's 2010 UWMP shows it "has supply capabilities to meet expanded demands from 2015 through 2035 under single dry-year and multiple dry-year conditions," however, you then say "Metropolitan's Condition 3 water supply allocation," which you don't identify, and Western's water use reductions represent a more severe shortage condition than what occurred under the single-year or multiple dry-year scenarios identified by Metropolitan's 2010 UWMP. You claim that Western has modeled potential cutbacks under Metropolitan's WSAP in the WSA and that this analysis is more stringent than that required by SB610. You don't specify how. Apparently Western looked at 10-20 % reductions in imported supply, but Western may well experience more than that, based on past experience and future potential conditions in the Bay Delta. You rely on Western to conclude that water supplies "are sufficient," but we believe you have to exercise your independent judgment on the evidence, and you don't have a substantial evidence basis for reaching your conclusion here.

34-HHH

#### Air Quality

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First, as to your discussion of criteria air pollutants and health impacts, we do not think you have adequately acknowledged the significant health impacts from ozone as required under *Bakersfield Citizens for Local Control*. First of all, certainly there are relevant studies that postdate 1993, and those studies have shown that children face a greater risk of asthma. Second, you don't appear to note anywhere that EPA recently adopted a more stringent standard. Third, you haven't admitted that the Basin is expected to take more than 17 years to come into attainment status.

34-III

With respect to Toxic Air Contaminants ("TACs"), you concede there is no safe level for them. You claim that the South Coast Air Quality Management District's ("SCAQMD's") MATES-IV study disclosed a 16 percent reduction from that of MATES-III for the Project area, but you don't address whether MATES-IV evaluated emissions from the many new distribution centers in the area. Meanwhile, CARB has proposed a bright-line limit of not placing a distribution center within 1000 feet of a residential center, and you are disregarding this.

34-JJJ

Table 5.3-B discloses there were 41 days in 2014 that the area violated the older, less stringent federal standard of 0.075 ppm; that number will go up independent of this Project now due to the new federal standard. With respect to PM<sub>10</sub> there were 17 exceedances and with respect to PM<sub>2.5</sub> there were 5.

34-KKK

Concerning the Riverside General Plan 2025 you assert that the Project is consistent with the following policies and we disagree as follows:

34-LLL

- *Objective AQ-1: Adopt land use policies that site polluting facilities away from sensitive receptors and vice versa; improve jobs-housing balance; reduce vehicle miles travelled and length of work trips; and improve the flow of traffic:* Here you are not siting polluting facilities away from sensitive receptors and you are not improving the flow of traffic, at a minimum.
- *Policy AQ-1.8: Promote 'Job/Housing Opportunity Zones' and incentives to support . . . jobs in housing-rich areas, where the jobs are located on nonpolluting or extremely low-polluting entities.* You are not following the underlined mandate here, at all.
- *Policy AQ-2.11: Develop ways to incorporate the "Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities" into the Development Review process and Citywide air quality education programs:* You have ignored the Good Neighbor Guidelines with this development.

The Riverside Good Neighbor Guidelines come next.

- *Goal 1: Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.* You could consider viable alternatives to a distribution center for the site, but you don't. The heavy manufacturing use you posit would, we believe, require a zone change.
- *Strategy 1a:* We already established you have violated Strategy 1a.

34-MMM

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- *Strategy 1b: To the extent possible, locate driveways, loading docks, and internal circulation routes away from residential uses.* You could have located the loading docks to face onto Lance Drive only.
- *Strategy 1c* requires a health risk assessment when truck traffic areas of an industrial project are located within 1000 feet of sensitive receptors; your health risk assessment should have addressed impacts from the many other distribution centers in the vicinity as well as this one; it did not.
- *Goal 2, [which you skip but we've included] Eliminate diesel trucks from unnecessarily traveling through residential neighborhoods* – you haven't done this; instead you generated an overly optimistic traffic analysis that assumes only 5% of trucks will enter/exit the I-215 at Fair Isle Drive even though it is the most expeditious exit point for southbound traffic. Particularly since you project so few trucks will use the route it would have been easy to prohibit it.
- *Strategy 2a: Same.*
- *Strategy 2d: Require warehouse/distribution centers to provide signage or flyers that advise truck drivers of the closest restaurants [and] fueling stations.* You could have required food and fueling options on site, particularly since the site is so large. This would have prevented trucks from traversing the neighborhoods.
- *Goal 3: Eliminate trucks from using residential areas and repairing vehicles on the streets.* You have included no enforceable commitment here.

34-MMM  
cont

At 5.3-17 you note that CARB's Diesel Risk Reduction Program provides that by 2023 nearly all trucks and buses will need to have 2010 model year engines or the equivalent. You ignore that the City and this facility could require compliance with this mandate earlier.

34-NNN

Then you address the CARB Air Quality and Land Use Handbook, which should be a part of the administrative record for this Project since you have referred to it. It suggests prohibiting distribution centers within 1000 feet of residential neighborhoods. You reject this, asserting "These are recommendations, not mandates, and land use decisions will ultimately lie with the local agency which needs to balance other considerations." You are ignoring both the CARB Handbook and your own General Plan in rushing this Project through.

34-000

*Threshold B: Would the Project violate any air quality standard or contribute substantially to an existing or projected air quality violation?* With respect to operations you concede impacts would be significant at 339.39 lbs/day of NO<sub>x</sub> emitted versus a daily threshold of 55 pounds. With respect to CO hotspots, you claim that there would have to be traffic like that at Veteran Avenue and Wilshire with an average daily vehicle count of 100,000 or more for there to be a CO violation. This depends on the relative emissions of trucks versus cars, which you have not addressed.

34-PPP

*Threshold C: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment?* You acknowledge this impact as significant based solely on the individual Project's NO<sub>x</sub> emissions.

34-QQQ

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Regarding cumulative impacts, you rely on SCAQMD guidance to conclude that cumulative impacts are not exceeded because the Project does not exceed project-specific thresholds. We do not believe it is appropriate to rely on the SCAQMD guidance as it flies in the face of multiple CEQA Guidelines as well as Pub. Resources Code §21083(b)(2). See Guidelines §§ 15130(a), 15064(h)(1), 15065(a)(3), 15355(b). CEQA does not excuse an EIR from evaluating cumulative impacts simply because the project-specific analysis determined its impacts would be less than significant. Gordon & Herson, "Demystifying CEQA's Cumulative Impact Analysis Requirements: Guidance for Defensible EIR Evaluation," *Cal. Env't'l. L. Reporter* 379, 381 (Sept. 2011)(Vol. 2011, Issue 9) (Attachment B).

34-RRR

*Threshold D: Would the Project expose sensitive receptors to substantial pollutant concentrations?* Here at 5.3-32 you claim your methodology was to split the site up into "eight equal areas of 36,100 square meters . . . each and the average (composite) distances from the centroids of the corresponding volume sources to the nearest residential and worker receptors were determined." If we understand this correctly, you assigned equal amounts of pollutants throughout the site. This is not proper as the pollution will be coming from the docks to the south side of Building 2 and the west side of Building 1 toward the residences to the west. We believe this would result in significant underestimates of exposure as it disperses pollution throughout the site in a way that does not fit with the reality of what will occur.

34-SSS

We also think it is counterintuitive and unlikely that the MICR for construction would be greater than that from operation, and this suggests an error in your modeling.

34-TTT

#### Biological Resources

It is apparent from your discussion that you did not survey for the SKR, even though the Project site is adjacent to a reserve for this species. Thus, there could well be and likely are SKR on the site that will be killed by the Project, and you have made no plans for their removal to avoid this.

34-UUU

You assert that the DBESP finds that the future drainage is "superior" to the present one because it will continue to convey runoff from the residential areas to the northwest of the Project site, because it will be planted with native riparian and riparian scrub habitat, because it will "meander like a naturally occurring drainage," and because it will supposedly provide better nesting habitat for birds. We find most of these assertions to be doubtful and in any event not convincing grounds for determining that the new, narrow drainage to be placed on a thin strip to the west of a massive trucking facility is going to be "superior" to the naturally occurring blue-line stream that exists now.

34-VVV

*Threshold A: Will the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations or by the CDFW or USFWS?* The answer is almost certainly yes as to the SKR and the San Diego black-tailed jackrabbit. Both species should be trapped and relocated.

34-WWW

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We also disagree that you have fully mitigated regarding the burrowing owl and nesting birds, as discussed when we get to your mitigation measures.

34-XXX

*Threshold B: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community?* We note that you plan for a Habitat Mitigation & Monitoring Program which is not included with the documents for the DEIR. This excludes the public from meaningful review under CEQA. We do not see how the DBESP can determine that the created habitat will be superior in the absence of this HMMP.

34-YYY

*Threshold D: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors?* Here you state “Because the site was not contemplated for conservation (i.e., not a Criteria Cell) the Project site is not intended to be a link between the Sycamore Canyon Wilderness Park and the Box Springs Mountains.” Whether it is intended to be such a linkage is not the issue. The fact that it may be functioning as such a link is substantiated by the presence of a willow flycatcher and a golden eagle on the site when the Project’s consultants happened to be looking.

34-ZZZ

*Threshold E: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* You claim here the Project is consistent with Objective LU-7 of the General Plan 2025 “Preserve and protect significant areas of native wildlife and plant habitat, including endangered species.” We disagree. You haven’t surveyed for the SKR and don’t plan to.

34-AAAA

*Threshold F: Would the Project conflict with the provisions of an adopted HCP or NCCP?* Here you assert the Project will comply with Sections 6.1.2, 6.1.3, 6.1.4, 6.3.2, Appendix C, and Section 7.5.3 of the MSHCP. In at least a couple of instances we disagree with you.

34-BBBB

First with regard to Section 6.1.2, you assert that you surveyed for the least Bell’s vireo (“LBV”) the southwestern willow flycatcher (“SWFL”) and the western yellow-billed cuckoo. You did not. The applicants surveyed for the LBV *only*. For that matter, even though there were no protocol level surveys for the other species, the biologist did note a willow flycatcher which he could not identify which was likely a SWFL. With respect to the yellow-billed cuckoo the consultants merely stated that it was “not incidentally detected.” These are not protocol-level surveys, and Section 6.1.2 clearly calls for focused surveys for *each species*: “If the mapping noted above identifies suitable Habitat for the species listed below, and the proposed project design does not incorporate avoidance of the identified Habitat, *focused surveys for those species shall be conducted.*” The species identified are the SWFL, the LBV, and the western yellow-billed cuckoo. See MSHCP, Section 6.1.2, Final MSHCP, Volume 1, Section 6 at 6-23. This document should be a part of the administrative record on this Project since you are citing to it.

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Next you say “None of the Section 6.1.2 riparian bird species were found to be occupying the site.” First of all, as noted above, you didn’t look properly, and second, it appears you may well have identified a SWFL.

34-CCCC

Next with regard to Section 6.1.4, Guidelines Pertaining to the Urban/Wildlands Interface, you present Table 5.4-B. As discussed in our own table, we don’t believe you have complied:

34-DDDD

<p>Avoid discharge of untreated runoff from developed and paved areas into the MSHCP Conservation Area</p>	<p>You say in the “post-Project condition, runoff will leave the Project site via a storm drain” and that it will ultimately enter into the Sycamore Canyon Wilderness Park after going through an “existing water quality basin.”</p> <p>(1) It’s not clear that you have done anything to prevent incidental runoff from the paved portions on the western part of the site from running into the Mitigation Area, and</p> <p>(2) You have included no provisions of which you speak here for reducing the toxic load from the site going into the water quality basin.</p>
<p>“Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals <i>or</i> generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife species” are addressed. Applicants are to “incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area.”</p>	<p>First, there is apparently no prohibition on the use of pesticides on the landscaping, which would be of concern here. And you have not addressed the toxic load to runoff from the site as addressed above.</p>
<p>“Night lighting shall be directed away from the MSHCP Conservation Area to protect species within the MSHCP Conservation Area from direct night lighting.”</p>	<p>You claim the lighting will be directed away from the Park but then you acknowledge that Building 1’s lights will be 34 feet up and Building 2’s 32 feet up. This effectively acknowledges there will be glow going into the Park. We will address this further immediately below this Table.</p>
<p>“Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources . . . For</p>	<p>You claim that once the Project is completed, it “will include walls surrounding the truck yards and loading/docking areas.” With respect to the actual interface between the Park and</p>

34-EEEE

34-FFFF

34-GGGG

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planning purposes, wildlife in the MSHCP Conservation Area <i>should not be subject to noise that would exceed residential noise standards.</i> "	the Project site, however, there will be no wall, but only a fence, made of wrought iron. This obviously will provide <i>no sound barrier at all.</i> <sup>3</sup>
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34-GGGG

The impacts of light pollution on species within the Park can be significant. Light pollution is a major problem which can significantly confuse migratory birds and otherwise disrupt wildlife foraging and breeding. *See e.g.,* CNN, "Light Pollution Threatens National Park," 1999. "The cumulative effects of behavioral changes induced by artificial night lighting on competition and predation have the potential to disrupt key ecosystem functions." Longcore & Rich, 2004. Many bird species fly at night and have evolved to migrate in the dark aided by star and moonlight, which will be blocked by artificial light sources. Birds can be attracted to lit structures, including streetlights, and can become disoriented. American Bird Conservancy, 2008. Disorientation often results in collisions with lit structures. *Id.* Bird species can also become entrapped in lit areas, refusing to move for the night, increasing their risk of predation. Longcore & Rich.

34-HHHH

Particularly with regard to the SKR, the risk of predation from artificial light is an issue. COSEWIC 2006.

34-IIII

Light pollution need not be extensive to have a major impact on wildlife. Longcore & Rich found that desert rodents reduced foraging activity when exposed to a single camp lantern. And artificial lights over 100 miles away could still affect wildlife. CNN.

At 5.4-30 you begin discussing mitigation measures. MM BIO 1 proposes to mitigate impacts to nesting birds. Birds nest from January 1 through September 15, surveys February 1 through August 31 are not sufficient to protect them. *See* Attachments C1, C2, and C3. MM BIO 2 calls for passive relocation of the burrowing owl if it is found outside the nesting season. The DEIR should specify compliance with the 2012 CDFW Burrowing Owl Staff Report to the extent they are found present during the nesting season. MM BIO 3 calls for a HMMP to be developed and approved by USFWS and CDFW prior to grading. It should have been included with the DEIR. MM BIO 4 calls for a conservation easement but you say only "to an approved mitigation entity." The entity should be approved by CDFW pursuant to Gov. Code Section 65967. CDFW has only approved those entities listed at <https://www.wildlife.ca.gov/Conservation/CESA/Endowments>. MM BIO 5 calls for approval from regulatory agencies prior to disturbance of jurisdictional waters. That approval *must* (not may) come from CDFW, RWQCB and USACE. The mitigation must come from the applicant, not the agencies. MM BIO 6 makes no sense unless there is also provision for trapping and release of SKR offsite.

34-JJJJ

<sup>3</sup> To the extent that the fence represents a preference by the Riverside Parks Dept. based on graffiti concerns those concerns should not hold sway over the very real risk to the SKR and other species from excessive sound.

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**Cultural Resources**

Here you assert that no written comments were received regarding Cultural Resources. This is false. You received an extensive comment letter from the Pechanga Tribe. *See* Appendix A, PDF at 33-39.

34-KKKK

Several tribes expressed interest in the site, requesting consultation and monitoring. The Pechanga and the Soboba in particular asserted cogently that the site contained Tribal Cultural Resources, *see* DEIR at 5.5-32 (requesting full avoidance). The City is apparently rejecting these claims on the ground that the integrity of setting has been disturbed by the development of other logistics warehouses in the area. The City should not be able to escape its responsibilities by looking to its past actions inconsistent with these resources. We disagree with your conclusions that there were no significant impacts to identify and that you have reduced these impacts to less than significant.

34-LLLL

**Greenhouse Gas Emissions**

Your GHG analysis is inadequate on several fronts. First of all, you don't use the CEQA Appendix G thresholds. Second, you fail to measure the significant GHGs you identify against a quantitative threshold, when the emissions you identify, a minimum of 25,509.10 MTCO<sub>2</sub>e would be significant via any metric you could choose: whether it is the SCAQMD threshold for its own industrial projects of 10,000 MTCO<sub>2</sub>e or the far more appropriate 3,000 MTCO<sub>2</sub>e for land use projects. You reject the standard adopted in Executive Order B-30-15 even though it was well on its way to becoming the law (in S.B. 32) when you issued the DEIR, and it is the law now. You apply a CEQA Guideline, Section 15083.5, which to our knowledge does not exist. You conduct a BAU scenario in a manner that the California Supreme Court amended its *Newhall Ranch* decision to specifically reject. Finally, you project a reduction in emissions from "vegetation change" based on trees you are adding though we do not think you are accounting for the vegetation you are removing. You say you have reduced emissions based on factors you can't quantify in CalEEMod when the factors you can quantify show substantial emissions. The DEIR is not based on substantial evidence and should be substantially revised and recirculated to address these flaws.

34-MMMM

We look forward to your responses. Should you choose to prepare one, please notify us of the availability of a Final Environmental Impact Report when it becomes available at [collins@blumcollins.com](mailto:collins@blumcollins.com) and [bentley@blumcollins.com](mailto:bentley@blumcollins.com). Thank you.

34-NNNN

Sincerely,

Craig M. Collins

attachments: A-C3

*Note: The attachments to this Comment Letter can be found at the end of the Responses for this Letter.*

## **Response to Comment Letter 34 – Craig Collins, Blum Collins, LLP**

### **Response to Comment 34-A:**

This comment, which generally describes, the Project, does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 34-B:**

The DEIR was initially posted in the wrong order on the City’s website, this error has been corrected. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-C:**

Pursuant to the California Environmental Act (CEQA), “A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid decision makers in preparing findings or statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.” CEQA Guidelines Section 15124(b). The objectives prepared for this project meet this requirement.

The proposed logistics center at the Project site is consistent with the land use designation for the site in both the City’s General Plan 2025 (GP 2025) and the Sycamore Canyon Business Park Specific Plan (SCBPSP).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-D:**

The trip generation rates for high-cube warehouses are based on the average weighted average trip generation rate provided in the *Trip Generation Manual (9<sup>th</sup> Edition)* by the Institute of Traffic Engineers (ITE), 2012. The Project truck trip generation used in the Traffic Impact Analysis (TIA) is based on the ITE 9<sup>th</sup> Edition Trip Generation Manual’s truck trip generation for high-cube warehouse. The Fontana Truck Trip Generation Study, specifically cited as a source for truck axle splits in the ITE Manual, was then used to split the projected number of trucks into different kinds of trucks to estimate the passenger car equivalent (PCE). This use of the Fontana truck study is noted as a footnote under TIA Table 4-1 – Trip Generation Rates in addition to DEIR **Table 5.16-E – Trip Generation Rates**. (DEIR, pp. 5.16-18; DEIR Appendix J, p. 4-1.) The City has accepted the use of the Fontana Study for splitting the types of trucks. Traffic generation used for the study area is based upon the development of 1,433,599 square feet gross floor area high-cube warehouse, which is greater than the 1,375,169 SF of high-cube warehouse proposed at the site; therefore, this represents a conservative estimate (DEIR, p. 5.16-9). Using these assumptions, the Project will generate 917 truck trips total, including 2-axle, 3-axle, and 4-axle trucks. (DEIR, Table 5.16-F.)

According to the information provided by the City of Moreno Valley in the Notice of Preparation (NOP) comment letter (DEIR, Appendix A), it appears they split the office away from the warehouse and did a separate trip generation on the office square footage and the warehouse square footage for each building, which is not appropriate or necessary. The *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA), which is the basis for the analysis in the DEIR used the trip generation rates for high-cube warehouses/distribution centers from the Institute of Transportation Engineers (ITE) *Trip Generation Manual (9<sup>th</sup> Edition)*. High-cube warehouses/distribution centers, as described in the ITE *Trip Generation Manual (9<sup>th</sup> Edition)*, are "...used for the storage of materials, goods and merchandise prior to their distribution to retail outlets, distribution centers or other warehouses. These facilities are typically characterized by ceiling heights of at least 24 feet with small employment counts due to a high level of mechanization. High-cube warehouses/distribution centers generally consist of large steel or masonry shell buildings and may be occupied by single or multiple tenants. A *small ancillary office* (emphasis added) use component may be included and some limited assembly and repackaging may occur within these facilities."

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-E:**

The Project site is not located within a designated Core Reserve of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR-HCP); thus, the site itself is not intended to be used for conservation of this species. Outside of the Core Reserves, the SKR-HCP established a fee assessment area by which individual projects are deemed consistent with the SKR-HCP through payment of fees. (DEIR, pp. 5.4-14.) Although payment of the SKR-HCP fee may not avoid mortality of any SKR at the Project site, the Project is consistent with the SKR-HCP with payment of the SKR-HCP fee when the grading permit is issued.

With regard to the GP 2025 Policy AQ-1.3, it is the City's, and not the Project Applicant's, responsibility to designate land use patterns, including taking steps to separate, buffer, and protect sensitive receptors from significant sources of pollution. The Project is consistent with the land use designation for the site in both the GP 2025 and the SCBPSP and will incorporate several design features to mitigate air quality impacts to the adjacent residences. (DEIR, pp. 5.3-35 – 5.3-39 [MM AQ1 – MM AQ 25].)

The commenter also suggests construction and operation of an office building at the Project site instead of a logistics center; however, an office building would likely not meet the density requirements for the March Air Reserve Base/Inland Port Authority Compatibility Criteria for Zone C1, which limits the site to 100 people/acre on average, or 250 people/acre for a single acre. (DEIR, p. 5.8-21.) Further, the City has zoned the site Business and Manufacturing Park (BMP), which is one of four industrial zones within the City; therefore, use of this site for non-light industrial uses would not make economic sense. (DEIR, Figure 3-5.)

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-F:**

Pursuant to Senate Bill (SB 18) and Assembly Bill (AB) 52 the City had extensive consultation with the Pechanga Band of Luiseño Indians, Soboba Band of Luiseño Indians, and the Morongo Band of Mission Indians. (DEIR, pp. 5.5-18–5.5-20.) The three documented archaeological sites within the Project site represent prehistoric bedrock milling features. (DEIR, Table 5.5-A.) Therefore, there is no rock art at the Project site or in its immediate vicinity. The consultation process included meetings, conference calls, on-site visits (by representatives of the Pechanga Band of Luiseño Indians and Morongo Band of Mission Indians), review of the *Cultural Resources Assessment of the Sycamore Canyon Business Park Buildings 1 & 2, Riverside County, California* (included as Appendix D.1 of the DEIR) and the confidential results of the records search. As a result of the consultation process, the following mitigation measures will be implemented to reduce impacts to tribal cultural resources to less than significant: (DEIR, pp. 5.5-31–5.5-33.)

**MM CR 1:** Prior to grading permit issuance: If there are any changes to project site design and/or proposed grades, the Applicant shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, Applicant and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject any future development, erosion or flooding.

**MM CR 2:** Archaeological Monitoring: At least 30-days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities on the site take place, the Project Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.

1. The Project Archaeologist, in consultation with interested tribes, the Developer and the City, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:
  - a. Project grading and development scheduling;
  - b. The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American

Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;

- c. Plan for the controlled grading within 50 feet of the boundaries of CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752. Grading within 50-feet of these sites shall be conducted using controlled grading techniques. Large indiscriminate grading equipment shall not be used, and the controlled grading technique shall be reviewed by the Project Archaeologist, in consultation with interested tribes, the Developer and the City. The archaeologist and Native Tribal Monitors shall ensure that the grading efforts in these areas are conducted in a manner that allows for the identification of subsurface cultural resources. Any resources observed shall be addressed in accordance with Mitigation Measure CR 3;
- d. The determination by the project archaeologist, Developer, City and Native Tribal Monitors as to which features of sites CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752 can be successfully relocated to locations onsite that will be mutually agreed upon. The relocated features will be placed in an area that will be preserved in perpetuity, so that no future disturbances will occur;
- e. The protocols and stipulations that the Developer, City, Tribes and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;
- f. The 3D modeling on all the sites located within the Project site, specifically in Areas 1 (CA-RIV-8750), 2 (CA-RIV-8751), and 3 (CA-RIV-8752), as delineated on the Site Plan attached to the Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts;
- g. The location of the Cottonwood Tree requested by the Morongo Band of Mission Indians for their tribal requirements shall be noted on the Archaeological Monitoring Plan. The Monitoring Plan shall address the timing of the removal of the tree by the Morongo Band of Mission Indians and transfer of the tree to them; and
- h. The scheduling and timing of the Cultural Sensitivity Training noted in Mitigation Measure CR 4.

**MM CR 3: Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading

for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:

1. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
2. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
  - a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
  - b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
  - c. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and.
  - d. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports

produced will be submitted to the City of Riverside, Eastern Information Center and interested tribes:

- i. Information on the location of, up to, 13 protein residue tests on the site and one or more control sites, will be provided in the final report.

**MM CR 4: Cultural Sensitivity Training:** The County Certified Archaeologist and Native American Monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. (DEIR, pp. 5-33-5-36.).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-G:**

The proposed Project will operate as a logistics center, which is consistent with the land use designations for the site in both the GP 2025 and SCBPSP. Because the site is located between the residences and several further-away warehouses within the SCBPSP area, construction of the Project will reduce some of the impacts from these warehouses to the residences.

This comment states that residents were misled about what was to be built on this property, but does not provide any explanation, information, specific examples, or other support for the comment. It is not known where the residents receive such information as the Sycamore Highlands Specific Plan and the Sycamore Canyon Business Park Specific Plan were both created prior to anything being built in either Specific Plan and the land use designation of Project site has not changed since the creation of these Specific Plans. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis" (CEQA Guidelines 15088(c)). These responses "shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted (CEQA Guidelines, 15088(c)). To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* [1986] 181 Cal.App.3d 852 [Where a general comment is made, a general response is sufficient]).

The DEIR fully addresses and compares the impacts associated with the Project. The impact analysis and significance conclusions presented in the DEIR are based upon and supported by substantial evidence, including the technical analyses (i.e., traffic, noise, air quality, greenhouse

gas emissions, biology, hydrology, land use consistency, and cultural resources) provided as appendices to the DEIR (DEIR Appendices C-J). The technical information is summarized and presented in the body of the DEIR, thus providing in full the factual basis for the conclusions.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-H:**

State CEQA Guidelines Section 15125 provides that a project’s environmental setting is the “baseline” for environmental analysis. The “environmental setting” is defined as the physical conditions in the vicinity of a project as they exist at the time the notice of preparation (NOP) is published or, in the absence of an NOP, at the time environmental analysis is commenced. (CEQA Guidelines, § 15125.) Thus, contrary to the commenter’s assertion, it would not have been appropriate to use 2001 as the baseline for the DEIR’s evaluation of potential noise impacts from the Project.

A list of cumulative development Projects for consideration in the DEIR was prepared in consultation with the City of Riverside and the City of Moreno Valley to quantify impacts from all related development Projects in proximity to the Project site located within each city. Existing noise levels at the Project site were measured in December 2015, and would have taken into consideration any cumulative noise from the existing warehouses and distribution centers within the SCBPSP.

The commenter’s assertion that the NOP was only sent to 18 homes with two days’ notice prior to the community meeting is incorrect. The NOP was sent to 639 residents on August 18, 2015 and a scoping meeting was held in the community on August 26, 2015. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-I:**

With respect to the selection of alternatives to be considered in an EIR, State CEQA Guidelines Section 15126.6(b) states “...the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” That is, each alternative must be capable of avoiding or substantially lessening any significant effects of the proposed Project.

The Project site is zoned BMP on the City’s Zoning Map, and is within one of four industrial zones within the City. Therefore, construction and operation of an office building at the Project site would not take full advantage of the unique development opportunities of the site, and would not meet the Project objectives. Additionally, development of an office building would result in higher density employment, which would substantially increase the number of vehicle trips to the Project site. Based on the *ITE Trip Generation Manual (9<sup>th</sup> Edition)* approximately

1.4 million SF of a general office building office use would generate over 15 million daily trips,<sup>1</sup> which is a substantial increase over the 2,409 daily trips generated by the proposed Project. (DEIR, p. 5.16-28.) Even if only 700,000 SF of office space was constructed on the Project site, this would result in over seven million daily trips. The increased number of trips would result in impacts greater than the proposed Project. This increased traffic would result in greater air quality and circulation impacts in the Project vicinity. Construction noise would be the same as the proposed Project regardless of the ultimate use, because the same type of equipment would be used. Thus, this alternative was not considered in the DEIR.

The “Original Project as Submitted” alternative was rejected from further consideration because it consisted of a total of 1.43 million square feet of logistics center uses at the Project site and would have generated substantially worse impacts on the adjacent residences than the 1.37 million square feet proposed Project. As a result of discussion with the City, the Applicant withdrew this proposal. (DEIR, p. 8-5.) Additionally, due to the location of the blue-line stream running through the center of the Project site, avoidance of this feature is not possible. (DEIR, Figure 5.4-2.) Rather, the Project proposes relocation of this blue-line stream to the Project’s approximately 3-acre Mitigation Area, along the western edge of the Project site. The proposed Mitigation Area will vary in total width from 52 feet to 72 feet with a length of 2,008 feet totaling approximately three (3) acres. The Mitigation Area will include a low-flow channel (10- to 25-feet wide) designed to meander; thus creating a natural sinuosity to mimic a naturally occurring drainage. Vegetation within the Mitigation Area will be dominated by willow riparian scrub habitat (0.50 acres) with upland scrub and oaks along the upper banks (an additional approximately 2.5 acres). Based on the findings of the *Determination of Biologically Equivalent or Superior Preservation* (DBESP) for the Project (DEIR Appendix C.4), the habitat that will be created in the Mitigation Area will be superior to the existing drainage and habitat. A Habitat Mitigation Monitoring Program (HMMP) will also be prepared by the Applicant to describe the habitat creation and establish long-term success criteria. (DEIR, pp. 5.4-21.)

Alternative 3 – Reduced Density would reduce development by 30 percent in comparison to the proposed Project; however, it would meet the Project objectives to a lesser degree and due to the scarcity of sites of this size, the attendant land costs of sites of this size, and the low Inland Empire market lease rates for products of this type, the rate of return from the lease would be too low to justify the cost and risk of investment under the reduced density alternative. Further, this alternative would also result in significant and unavoidable impacts to air quality, noise, and transportation/traffic. (DEIR, p. 8-26 – 8-30.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-J:**

*State CEQA Guidelines* Section 15126.2(c) identifies, as examples of significant irreversible changes in the environment, such things as use of nonrenewable natural resources, irreversible

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<sup>1</sup> ITE generation rate for general office is 11.03 daily trips per 1,000 SF.

changes in land use, and irreversible damage to the environment resulting from environmental accidents associated with a project.

Although the Project site is currently undeveloped, the proposed Project is consistent with the land use designations for the site in both the GP 2025 and the SCBPSP; therefore, construction and operation of the Project will not result in an irreversible change to land use. (DEIR, p. 3-14.) Additionally, the existing blue-line stream will be relocated to the western edge of the Project site, not removed. The existing MSHCP jurisdictional areas at the Project site consist of two drainages (1.65 and 0.02 acres, respectively), as well as 0.24 acres of isolated riparian habitat (DEIR, **Table 5.4-A – Summary of Jurisdictional Areas**). As a result of discussions with the resource agencies during pre-application meetings on December 9, 2015, and February 10, 2016, the Project incorporates an approximately 3-acre Mitigation Area along the western edge of the Project site to mitigate for a proposed 1.91-acre permanent impact to riparian/riverine habitat. The proposed Mitigation Area will vary in total width from 52 feet to 72 feet with a length of 2,008 feet. The Mitigation Area will include a low-flow channel (10- to 25-foot wide) designed to meander; thus creating a natural sinuosity to mimic a naturally occurring drainage. Vegetation within the Mitigation Area will be dominated by willow riparian sage scrub habitat (0.50 acres) with upland scrub and oaks along the upper banks (an additional approximately 2.5 acres). (DEIR, p. 5.4-18.)

*A Determination of Biologically Equivalent or Superior Preservation (DBESP)* was prepared to demonstrate that the habitat created in the Mitigation Area will be considered superior in quality to the existing drainage and habitat. A Habitat Mitigation Monitoring Plan (HMMP) will also be prepared by the applicant to describe the habitat creation and establish long-term success criteria. (DEIR, p. 5.4-18.)

Diesel fuel is not a long-term energy use and, as analyzed in Section 7.0 of the DEIR, the Project will not result in wasteful or inefficient and unnecessary consumption of energy. (DEIR, p. 7-22.) Although solar panels will not be installed at the Project site now, roofing will be solar-ready to accommodate later installation of solar panels, if economically feasible, as included in the Project's design features and mitigation measure **MM AQ 7** listed below.

**MM AQ 7:** All buildings shall be designed with "solar ready" roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are "solar ready." If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-K:**

The GP 2025 designates the site as Business/Office Park (B/OP), which allows for development of logistics centers such as the proposed Project. Although the Project includes a

General Plan Amendment, this amendment would modify the circulation plan of the Project vicinity and is not related to land use at the site. (DEIR, p. 3-17.)

Further, the Project site is zoned Business and Manufacturing Park (BMP) on the City's Zoning Map, consistent with the SCBPSP, which is only one of four industrial zones within the City. Additionally, office uses would create more traffic and more frequent trips, which in turn would result in greater air quality and noise impacts than the proposed Project. Manufacturing was evaluated in the DEIR as Alternative 2. Alternative 2 would result in twice as many trips as the proposed Project and none of the environmental impacts would be decreased in comparison to the proposed Project. Impacts would remain significant and unavoidable in relation to air quality, noise, and transportation/traffic. Further, impacts related to air quality, greenhouse gas emissions, noise and transportation/traffic would be greater under this alternative in comparison to the proposed Project due to the increased vehicle traffic associated with Alternative 2. (DEIR, pp. 8-17-8-22.) Development of an office building at the Project site would not meet the Project objectives, and would result in underutilization of the site for its intended use as one of the few industrial areas within the City. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-L:**

The Project includes a General Plan Amendment (P16-0101) to the GP 2025 Circulation Element; Specific Plan Amendment (P16-0101) to the Circulation Plan of the SCBPSP; Tentative Parcel Map No. 36879 to combine 17 existing parcels into two lettered lots; Minor Conditional Use Permit (P14-1082) to allow for warehouses greater than 400,000 square feet; and Grading Exceptions and Variance (P16-0103) to implement the Project's proposed grading plan and reduction of parking. (DEIR, pp. 3-17-3-23.) Once onsite landscaping is mature, only the top of Building 2 will be visible from the residences to the north of the Project site (DEIR, **Figures 5.1-2a, -2b, -2c – Photo Simulations**).

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-M:**

Comment noted. The Project Applicant is not required to implement additional sustainability features beyond those required by Green Building Codes. According to the California Air Resources Board's (CARB's) *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.)

At present, electric trucks for distribution are not common in the industry, and the code does not currently require installation of electric truck charging stations. Trucks incapable of using the electrical transport refrigeration unit hookups shall be prohibited from accessing the site, as set forth in the lease agreement and mitigation measure **MM AQ 14**. (DEIR, p. 5.3-22.)

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

As described in DEIR Section 3.2.6 (Sustainability Features), the Project will meet or exceed all applicable standards under California's Green Building Code (CalGreen) and Title 24. (DEIR, pp. 5.3-20-22.) The proposed Project includes mitigation measures that exceed the requirements of the CalGreen Code and Title 24 standards. **MM AQ 1** requires solar or light-emitting diodes (LEDs) to be installed for outdoor lighting. **MM AQ 2** ensures that the site and buildings be designed to take advantage of daylight, such that the use of daylight is an integral part of the lighting systems. **MM AQ 3** requires trees and landscaping to be installed along the west and south exterior building walls to reduce energy use and vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. **MM AQ 4** requires cool pavement in parking areas. **MM AQ 5** and **MM AQ 6** require the use of Energy Star rated windows, space heating and cooling equipment, light fixtures, and appliances. **MM AQ 8** requires water-efficient landscaping with a preference for xeriscape landscape palette. **MM AQ 18** ensures that at least 10 percent of the construction materials used for the Project be locally produced and/or manufactured. **MM AQ 19** requires that green building materials, or those materials that are resource efficient and recycled and manufactured in an environmentally friendly way, will be used where feasible.

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

Project-related emissions will not result in a significant elevated cancer or non-cancer risk (see Response to Comment 34-FF), and parking will be provided at the Project site so that employees may elect to ride their bicycle to work. (DEIR, Tables 5.3-I, 5.3-J.) Thus, the Project will comply with the California Green Building Code and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-N:**

Comment noted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

The Fire Access/Parks Maintenance Road will consist of a 12-foot wide road with a minimum 10-foot wide, 4-inch thick decomposed gravel surface and 13.5-foot vertical clearance. (DEIR,

p. 3-39.) **Figure 3-11 – Conceptual Landscape Plan** in the DEIR currently shows trees within the Fire Access/Parks Maintenance Road; however, these trees will be moved so that they are adjacent to the trail and not within the road (DEIR, **Figure 3-11**). Building 1 is setback approximately 235 feet from the southern property line, and there will be sufficient space to accommodate landscaping, the trail, and the Fire Access/Parks Maintenance Road. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-P:**

The Project will introduce new sources of light in the form of security lighting, internal roadway and parking lot lighting within the Project site for public safety and operation of the proposed structures. The proposed lighting at the Project site has been designed in accordance with all applicable City codes and will be appropriately shielded and directed away from the residential and wilderness park areas adjacent to the site to reduce spillover. Impacts with regard to new sources of light and glare were determined to be less than significant through compliance with the City’s Zoning Code, mitigation measures **MM AES 10** and **MM HAZ 4**, any other applicable lighting requirements and regulations, and compliance with Staff Recommended Conditions of Approval listed below. (DEIR, pp. 5.1-29–5.1-31.) To ensure that light spill will not take place, **MM AES 10** will be revised in the Final EIR (FEIR) as follows:

**MM AES 10:** To ~~reduce-eliminate~~ light spill and glow into the residential backyards to the north, lighting mounted on the north wall of Building 2 shall be placed on this wall as low as feasible to provide the required security lighting.

**MM HAZ 4:** The following additional MARB-required risk-reduction Project design features shall be incorporated into Project design:

- The Project will not include:
  - Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or FAA-approved obstruction lighting;
  - Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport;
  - Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area;
  - Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; or

- Although such uses are not anticipated, in Building 1: Children’s schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, places of assembly, noise sensitive outdoor nonresidential uses and hazards to flight are prohibited.
- Any outdoor lighting that is installed will be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting will be downward facing;
- March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result;
- No skylights will be included;
- Exterior walls will consist of 8-inch-thick solid grouted, 4-hour rated concrete masonry;
- Building roof will consist of structural steel columns and steel roof structure framing elements, including structural steel decking;
- Use of windows will be limited to only the structures’ main entrances;
- The structure will incorporate an enhanced fire sprinkler system to exceed California Fire Code requirements; and
- The structure will include emergency exits that exceed the exit requirements set forth by the Riverside County Fire Code by approximately 15 to 20 percent.
- The applicant will not propose any uses prohibited or discouraged in Compatibility Zones C1 or D. (DEIR, p. 5.1-36.)

With regard to lighting and the height of any light poles adjacent to the residences to the north, the third paragraph under the subheading “Lighting” will be modified on DEIR page 5.1-10 as follows: :

The City will require the ~~“Standard lighting Condition” which reads as follows~~ following: An exterior lighting plan shall be submitted ~~for Planning Division to Design Review~~ staff for review and approval. A photometric study ~~with and~~ and manufacturer’s cut sheets of all exterior lighting ~~on the buildings, in landscaped areas, and in the parking lots shall be submitted with the study~~ exterior lighting plan. All on-site lighting shall provide a minimum intensity of one-foot candle and a maximum of ten-foot candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). Light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward, and shall be directed away from adjacent properties and public rights-of-ways. No light shall be permitted on the MSHCP Conservation Area (Sycamore Canyon Wilderness Park). If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles

shall not exceed ~~twenty feet (20)~~ fourteen (14) feet in height, including the height of any concrete or other base material within the 100-foot setback between Building 2 and the residential properties to the north and shall not exceed twenty (20) feet in height, including the height of any concrete or other base material elsewhere on the property.

For the reasons set forth above, impacts with regard to Project lighting will be less than significant with mitigation. (DEIR, p. 5.1-31.)

The City will also require the Project Applicant to submit exterior lighting plans to the City for approval to ensure that proposed lighting at the site is consistent with City codes and the Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan and Updated Conceptual Development Plan (DEIR, p. 5.1-10). Although the Project does not propose any lighting into the Sycamore Canyon Wilderness Park, mitigation measures **MM AES 10** as revised and **MM BIO 7** (listed below) will further ensure that site lighting is designed to eliminate edge effects and other impacts on the Park, consistent with the MSHCP Urban/Wildlands Interface Guidelines (DEIR, **Table 5.4-B – Project Compliance with MSHCP Urban/Wildlands Interface Guidelines**).

**MM BIO 7:** The Project shall also comply with the following BMPs, not outlined in Volume I, Appendix C of the MSHCP:

- Any night lighting shall be directed away from natural open space areas and directed downward and towards the center of the development. Energy-efficient LPS or HPS lamps shall be used exclusively to dampen glare.
- During construction, equipment storage, fueling, and staging areas will be located on areas of the site with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas will be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions will be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials will be reported to appropriate entities including but not limited to applicable jurisdictional City, UFWS, and CDFW, RWQCB regulated areas and will be cleaned up immediately and contaminated soils removed to approved disposal areas.
- To avoid attracting predators of the species of concern during site grading and construction activities, the Project site will be kept clean of debris. All food related trash items will be enclosed in sealed containers and regularly removed from the site(s). This requirement will be addressed by the biologist conducting the training session prior to site grading.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-Q:**

Because the Project site is located west of the of existing industrial development and south of the majority of the residences adjacent to the Project site, the Project will not block views of the Box Springs Mountains from these locations. Although construction of the buildings may impact views of the lower parts of the Box Springs Mountains from the residences located adjacent to the western boundary of the Project site, this will be a less than significant impact due to the much greater relative height of the mountains compared to the proposed development. (DEIR, p. 5.1-11.) Any construction at the Project site will reduce views of the Sycamore Canyon Wilderness Park and the existing warehouses and distribution centers from residences located north of the Project site; however, the Project site is zoned as Business-Manufacturing Park (BMP) in the City's Zoning Code, thus, it is reasonable to assume that the site will be developed at some point. The Project's proposed Building 1 will be approximately 41 feet in height and Building 2 will be approximately 37 feet in height. Thus, the proposed structures are consistent with the maximum building height allowed and this does not represent a significant change in the viewshed. (DEIR, p. 5.1-11.)

Therefore, development of the Project site will have a less than significant impact on scenic vistas. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-R:**

Comment noted. The discussion in the DEIR is not limited to resources within state scenic highways. The commenter correctly asserts that mature trees will be removed from the site, including red willow (*Salix laevigata*), arroyo willow (*Salix lasiolepis*), Gooding's black willow (*Salix douglasii*), narrow-leaf willow (*Salix exigua*), Fremont cottonwood (*Populus fremontii ssp. fremontii*), and mule fat (*Baccharis salicifolia*) within the riparian area at the Project site. (DEIR, p. 5.4-2.) As a result of discussions with the resource agencies during pre-application meetings on December 9, 2015, and February 10, 2016, the Project incorporates an approximately 3-acre Mitigation Area along the western edge of the Project site to mitigate for a proposed 1.91-acre permanent impact to riparian/riverine habitat. The proposed Mitigation Area will vary in total width from 52 feet to 72 feet with a length of 2,008 feet. The Mitigation Area will include a low-flow channel (10- to 25-feet wide) designed to meander; thus creating a natural sinuosity to mimic a naturally occurring drainage. Vegetation within the Mitigation Area will be dominated by willow riparian sage scrub habitat (0.50 acres) with upland scrub and oaks along the upper banks (an additional approximately 2.5 acres). (DEIR, p. 5.4-18.)

As discussed in the DEIR and the *Determination of Biologically Equivalent or Superior Preservation* (DBESP) prepared for the Project (DEIR, Appendix C.4), vegetation and habitat created within the mitigation area will be superior to the habitat and trees lost onsite. (DEIR, p. 5.4-18.) Vegetation in this mitigation area will consist of native plants, similar to the type that will be removed, and will be maintained and monitored via the Habitat Mitigation Management Plan (HMMP) prepared for the Project to ensure the biological success of this area. Further, the Mitigation Area will be permanently conserved in a conservation easement, or equivalent, and managed in perpetuity with funds from a non-wasting endowment. (DEIR, p. 5.4-18.)

Thus, the assessment that Project implementation will have a less than significant impact to scenic resources is correct. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-S:**

It is also important to note that the riparian feature will not be removed; rather, it will be relocated to the mitigation area along the western edge of the Project site. This recreated habitat will be biologically superior to the existing drainage and habitat and will feature a meandering drainage to mimic natural conditions, and will be planted with a variety of native plants. (DEIR, p. 5-18.)

As a result of discussions with the resource agencies during pre-application meetings on December 9, 2015, and February 10, 2016, the Project incorporates an approximately 3-acre Mitigation Area along the western edge of the Project site to mitigate for a proposed 1.91-acre permanent impact to riparian/riverine habitat. The proposed Mitigation Area will vary in total width from 52 feet to 72 feet with a length of 2,008 feet. The Mitigation Area will include a low-flow channel (10- to 25-feet wide) designed to meander; thus creating a natural sinuosity to mimic a naturally occurring drainage. Vegetation within the Mitigation Area will be dominated by willow riparian sage scrub habitat (0.50 acres) with upland scrub and oaks along the upper banks (an additional approximately 2.5 acres). (DEIR, p. 5.4-18.)

As discussed in the DEIR and the *Determination of Biologically Equivalent or Superior Preservation* (DBESP) prepared for the Project, the habitat that will be created in the proposed Mitigation Area is considered superior in comparison to the existing drainage because it will:

- continue to convey the runoff from the residential development to the northwest of the Project site;
- be planted with native riparian and riparian scrub habitat;
- meander like a naturally occurring drainage; and
- provide better quality habitat for nesting birds.

A Habitat Mitigation Management Plan (HMMP) will be prepared by the Applicant to describe the habitat creation and establish long-term success criteria. The HMMP will be submitted to the resource agencies (i.e., the USFWA and CDFW) for review prior to any ground disturbance. The Mitigation Area will be permanently conserved in a conservation easement, or equivalent, and managed in perpetuity with funds from a non-wasting endowment. (DEIR, p. 5.4-18.) Development of this site will not *significantly* change the visual character of the area because there are already views of industrial areas from the residences to the north and northwest. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-T:**

Although Building 2 will be more visible until landscaping reaches maturity, it is important to note that these visual impacts will continually lessen in time as landscaping grows. All tree

species proposed at the Project site have been strategically selected to mitigate views of the logistics center buildings at maturity and all are anticipated to reach a height of at least 10 feet within the first five to ten years after installation. At full maturity, trees at the Project site will range from 25 to 70 feet in height.<sup>2</sup> The City standard when reviewing landscaping is to require, at a minimum, that 20% of the trees be 24-inch box in size and 10% of the trees at least 36-inch box or larger at the time of planting. The Project will obstruct views of the hills in the distance; however, because these hills already feature a variety of industrial developments, this does not represent a significant change in the visual character of the area.

The topography of the Sycamore Canyon Wilderness Park will limit views of the Project site from the majority of the park. Although views of the logistics center buildings will be available from portions of the Wilderness Park, current views from the park across the Project site are of the existing single family homes and existing industrial development; therefore, this does not represent a significant change. Additionally, although the proposed Building 1 and the truck yard will be somewhat visible from portions of the Sycamore Canyon Wilderness Park that are at the same elevation as the Project site, landscaping at the Project site will screen views of Building 1 and the truck yard. The onsite trail and Mitigation Area along the Project's southern boundary will further buffer views of the buildings at the Project site from users within the Sycamore Canyon Wilderness Park. (DEIR, **Table 5.1-A – Line of Sight Analysis.**) Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-U:**

Although the Project site is currently undeveloped, it is designated as BMP in the City's Zoning Code and as a planned Industrial land use in the SCBPSP. Therefore, the Project will not eliminate open space.

Further, because there are already warehouses and distribution centers within the Sycamore Canyon Business Park, the construction of the proposed Project will not introduce a new land use to the area, and will not result in a substantial degradation of the existing visual character of the site or its surroundings.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-V:**

Mitigation measures **MM AES 1** and **MM AES 4** are not intended to block the view of the trucks, which will only be visible by approximately 5 residences to the west of the Project site within an approximately 195-foot gap between Building 2 and Building 1. The visual character of the surrounding area already includes existing industrial uses and views of trailer and truck parking. The City is requiring the Project Applicant to install an 8-foot tall decorative block wall (**MM AES 1**) because the City has determined that 8-feet is sufficient to create a better visual appearance and cut down on noise attenuation. (DEIR, p. 5.1-8.)

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<sup>2</sup> From email between WEBB and Project Landscape Architect on 11/28/16.

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

Fencing, screening views of the parking lot, loading docks, and trailer parking areas from the public right-of-way, in addition to the on-site fencing securing the trailer parking areas and the metal, manual operated gates that permit access to these areas as required by **MM AES 4**, will block views of trucks from the public right-of-way.

**MM AES 4:** In order to screen views of the parking lot, loading docks, and trailer parking areas from the public right-of-way, the on-site fencing securing the trailer parking areas and the metal, manual operated gates that permit access to these areas shall incorporate an opaque layer (i.e. mesh or screening) that will withstand wind loads of 85 miles per hour. As part of Design Review and prior to the issuance of a grading permit, a revised site plan and materials board showing the proposed screening shall be submitted to the Community and Economic Development Department, Planning Division for review and approval.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-W:**

See Response to Comment 34-P. Glare is caused either by improperly aimed or blocked lighting sources or reflection of a light source against a surface. The building will primarily consist of concrete, which is not a reflective surface; therefore, glare is not anticipated to be a significant issue. Additionally, all lighting installed at the Project site will be subject to the City's "Standard Lighting Condition," mitigation measure **MM AES 10** as revised (see Response to Comment 34-P), as well as the MSHCP Urban-Wildlands Interface Guidelines which require, among other things, light sources to be shielded to minimize off-site glare. (DEIR, pp. 5.1-30 – 5.1-31.)

All lighting at the Project site will be properly shielded, as required by City policy and the Riverside County Airport Land Use Commission (ALUC). This includes a requirement that the Project Applicant submit lighting plans to City Planning staff for review. Lighting spillover onto adjacent properties will be limited to the greatest extent feasible, given economic and technological constraints as well as the necessity to provide sufficient light at the Project site for safety of workers at the site. Mitigation measure **MM HAZ 4** (see Response to Comment

34-P) identifies several March Air Reserve Base-required risk-reduction Project design features, including an additional requirement that lighting is hooded or shielded to prevent spillage of lumens or reflection into the sky.

Mitigation measure **MM AES 10** also requires that light mounted on the north side of Building 2 shall be placed on the building wall as low as feasible to provide the required security lighting and eliminate light spill and glow into the residential backyards to the north (DEIR, p. 5.1-30).

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-X:**

See Responses to Comments 34-P and 34-W. As discussed in Response to Comment 34-P, mitigation measure **MM AES 10** will be revised to eliminate any light spillage onto adjacent properties. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-Y:**

See Response to Comments 34-O through 34-X. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-Z:**

The intent of mitigation measure **MM AES 9** is to require articulation to break up the long expanses of wall, and not incorporation of windows in non-office areas of the buildings. To clarify this intent, mitigation measure **MM AES 9** will be revised in the FEIR as follows:

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1 (excluding windows). The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

In particular, mitigation measure **MM HAZ 4** (see Response to Comment 34-P) restricts use of windows to only the structures' main entrances.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-AA:**

See Response to Comment 34-B. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-BB:**

As noted on page 3-22 of the DEIR, A Minor Conditional Use Permit (MCUP) is required to allow for warehouses greater than 400,000 square feet pursuant to City of Riverside Municipal Code, Title 19, Zoning Code, Chapter 19.150, Base Zones Permitted Land Uses. This requirement is to provide for a discretionary review that looks at both the City of Riverside Good Neighbor Guidelines in terms of the proposed use's compatibility and whether the proposed use can provide significant jobs to warrant the number of truck trips a building of such a size will generate." The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed in order to minimize impacts on the adjacent residential area, including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*. The results of the HRA prepared for the Project are discussed in Response to Comment 34-FF Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-CC:**

This comment does not make any statements or questions regarding the analysis in the DEIR other than to incorrectly assert that Building 1 will have dock doors and truck exhaust directly facing the residences. Only Building 2 interfaces with residential boundaries.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-DD:**

CEQA requires that the data in an EIR not only be sufficient in quantity, but also presented in a manner calculated to adequately inform the public and decision makers, who may not be previously familiar with the details of the project. (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 442.) In accordance with CEQA, the Project's compliance with the City's *Good Neighbor Guidelines* is discussed on page 5.3-16 of the DEIR and in greater depth in Appendix M to the DEIR. (DEIR Appendix M, pp. M-66-M-72). Thus, contrary to the commenter's assertion, this discussion is not "scattered here and there in EIR appendices" or "buried in an appendix," and is fully-compliant with CEQA. (*Id.*; *California Oak Found. v. City of Santa Clarita* (2005) 133 Cal.App.4th 1219, 1239.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-EE:**

The proposed Project does not change the existing site development of the residential properties and, therefore, will not eliminate pedestrian access between the Very Low Density Residential to the west and the Medium Density Residential to the north because there is not authorized access across the Project site. The Project will not affect access provided on City sidewalks. The Project site is owned by a private developer; therefore, the site is not intended to provide connection between the Very Low Density Residential and Medium Density Residential areas and any pedestrian activity currently occurring at the Project site constitutes illegal trespass. The Project Applicant has the legal authority to develop the site and restrict access between these two areas via their property. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-FF:**

See Response to Comment 34-BB.

The City does not have any designated truck routes, and the Project Applicant is not responsible for establishing these routes. However, pursuant Chapter 10.56 of the City's Municipal Code, commercial vehicles (trucks) over 10,000 pounds are prohibited from using Lochmoor Drive, Fair Isle Drive and Sycamore Canyon Boulevard, between El Cerrito Drive and University Drive. Residents who notice trucks where restrictions are in place can call 311 and their complaint will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

In response to the comment letter received from the South Coast Air Quality Management District (SCAQMD), a Screening HRA was prepared in June 2016 for the Project (included in Appendix B of the DEIR) and a Refined HRA per SCAQMD comments was prepared in November 2016 (included as Attachment A.1 of the FEIR). The Refined HRA is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New

Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). According to both the June Screening HRA included as Appendix B of the DEIR, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the Refined HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-GG:**

The noise study was conducted to evaluate potential noise impacts associated with the proposed Project not those associated with other projects. The ambient noise measurements were taken near sensitive receptors adjacent to the Project site as these are the most likely to be affected by Project noise. The noise model, SoundPLAN, is a three-dimensional noise model that takes into consideration the acoustic effects of existing and proposed topography as well as existing and proposed buildings. So, any sound reflection associated with the proposed buildings was taken into consideration. It is also important to understand that existing ambient noise levels were taken to document existing ambient noise levels and were not taken as representative noise measurements to be utilized in the noise model. The SoundPLAN noise model has an expansive library with a variety of construction, industrial and recreational noise reference levels. Appropriate assumptions were entered for Project operations, including back-up beeper noise, trailer drop noise, HVAC noise etc. Meteorological effects were taken into account in the noise model. SoundPLAN allows the user to input temperature, humidity and air pressure. The following meteorological parameters were entered: humidity 49%, average annual temperature 66°F, air pressure 985 mbar.

Noise events that occur within the line of sight of the homes on the ridge west of the project site are expected to be more audible than those events that may be closer in distance but not within a direct line of sight.

With regard to the footnote to this comment, the existing fences provide minimal attenuation. However, the ambient noise measurements used for the analysis in the DEIR are those that were taken on the Project site outside the fence.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-HH:**

The commenter correctly references the GP 2025 Noise/Land Use Compatibility Criteria shown on DEIR **Figure 5.12-2 – Noise/Land Use Compatibility Criteria** and stated on page 5.12-15 of the DEIR. As stated on pages 5.12-13 of the DEIR,

In compliance with California Government Code Section 65302, the GP 2025 Noise Element identifies noise and land use compatibility criteria that identifies “Normally Acceptable,” “Conditionally Acceptable,” “Normally Unacceptable,” and “Conditionally Unacceptable” noise exposure ranges for various land uses as shown in **Figure 5.12-2 – Noise/Land Use Compatibility Criteria** (Figure N-10 of the GP 2025).

These standards are primarily used for planning purposes such as determining a project’s compatibility with a proposed site with regard to existing and future acoustical impacts upon a project site sourced from the surrounding environment. In other words, the noise impacts *from* existing surrounding land uses *to* a proposed project.

The “Normally Acceptable” range is defined as: specific land use is satisfactory, based on the assumption that any building is of normal conventional construction, without any special noise insulation requirements.

The “Conditionally Acceptable” range is defined as: new construction or development should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features included in design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

The “Normally Unacceptable” range is defined as: new construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in design.

The “Conditionally Unacceptable” range is defined as: new construction or development should generally not be undertaken, unless it can be demonstrated that noise reduction requirements can be employed to reduce noise impacts to an acceptable level. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design.

The City includes industrial uses in two different land use categories as shown on **Figure 5.7-5**, “Industrial, Manufacturing Utilities, Agriculture,” and “Freeway Adjacent Commercial, Office, and Industrial Uses.” Because the proposed Project is not adjacent to the I-215 freeway, it fits within the “Industrial, Manufacturing Utilities, Agriculture” land use category. Noise levels for industrial uses in this land use category are shown as being “Normally Acceptable” ranging up to 70 dBA CNEL/L<sub>dn</sub>, “Conditionally Acceptable” ranging from 70 to 80 dBA CNEL/L<sub>dn</sub> and “Normally Unacceptable” starting from 80 dBA CNEL/L<sub>dn</sub>.

The highest allowable noise level for the category of “Industrial, Manufacturing Utilities, Agriculture” in the most stringent “Normally Acceptable” range is 70 dBA CNEL/L<sub>dn</sub>.

Noise impacts projected onto the adjacent properties from the Project are regulated by Sections 7.25.010 and 7.35.010 of the Riverside Municipal Code, not by the GP 2025 land use compatibility criteria. Section 7.25.010 and 7.35.010 of the Riverside Municipal Code provide general regulations with regard to noise that is produced and projected onto surrounding land uses. These limits are applicable to noise generated as a result of the Project’s temporary construction and ongoing operational activities. **Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits** from the DEIR, reproduced below, clearly defines the City’s noise level limits for applicable land uses in the Project vicinity. (DEIR, pp. 5.12-15–5.12-16.) Section 7.25.010 of the City’s Municipal Code also provides criteria that apply to any exceedance of the limits and outlines parameters by which a noise exceedance would be evaluated. (DEIR, p. 5.12-16.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits<sup>a</sup>**

Land Use Category	Time Period	Noise Level Limit
Residential	Night (10 p.m. to 7 a.m.)	45 dBA
	Day (7 a.m. to 10 p.m.)	55 dBA
Office/Commercial	Any Time	65 dBA
Industrial	Any Time	70 dBA
Public Recreation Facility	Any Time	65 dBA

Notes:

<sup>a</sup> Source: City of Riverside, Riverside Municipal Code, Title 7 Noise Control, Table 7.25.010A

**Response to Comment 34-II:**

Construction and operation at the Project site will be consistent with the noise standards outlined in the City’s Municipal Code Section 7.35.010(B), which makes it unlawful to load and unload from 10:00 PM to 7:00 AM (DEIR, pp. 5.12-31, 5.12-37). The Project is consistent with this Code requirement because all loading and unloading will take place inside either Building 1

or Building 2. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-JJ:**

Although mature landscaping will provide more noise reduction, even newly installed immature landscaping will act as a barrier between the Project site and the residences to reduce some noise attenuation from the Project site. Nonetheless, noise impacts will be compliant with City standards for all residences to the north of the Project site with incorporation of all design features and mitigation measures to minimize noise impacts.

The second paragraph of Section 5.12.4 – Project Design Features of the DEIR will be revised as follows:

“Due to the proximity of the homes north of the Project site, the Project proposes 64-feet of landscaping along the northern boundary. Building 2 does not propose any dock doors or parking on the north side of the building, so as to locate those activities away from the Sycamore Highlands neighborhood. As shown on **Figure 3-10 – Site Plan**, all of docks and truck parking associated with Building 2 are located south of the building. Vehicular parking is located on the east and west of Building 2. The proposed Project will be designed to allow for ~~right-in, right-out~~ only turns at all Project driveways in order to ~~limit~~ prevent outbound ~~the amount of~~ vehicles (both cars and trucks) ~~from~~ using Dan Kipper Drive.”

The Project will allow for right-out only at all Project driveways to direct traffic away from the residential area to the north of the Project site. Traffic will be allowed to make left-in turns from all driveways along Lance Drive. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-KK:**

The comment accurately summarizes the construction impacts as discussed on pages 5.12-21–5.12-24.

With regard to operational noise at receptor nos. 3 and 4, as shown on DEIR **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**, noise at the residences will be equal to or less than 45 dBA, which is the City’s nighttime exterior noise standard. Noise at the property line between the Project site the residences (receptor nos. 31, 32, and 33 as shown on DEIR **Figure 5.12-6**) will also be less than 45 dBA. As discussed in the DEIR, because the noise barrier would be installed on private property, neither the City nor the Project Applicant can ensure that mitigation measure **MM NOI 16** is actually implemented and therefore impacts remain significant and unavoidable. (DEIR, pp. 5.12-28, 5.12-34.)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and

receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-LL:**

The DEIR accurately interprets and applies the City's Noise Code. The Project's operational noise levels shown on DEIR **Figure 5.12-5 – Project Operational Noise Levels (Leq) No Mitigation** and **Figure 5.12-6 – Project Operational Noise Levels (Leq) with Mitigation** includes all noise associated with Project operations including: vehicles arriving, trucks and trailers moving around the Project site, back-up beepers, hitching and unhitching of trailers, and the movement of trailers into the loading docks averaged over a one hour period. During any given one hour period, there will be a maximum noise level ( $L_{max}$ ). The  $L_{max}$ , generally results from an impulsive noise event, which is why the City's Municipal Code places time limits for noise events exceeding the exterior noise standard as discussed below.

Section 7.25.010 of the Riverside Municipal Code outlines exterior and interior nuisance sound level limits and provides criteria that apply to any exceedance of the designated noise nuisance limits (DEIR, **Table 5.12-E – Riverside Municipal Code Exterior Noise Sound Level Limits** and **Table 5.12-F – Riverside Municipal Code Interior Noise Sound Level Limits**). These criteria are primarily used for the purposes of code enforcement, but are provided below to

outline the parameters by which a noise exceedance would be evaluated. The applicable exterior noise criteria state:

- A. Unless a variance has been granted as provided in this chapter, it shall be unlawful for any person to cause or allow the creation of any noise which exceeds the following:
  - 1. The exterior noise standard of the applicable land use category, up to 5 decibels, for a cumulative period of more than 30 minutes in any hour; or
  - 2. The exterior noise standard of the applicable land use category, plus 5 decibels, for a cumulative period of more than 15 minutes in any hour; or
  - 3. The exterior noise standard of the applicable land use category, plus 10 decibels, for a cumulative period of more than 5 minutes in any hour; or
  - 4. The exterior noise standard of the applicable land use category, plus 15 decibels, for the cumulative period of more than 1 minute in any hour; or
  - 5. The exterior noise standard for the applicable land use category, plus 20 decibels or the maximum measured ambient noise level, for any period of time.
- B. If the measured ambient noise level exceeds that permissible within any of the first four noise limit categories, the allowable noise exposure standard shall be increased in five decibel increments in each category, as appropriate, to encompass the ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level.
- C. If possible, the ambient noise level shall be measured at the same location along the property line with the alleged offending noise source inoperative. If for any reason the alleged offending noise source cannot be shut down, then the ambient noise must be estimated by performing a measurement in the same general area of the source but at a sufficient distance that the offending noise is inaudible. If the measurement location is on the boundary between two different districts, the noise shall be the arithmetic mean of the two districts.

Likewise, the applicable interior noise sound level limits and criteria for exceedance state:

- A. No person shall operate or cause to be operated, any source of sound indoors which cause the noise level, when measured inside another dwelling unit, school or hospital, to exceed:
  - 1. The interior noise standard for the applicable land category area, up to five decibels, for a cumulative period of more than five minutes in any hour;
  - 2. The interior noise standard for the applicable land use category, plus five decibels, for a cumulative period of more than one minute in any hour;

3. The interior noise standard for the applicable land use category, plus ten decibels or the maximum measured ambient noise level, for any period of time.
- B. If the measured interior ambient noise level exceeds that permissible within the first two noise limit categories in this section, the allowable noise exposure standard shall be increased in five decibel increments in each category as appropriate to reflect the interior ambient noise level. In the event the interior ambient noise level exceeds the third noise limit category, the maximum allowable interior noise level under said category shall be increased to reflect the maximum interior ambient noise level.
- C. The interior noise standard for various land use districts shall apply, unless otherwise specifically indicated, within structures located in designated zones with windows opened or closed as is typical of the season.

The noise levels disclosed on page 5.12-31 of the DEIR for back-up beepers and trash compactors are the maximum noise, the  $L_{max}$ , not the  $L_{eq}$ . Thus, because refrigeration units, back-up warning beepers, and trash compactors would not be in use continuously at the Project site, noises associated with these activities would be subject to the short-term decibel exceedance limits outlined in Section 7.25.010 of the City's Municipal Code. For instance, if a trash compactor were to operate for one-half hour within any hour, noise associated with operation could be up to 5 decibels greater than the City's exterior noise standard without being in violation of the City's Noise Code.

With regard to transportation refrigeration units (TRUs), electrical hookups will be provided at the Project site, and only TRUs with electric standby capabilities will be allowed at the Project site, as set forth in the lease agreement and mitigation measure **MM AQ 14** (listed previously in Response to Comment 34-M). (DEIR, pp. 5.12-28, 5.12-46.) Similarly, noise associated with back-up beepers will be reduced through implementation of mitigation measure **MM NOI 13** listed below, which requires the use of ambient-sensitive self- or manual-adjusting back up alarms. (DEIR, pp. 5.12-31, 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

Noise associated with operation of trash compactors onsite will not exceed the daytime noise standard of 75 dBA  $L_{max}$  or the nighttime maximum noise standard of 65 dBA  $L_{max}$  at the top of the slope west of the Project site. For the two residences at receptors 3 and 4, noise will not exceed the City's standard, contingent on construction of the 10-foot noise barrier outlined in mitigation measure **MM NOI 16** (listed in Response to Comment 34-G). (DEIR, pp. 5.12-32, 5.12-47.) However, because the noise barrier would be installed on private property, neither the City nor the Project Applicant can ensure that mitigation measure **MM NOI 16** is actually implemented. Therefore, impacts remain significant and unavoidable. (DEIR, pp. 5.12-28, 5.12-34.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-MM:**

Trash compactors will not operate continuously, and so noise associated with their operation is subject to the City's 65 dBA nighttime instantaneous noise standard as discussed in Response to Comment 34-MM.

However, because the noise barriers outlined in mitigation measure **MM NOI 16** (listed in Response to Comment 34-G) would require installation on private property and neither the Project proponent nor the City have the authority to require implementation of this mitigation measure, the DEIR appropriately concluded that impacts would be significant and unavoidable. (DEIR, pp. 5.12-34, 5.12-44, 5.12-48.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-NN:**

Noise modeling prepared for the Project takes into account noise associated with operation of both of the proposed buildings. Further, although Building 1 has 72 dock doors, many of these doors will not be directly adjacent to the residences, which will reduce noise impacts from these dock doors on the residences.

Although the Noise Impact Analysis (NIA) prepared for this Project included a single back-up beeper to determine the  $L_{max}$ ; however, the  $L_{eq}$  for Project operations included the back-up beepers, and hitching/unhitching anticipated to be associated with normal operation of the Project site averaged over a one-hour period. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-OO:**

Operational noise impacts on the Sycamore Canyon Wilderness Park were analyzed in the Draft Environmental Impact Report as receptor no. 34 in the noise study (DEIR, **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation**, and **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**). The operational noise level at the property line between the Project site and the Sycamore Canyon Wilderness Park is 55 dBA  $L_{eq}$ . Because this noise level is less than the Municipal Code noise standard for public recreational facilities (65 dBA  $L_{eq}$ ), operational noise impacts to the Sycamore Canyon Wilderness Park are less than significant.

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-PP:**

There is a distinction between exposure of persons to excessive groundborne vibration and exposure to structures to excessive groundborne vibration. The Federal Transit Administration (FTA) has two different criteria depending on whether the receiver is a structure or a person.

With regard to impacts to persons (annoyance) as noted in the comment, the *Federal Transit Administration Transit Noise and Vibration Impact Assessment* (May 2006) has guidance on how to assess noise and vibration impacts of proposed mass transit projects. Vibration impact criteria are presented in Chapter 8 (Table 8-1) of this document. This criterion is in relation to annoyance of affected persons and is not applicable to impacts to structures. The criteria are based on the maximum root-mean-square (rms) vibration levels for repeated events of the same source.

Table 8-1 in the *Federal Transit Administration Transit Noise and Vibration Impact Assessment* presents criteria based on land use type and event frequency. The sensitive receptors that may be affected by the proposed Project would fall into Category 2, (residential land uses). The criteria is divided based upon the number of expected events per day to take into account that the community is likely to be more tolerant of vibration events that occur with less frequency in any given day. Specifically, frequent events are defined as more than 70 events per day, occasional events range between 30 and 70 events per day, and infrequent events are fewer than 30 events per day. Impact criteria for residential land uses is 72 VdB for frequent events; 75 VdB for occasional events, and 80 VdB for infrequent events.

Table 1 in the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (DEIR Appendix I) (the “NIA”) presents “Vibration Source Levels for Construction Equipment” (Federal Transit Administration 2006). DEIR **Table 5.12-I – Vibration Source Levels for Construction Equipment** includes the same information. NIA Table 2 and DEIR **Table 5.12-H – Typical Human Reaction and Effect on Buildings Due to Groundborne Vibration** includes “Typical Human Reaction and Effect on Buildings due to Groundborne Vibration (Caltrans 2002). The NIA acknowledges that vibratory construction equipment may annoy persons within 100 feet of on-site Project construction.

Use of a vibratory roller, which may occur within 25 feet of an adjacent receptor could generate up to 0.21 PPV (94 VdB) at a distance of 25 feet; and operation of a large bulldozer (0.089 PPV (87 VdB) at a distance of 25 feet (two of the most vibratory pieces of construction equipment) for a few days. Groundborne vibration at sensitive receptors associated with this equipment would drop off as the equipment moves away. For example, as the vibratory roller moves further than 100 feet from the sensitive receptors, the vibration associated with it would drop below 75 VdB. Considering that use of vibratory construction equipment will be short term and temporary the use of a threshold intended to evaluate annoyance related to train pass-bys (permanent) is not appropriate.

Further, any annoyance would only occur during site grading and preparation activities as trailer trucks are prohibited from use of the driveway located between the sensitive receptors located north of the Project site and the proposed building and sensitive receptors upslope and to the west of the Project site are too far away to be affected.

With regard to structural damage, NIA Table 2 and DEIR **Table 5.12-H** identifies PPV levels between 0.4 and 0.6 as vibration levels greater than normally expected from traffic, but would cause “architectural” damage and possible minor structural damage. As shown in NIA Table 1 and DEIR **Table 5.12-H**, a vibratory roller could produce a PPV of 0.21 inch per second at 25 feet and a large bulldozer could produce up to 0.089 PPV at 25 feet. Page 23 of the NIA acknowledged that the use of vibratory equipment within 25 feet of adjacent residential dwelling units could result in structural damage. The DEIR includes mitigation measures **MM NOI 6** and **MM NOI 9** to minimizing vibration impacts.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-45.)

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site’s north and western boundaries shall be limited to the greatest degree feasible. (DEIR, p. 5.12-46.)

Thus, according to the Federal Transit Agency’s (FTA) *Transit Noise and Vibration Impact Assessment* guidance document, reinforced concrete, steel, or timber buildings can tolerate groundborne vibration levels of 0.5 peak particle velocity (PPV) without experiencing structural damage. The proposed Project will use this type of construction; therefore, the fact that some buildings are more fragile is irrelevant to this Project. (DEIR, p. 5.12-37.)

With respect to human response, the FTA asserts that individuals can experience vibration levels up to 80 decibel (VdB) root mean squared (RMS) before being adversely affected by vibration from infrequent events. “Infrequent event” is defined by the FTA as fewer than 30 vibration events of the same kind per day; therefore, it is reasonable to apply this standard because it is likely that groundborne vibration-generating activities will not be used

continuously at the site.<sup>3</sup> Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-QQ:**

Groundborne vibration attenuates quickly with distance. Therefore, although use of heavy construction equipment generates vibration levels of 87 RMS at a distance of 25 feet, this vibration will be reduced to below the 80 RMS threshold for human annoyance at the nearest residences located approximately 81 feet from the area to be graded to the nearest residential structure to the west of the Project site and 46 feet from the area to be graded to the nearest residential structure to the north.

Groundborne vibration attenuates quickly with distance and the PPV level from heavy equipment would be approximately 0.44 PPV at 40 feet, which is equivalent to 30.8 RMS, based on FTA and Caltrans methodologies.<sup>4</sup> As stated in Section 5.12 of the DEIR, the majority of construction activity will be more than 40 feet from these residential structures and would not be considered annoying. (DEIR, pp. 5.12-37.) Contrary to the commenter's assertions, the DEIR's analysis and conclusions related to the Project's potential impacts from groundborne construction vibration are adequate, supported by substantial evidence and consistent with the requirements of CEQA.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-RR:**

This comment is in reference to the information presented in DEIR **Table 5.12-J – Pre- and Post Project Noise Levels in CNEL** on pages 5.12-39–5.12-40 of the DEIR. Noise impacts at several of the receptors, particularly the receptors north of the Project site are anticipated to decrease in part because the buildings proposed at the Project site will cut down on the amount of noise reaching the residences from the other warehouses and distribution centers in the Sycamore Canyon Business Park, and the Project includes mitigation measure **MM NOI 16** (listed in Response to Comment 34-G). If implemented, **MM NOI 16** will place a noise barrier at the top of the slope for the residences identified as receptor nos. 3 and 4 on DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**.

However, because the implementation of mitigation measure **MM NOI 16** is uncertain, post-Project Community Noise Equivalence Level (CNEL) was determined for receptor nos. 3 and 4 as shown in the table below. The mitigated operational noise levels for receptor nos. 3 and 4 with mitigation measure **MM NOI 15** (listed below) only (i.e., no noise barrier as required by **MM NOI 16**) is shown in Figure A, which is attached to this response.

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<sup>3</sup> Federal Transit Agency, *Transit Noise and Vibration Impact Assessment Guidelines*, Table 8-1. Available at: [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_Noise\\_and\\_Vibration\\_Manual.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf)

<sup>4</sup> According to Caltrans, RMS value is approximately 70 percent of PPV. Source: [http://www.dot.ca.gov/hq/env/noise/pub/TCVGM\\_Sep13\\_FINAL.pdf\\_p.7](http://www.dot.ca.gov/hq/env/noise/pub/TCVGM_Sep13_FINAL.pdf_p.7)

Monitored Location <sup>a</sup>	Measured Noise Level (CNEL <sup>b</sup> ) In dBA	Receptor No. <sup>c</sup>	Mitigated Operational Noise Level (with MM NOI 15 only) (CNEL) In dBA	Difference In dBA	Substantial Increase?	Mitigated Operational Noise Level (includes MM NOI 15 and MM NOI 16) (CNEL) In dBA	Difference In dBA	Substantial Increase?
ST2/LT2	52	4 (1 <sup>st</sup> floor)	52	0	No	46	-6	No
		4 (2 <sup>nd</sup> floor)	54	2	No	51	-1	No
		3 (1 <sup>st</sup> floor)	51	-1	No	46	-6	No
		3 (2 <sup>nd</sup> floor)	54	2	No	50	-2	No

Thus, as indicated in the above table, even if the noise barrier identified in mitigation measure **MM NOI 16** is not constructed, with implementation of mitigation measure **MM NOI 15** (listed below), there will be a less than substantial increase (i.e., less than 5 dBA) from the Project’s operational noise on receptor nos. 3 and 4.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (L<sub>eq</sub>) with Mitigation.** (DEIR, p. 5.12-46.)

This amplification of the noise analysis to exclude implementation of mitigation measure **MM NOI 16** on two receptors does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR

**Response to Comment 34-SS:**

Although Sycamore Canyon Wilderness Park is categorized as a reserve/open space park by the City, the GP 2025 does not contain specific CNEL standards for this type of parkland. (DEIR, p. 5.15-1, **Figure 5.12-2.**) Therefore, the CNEL standard for neighborhood parkland was used because it represents the most similar land use to the Sycamore Canyon Wilderness Park. Additionally, sensitive receptors consist of structures, people, and equipment that may be sensitive to noise for CEQA purposes. Thus, the Park is not considered a sensitive receptor and so although it will experience an increase in noise levels above 5 dBA; this is not a significant impact. (DEIR, pp. 5.12-43–5.12-44.)

The SoundPLAN model was used to quantify anticipated noise impacts as a result of Project construction and operation. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-TT:**

The off-site noise (traffic) analysis applies to off-site receptors along road segments affected by Project-generated off-site traffic. Off-site traffic would not noticeably increase noise levels at sensitive receptors located adjacent to the Project site that would be affected by on-site operational noise. Therefore, it is appropriate that these impacts were modeled separately. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-UU:**

The intent of mitigation measure **MM NOI 8** is to ensure that haul truck deliveries only occur during the times approved for construction equipment operation, which will reduce the amount of noise at the site. (DEIR, p. 5.12-24.) At the time the Notice of Preparation was released for the DEIR, the Riverside Municipal Code Section 7.35.010 prohibited construction, drilling, repair, alteration, grading, or demolition work that would result in sound creating a noise disturbance across a residential or commercial property line between the hours of 7:00 PM and 7:00 AM on weekdays, between 5:00 PM and 8:00 AM on Saturdays, and at any time on Sunday or a federal holiday (DEIR, pp. 5.12-37 – 5.12-38). On August 18, 2016 (taking effect 30-days later), the City Council of the City of Riverside adopted Ordinance 7341 amending the Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays from the standards of the Noise Code. Nevertheless, the DEIR continued to use the previous version of the Noise Code and associated standards throughout the DEIR. Thus, haul truck deliveries will also be limited to these hours pursuant to mitigation measure **MM NOI 8**.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-VV:**

Project-related traffic impacts were analyzed at several intersections along Sycamore Canyon Boulevard in the Traffic Impact Analysis (TIA) prepared for the Project (DEIR, Appendix J). All of the study intersections will continue to operate at an acceptable Level of Service with the addition of Project traffic along with traffic associated with ambient growth in the area (DEIR, pp. 5.16-57). Therefore, it can be reasonably assumed that emergency responders stationed at the firehouse on Sycamore Canyon Boulevard will be able to exit their facility and traverse Sycamore Canyon Boulevard when responding to an emergency. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-WW:**

The commenter's assertion that calling Sycamore Canyon Wilderness Park a "reserve/open space park" obfuscates its true role is not accurate. Per the GP 2025, Parks and Recreation

Element, the City's park system consists of three park classifications (local parks, regional / reserve parks and signature parks) plus County/Other Parks and Joint Use Facilities. The local park classification includes four park types (Pocket Parks, Neighborhood Parks, Community Parks and Special Use). Some parks fall under multiple categories, such as Fairmount Park which is a Signature Regional/Reserve Park but also serves as a local park (with neighborhood and community park amenities). Sycamore Canyon Wilderness Park is classified as a Regional/Reserve park which includes natural open space parks and Wilderness Reserve Parks.

The park classifications are designations that put each of the parks in broader categories identifying ownership and development impact categories; e.g. – Parks designated as regional/reserve parks are eligible for Regional/Reserve funds collected to mitigate development impact to the park system vs. improvements to local parks, signature parks or parks not owned by the City wouldn't be eligible to use Regional/Reserve funds collected.

The Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan and Updated Conceptual Development Plan (the SKR Management Plan) calls for installation of *either* a 7-foot high masonry wall or fence constructed per City of Riverside Parks, Recreation, and Community Services Department Standard Detail No. 5520 and specifications with a 100-foot wide stubble management zone, or firebreak, on the park side of the fence to be maintained by the City. (DEIR, p. 5.15-6.) The SKR Management Plan indicates that the masonry wall acts as a heat deflector from wildfires and eliminates any need for fuel management along the boundary of the Park. The wall also serves to screen the adjacent industrial/commercial service areas. The SKR Management Plan also allows for the possible substitution of the wall with a 6-foot high open iron fence. If the City permits an open iron fence, a 100-foot wide stubble management zone shall be maintained in between the industrial property and wilderness park. The City elected to condition the alternative iron fence for the following reasons: (i) the development includes a Mitigation Area in between the park and development which will provide an effective screen and buffer, (ii) the fence is not subject to constant graffiti, and (iii) as a whole the City's Parks, Recreation, and Community Services Department felt it would be more visually pleasing than the block wall. Also, the City already maintains a large stubble management area which would meet the 100-foot wide zone.

The Project will implement mitigation measure **MM AES 2**, to ensure that the fence between the Project site and the Wilderness Park is consistent with the Plan.

**MM AES 2:** For consistency with the Sycamore Canyon Wilderness Park Management Plan, the Project developer shall install fencing along the western boundary of the Project site. The fence and gate shall be constructed per the specifications of the City of Riverside Parks, Recreation, and Community Services Department Standard Detail No. 5520 and specifications. If the developer chooses to install a taller fence, a maximum 8-foot high fence is permitted. Note that increased fence height may require increased post, footing and rail sizes, which shall be engineered and stamped approved by a structural engineer. As part of Design Review and prior to the issuance of a grading permit, the developer shall submit a revised site plan showing this fence, the

modified standard detail (if a fence taller than 8 feet is proposed), and specifications to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-XX:**

The Conceptual Landscape Plan will be revised to remove the landscaping currently shown within the Fire Access/Parks Maintenance Road shown on **Figure 3-11** of the DEIR pursuant to mitigation measure **MM AES 7** (listed below).

The previously planned Kangaroo Court was intended to serve as a Trailhead, emergency vehicle access, and that it would be used to access a future interpretive center. The nature center was constructed at an alternate site off of Central Avenue and no longer requires road access at this location. The proposed trailhead access with parking lot to be constructed as detailed in mitigation measure **MM AES 5** is adequate and meets the needs of the City's Parks, Recreation, and Community Services Department. The emergency vehicle access has been reviewed and approved as adequate access by the City's Fire Department as long as mitigation measures are implemented.

**MM AES 5:** To provide safe and controlled pedestrian and bicycle access to the Sycamore Canyon Wilderness Park in a manner consistent with the design and materials of the fence in mitigation measure **MM AES 2**, the Project developer shall:

- a. Construct the proposed trail consistent with the City of Riverside Parks, Recreation, and Community Services Department trail standards. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that identifies this standard and shows the Parks, Recreation, and Community Services Department Standard Trail Construction detail shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.
- b. Install a galvanized steel swing arm gate access gate that locks in the open and closed positions at the trail and parking lot driveway entry. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for this gate and Standard Detail No. 5110 shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.
- c. Install pedestrian/bicycle gates between the trail and parking lot and the beginning of the trail and between the western terminus of the trail and the Sycamore Canyon Wilderness Park per the City's standard pedestrian/bicycle

gate. These gates shall be minimum 4-feet wide and constructed of material to match Standard Detail No. 5520 identified in mitigation measure **MM AES 2**. The pedestrian/bicycle gates shall be lockable in the open and closed position. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for these gates shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

- d. Install Parks, Recreation, and Community Services Department Standard PVC trail fence along the northern side of the trail in-between the Fire Access/Parks Maintenance Road and along those portions of the southern side of the trail where the grade drops 3 feet or more. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that references the Standard 3-rail PVC fence detail only and includes Parks, Recreation, and Community Services Department Standard PVC trail fence shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.
- e. Install Parks, Recreation, and Community Services Department standard trail sign at the Project's western property line and at the proposed parking lot on Lot B of Tentative Parcel Map 36879. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that includes a note that states "PRCSD standard trail sign" and Parks, Recreation, and Community Services Department standard trail sign detail 12 shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.

Specifically, the fire access road will be 12-feet wide with a minimum 10-foot wide, 4-inch thick decomposed gravel surface and 13.5-foot vertical clearance as required by City of Riverside Parks, Recreation, and Community Services Department and the City Fire Department and mitigation measures **MM AES 6** and **MM AES 7**.

**MM AES 6:** To provide access for fire and parks maintenance vehicles consistent with the intent of the Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan and Updated Conceptual Development Plan, the Project developer shall:

- a. Design and construct the Fire Access/Parks Maintenance Road per the City of Riverside Fire Department requirements, including but not limited to, providing a 36,000 pound wheel load. As part of Design Review and prior to the issuance of a grading permit, the Fire Access/Parks Maintenance Road detail shall be submitted to the Community and Economic Development Department, Planning Division, the Parks, Recreation, and Community Services Department, and the City Fire Department for review and approval.
- b. Install vehicular gates between the vehicular access road on the south end of the Project site and the eastern terminus of the Fire Access/Parks Maintenance

Road and between the western terminus of the Fire Access/Parks Maintenance Road and the Sycamore Canyon Wilderness Park. The vehicular gates shall be double galvanized steel swing arm gates a minimum of 12-feet in width and provided with a Knox padlock. The gates shall lock in the open and closed positions per Park Standard Detail No. 5110. The gate at the western property line shall be constructed to match Standard Detail No. 5520. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the details of these gates and Park Standard Detail No. 5110 shall be submitted to the Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

**MM AES 7:** To ensure there is adequate clearance for the fire vehicles, prior to building permit issuance the landscape plans shall be revised to relocate the trees shown on the trail and the Fire Access/Parks Maintenance Road such that all trees shall be setback from the trail and Fire Access/Parks Maintenance Road easements a minimum of 5 feet. Once planted, the developer shall maintain all trees such that a minimum 13.5-foot vertical clearance over the Fire Access/Parks Maintenance Road and a minimum 8.5-foot vertical clearance over the trail is provided and maintained. The revised landscape plans shall be designed per the City's Water Efficient Landscape and Irrigation Ordinance adopted on December 1, 2015 (<http://aquarius.riversideca.gov/clerkdb/0/doc/215696/Page1.aspx>). The revised landscape plans shall be reviewed and approved by City Design Review staff and Western Municipal Water District as part of Design Review prior to the issuance of a grading permit.

Therefore, fire access to the eastern portion of the Sycamore Canyon Wilderness Park will be adequate and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-YY:**

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as "pork chops") at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars –**

**Outbound), and DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)).** From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-ZZ:**

With regard to the differences between the City of Moreno Valley’s trip generation and the trip generation rates used in the TIA and the DEIR, please refer to Response to Comment 34-D.

The number of truck trips was disclosed in in the DEIR’s Project Description on page 3.43 and on page 5.16-28 of the DEIR in **Table 5.16-F – Project Trip Generation Rates**. A total of 917 truck trips will be generated by the Project, including: 156 2-axle truck trips, 208 3-axle truck trips, and 553 4-axle truck trips. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-AAA:**

There was a typographical error in the daily trip generation rate for 4+ axle trucks in the DEIR; however, this does not impact the analysis because the TIA did not have a typo and all of the analysis presented in the DEIR is based off of the TIA.

Nonetheless, the 4+ axle trip rates will in DEIR **Table 5.16-E – Trip Generation Rates** will be revised in the FEIR as follows:

**Table 5.16-E – Trip Generation Rates**

Land Use	Unit	Peak Hour Trip Rates						Daily
		AM			PM			
		Total	In	Out	Total	In	Out	
High-Cube Warehouse Land Use Category: 152	TSF <sup>b</sup>							
Trucks (4+ Axle)		0.018	0.013	0.013	0.024	0.007	0.007	0.0386

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-BBB:**

With regard to the trip distribution used in the TIA and DEIR, please refer to Response to Comment 34-YY. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-CCC:**

With regard to traffic-related cumulative impacts as a result of the Alessandro Commerce Center and the Freeway Business Center, traffic from these projects would be accounted for as part of the 2 percent ambient growth rate used in the TIA. To account for ambient growth in the Project area, a two percent per year ambient growth rate was applied to existing traffic volumes to account for area-wide growth that is not reflected by cumulative development project.<sup>5</sup> Ambient growth was added to daily and peak hour traffic volumes on surrounding roadways in addition to traffic generated by the Project. (DEIR, pp. 5.16-9, 5.16-29.)

**Response to Comment 34-DDD:**

With regard to trip distribution, refer to Response to Comment 34-YY. As described below, counts were conducted in July 2015 and adjusted per the independent professional judgement of the City’s Traffic Engineer to more accurately reflect anticipated Project conditions when the schools in the Project vicinity are in session. Additionally, trucks over 10,000 pounds are already prohibited from traveling on Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard, between El Cerrito Drive and University Drive pursuant to Chapter 10.56 of the City’s Municipal Code.

Existing AM and PM peak period intersection turning movement counts were conducted in July 2015 and are included in Appendix C to the TIA. The counts were increased per agreement with the City of Riverside since counts were taken during the off-school period of July 2015. (DEIR, p. 5.16-17; DEIR Appendix J, p. 3-2.) The following are the edits to the counts listed by intersection number. The counts used in the TIA were increased (based on older counts taken when school was in session) to simulate vehicles travelling through the intersections from residential neighborhoods to nearby schools.

Intersection	Increase in Counts
1. I-215 Northbound Ramps (NS) / Fair Isle Drive-Box Springs Road (EW)	+200 WBR in AM
2. Sycamore Canyon Boulevard (NS) / Fair Isle Drive (EW)	+200 NBT in AM
3. Sycamore Canyon Boulevard (NS) / I-215 Southbound Ramps (EW)	+200 NBT in AM

<sup>5</sup> A two percent per year ambient growth rate is considered the industry standard for estimating growth in the region and was agreed upon during the traffic study scoping process. (DEIR, p. 5.16-33.)

Intersection	Increase in Counts
4. Sycamore Canyon Boulevard (NS) / Dan Kipper Drive (EW)	+200 NBT in AM
5. Sycamore Canyon Boulevard (NS) / Box Springs Boulevard (EW)	+200 NBT in AM
6. Sycamore Canyon Boulevard (NS) / Sierra Ridge Drive (EW)	+200 NBT in AM
7. Sycamore Canyon Boulevard (NS) / Eastridge Avenue (EW)	+200 NBT in AM +300 WBL in PM
8. Box Springs Boulevard (NS) / Eastridge Avenue (EW)	+300 WBT in PM
9. I-215 Ramps (NS) / Eastridge Avenue- Eucalyptus Avenue (EW)	+300 SBR in PM

Therefore, because the existing traffic was accurately quantified, and the trip distribution is appropriate, the projections in the TIA accurately quantified the significant impacts to the Northbound Ramps for Interstate-215 at Fair Isle Drive/Box Springs Road. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-EEE:**

The DEIR evaluates the Project assuming 24-hour a day, seven days a week operations. This means trucks arriving at the Project site would be able to enter and not have to wait for the operator to open the gates. If the Project was not a 24/7 operation, the potential for truck queuing on public streets is the highest in the morning when it is expected that multiple trucks arrive at the Project site prior to the gates opening. The queuing capacity for Building 1 is approximately 32 to 35 trailer trucks, which is greater than the anticipated number of trucks expected to arrive at Building 1 during AM Peak Hours. Therefore, the queuing capacity of Building 1 will not be exceeded as shown in the DEIR on **Figures 5.16-10 – Site Queuing Analysis with 53’ Trailer Trucks** and **5.16-11 – Site Queuing Analysis with 48’ Trailer Trucks**. Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, this should not result in trucks queuing or parking on the residential streets in proximity to the Project site because there is designated commercial vehicle parking on portions of Box Springs Boulevard. (DEIR, p. 5.16-49.)

The second full paragraph on page 5.16-49 of the DEIR incorrectly described commercial vehicle parking on Sycamore Canyon Boulevard. This paragraph will be revised in the FEIR as follows:

“The queuing capacity for Building 2 is approximately five to six trailer trucks, which is less than the anticipated number of trucks expected to arrive at

Building 2 during AM Peak Hours (9 trailer trucks). Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, this should not result in trucks queuing or parking on the residential streets in proximity to the Project site because there is designated commercial vehicle parking on ~~Sycamore Canyon Boulevard~~ and portions of Box Springs Boulevard. Per Riverside Municipal Code 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. There are only five ~~six~~ streets in the City where commercial vehicle, commercial trailers, and semi-trailers may be parked: Atlanta Avenue, Box Springs Boulevard, Marlborough Avenue, Northgate Street, and Palmyrita Avenue, ~~and Sycamore Canyon Boulevard~~. Parking on Lance Drive and Sierra Ridge Drive is not permitted.” (DEIR, p. 5.16-49.)

Per Riverside Municipal Code 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. Residents who notice trucks where restrictions are in place can call 311 and will be routed to both Traffic and the Police Department so that these agencies can coordinate the appropriate response. Residents are encouraged to call 311 because it is a centralized system that ensures that staff can be efficiently dispatched to mitigate the situation without creating duplication among City staff responses.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-FFF:**

See Responses to Comments 34-VV and 34-XX. The Fire Access/Parks Maintenance Road will be designed and constructed pursuant to the City of Riverside Fire Department Requirements to ensure that it provides sufficient access for fire emergency vehicles to access the Sycamore Canyon Wilderness Park in the event of an emergency, in accordance with mitigation measure **MM AES 6** (listed in Response to Comment 34-XX). (DEIR, p. 5.8-28.) Impacts to fire station egress will be less than significant because the traffic study area intersections in the vicinity of the fire station will continue to operate at an acceptable level of service. Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-GGG:**

A *Water Supply Assessment* was prepared by Western Municipal Water District and approved on February 17, 2016. The water provider for the site determined that the demand associated with development of the Project site is consistent with the overall projected increase in

commercial water demand within Western's Riverside Retail Area as set forth in Western's 2015 Urban Water Management Plan (DEIR, Appendix K). Thus, Western has determined that there will be enough water to serve the Project and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-HHH:**

The Metropolitan Water District of Southern California (Metropolitan) has adopted a Water Supply Allocation Plan (WSAP) to provide guidance on managing regional water supply actions. When the WSAP is in effect, Metropolitan member agencies, including Western, do not lose their ability to receive imported water but instead are limited in the amounts that they can purchase without being assessed a surcharge.

The *Water Supply Assessment* (WSA) prepared for this Project by Western Municipal Water District (Western) accounts for potential cutbacks under Metropolitan's WSAP, which represent a more severe shortage condition than the single-dry year or multiple-dry year scenarios presented in Metropolitan's 2010 Regional Urban Water Management Plan. Thus, the analysis contained in the WSA is more in-depth and updated than is required by State Bill 610.

"An EIR for a land use project must address the impacts of *likely* future water sources, and the EIR's discussion must include a reasoned analysis of the circumstances affecting the likelihood of the water's availability. [Citation.]" (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 432.) As the water provider to the site, it is acceptable to utilize and rely on Western's detailed assessment of water supply to determine the availability of sufficient supplies to serve the Project site. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-III:**

The comment claims that health impacts from ozone (O<sub>3</sub>) have not been adequately acknowledged. However, Section 5.3 of the DEIR adequately analyzes the health effects of ozone. The DEIR's air quality analysis evaluates Oxides of Nitrogen (NO<sub>x</sub>) and Volatile Organic Compounds (VOC), which are precursors to ozone formation. The analysis of NO<sub>x</sub> and VOC is consistent with South Coast Air Quality Management District (SCAQMD) guidance and established significance thresholds. The Project does not have sources of direct ozone emissions that are of sufficient levels to be reportable.

The formation of ozone from NO<sub>x</sub> and VOC is an intricate atmospheric process and requires sophisticated modeling that is more suitably assessed on a regional basis. The SCAQMD performs regional ozone modeling as part of the Air Quality Management Plan (AQMP) process, which requires detailed regional emission inventories. Since the correlation between emissions increases and health effects is complex and the science is imprecise, it would be speculative to attribute even a portion of the health impacts that could potentially be associated with the regional NO<sub>x</sub> and VOC concentrations as being a result of a single Project.

The comment also notes that the DEIR does not acknowledge a recently adopted more stringent ozone standard. In 2015, the Environmental Protection Agency (EPA) revised the primary and secondary ozone standard levels to 0.070 parts per million (ppm) (70 parts per billion (ppb)), and retained their indicators (O<sub>3</sub>), forms (fourth-highest daily maximum, averaged across three consecutive years) and averaging times (eight hours). The Basin continues to be designated as nonattainment for ozone with this more stringent standard. Since the Basin's attainment status remains unchanged, this does not affect the results of the analysis of the DEIR. The most recent published data for the Project site is presented in **Table 5.3-B – Air Quality Monitoring Summary from 2012-2014 (SRA 23)**. Data for 2015 to replace the data in **Table 5.3-B** of the DEIR is not yet available. Therefore, the new standard was not noted in the DEIR.

The SCAQMD prepares the Air Quality Management Plan (AQMP). The purpose of an AQMP is to bring an air basin into compliance with federal and state air quality standards and is a multi-tiered document that builds on previously adopted AQMPs.

The DEIR determined that the Project was consistent with the AQMP and thus would not interfere with attainment implementation. (DEIR, pp. 5.3-22-23.)

The comment also notes that the DEIR does not mention the year of the attainment goal for ozone in the Basin. According to the most recent adopted 2012 AQMP, the Basin is expected to reach attainment for the 2008 ozone standard in 2023 (to attain the 80 ppb National Ambient Air Quality Standards (NAAQS)) and 2032 (to attain 75 ppb NAAQS)<sup>6</sup>. The draft 2016 AQMP, which has not yet been adopted, identifies an attainment deadline of 2037 for the 2015 8-hour ozone NAAQS (70 ppb)<sup>7</sup>. Since the Project is consistent with the AQMP, the Project will not interfere with Basin attainment and the impacts from ozone and its related health impacts were adequately analyzed in the DEIR.

In accordance with State CEQA Guidelines Section 15126.2, subdivision (a), and consistent with the decision in *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1219-1220, the DEIR adequately discloses and analyzes "health and safety problems caused by the physical changes" that the proposed Project will precipitate, including correlating identified Project-related adverse air quality impacts to resultant adverse health effects.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-JJJ:**

The comment alleges that the DEIR concedes that there is no safe level for Toxic Air Contaminants (TACs). As explained in Section 5.3 of the DEIR, a TAC is defined as an air

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<sup>6</sup> [http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/final-2012-aqmp-\(february-2013\)/main-document-final-2012.pdf](http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2012-air-quality-management-plan/final-2012-aqmp-(february-2013)/main-document-final-2012.pdf)

<sup>7</sup> [http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/2016aqmp\\_factsheet.pdf?sfvrsn=8](http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/2016aqmp_factsheet.pdf?sfvrsn=8)

pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. TACs are generally present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at very low concentrations. For those TACs that cause cancer, there is no concentration that does not present some low-level risk. In other words, there is no threshold below which adverse health impacts are not expected to occur. (DEIR, p. 5.3-6.)

The comment also notes that the DEIR did not explain whether or not the Multiple Air Toxics Exposure Study IV (MATES-IV) includes new distribution centers in the area in its emission evaluation. The cancer risk level in the MATES-IV program results is approximately 16 percent lower than the background cancer risks based on the MATES-III study that used the toxics emission inventory for the year 2005, which illustrates the trend of declining health risk from TACs. (DEIR, p. 5.3-8.) The measurements and modeling for MATES IV spanned July 1, 2012, to June 30, 2013, which accounts for new development in the region at that time, including new distribution centers, since the MATES-III study.

The comment also incorrectly refers to the CARB recommendation to not place a distribution center within 1,000 feet of a residential center as a bright-line limit. According to CARB's *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.) The distance-based guidelines and recommendations contained in CARB's *Air Quality and Land Use Handbook* are not regulatory or binding on local agencies and were developed with a more qualitative approach than the uniform, quantified risk thresholds typically shown in air quality permitting programs. The 1,000 foot recommendation is advisory and should not be interpreted as a strictly defined buffer zone<sup>8</sup>.

As discussed in Response to Comment 34-FF, since the Project involves the construction of a logistics center approximately 100 feet (30 meters) from the property line of the nearest sensitive receptor, a HRA was prepared for the Project. Refer to Response to Comment 34-FF for a discussion regarding SCAQMD's review and the results of the HRA. The analysis in the June Screening HRA, the November Refined HRA, and the New Modeling indicate that none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the proposed Project vicinity. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project operation. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

<sup>8</sup> <https://www.arb.ca.gov/ch/handbook.pdf>

**Response to Comment 34-KKK:**

The comment again brings up the issue of the older federal ozone standard being evaluated in **Table 5.3-B** of the DEIR. As discussed in Response to Comment 34-III, the EPA revised the primary and secondary ozone standard levels to 0.070 parts per million (ppm) (70 ppb) in 2015. However, **Table 5.3-B** discloses the number of days exceeding standards in effect at the time the data was collected and published. Data for 2015 is not yet available from SCAQMD.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-LLL:**

The comment disputes that the Project is consistent with a number of policies in the Riverside General Plan 2025. Appendix M of the DEIR identifies applicable City of Riverside General Plan 2025 objectives and policies and evaluates the Project's consistency level with those objectives and policies. In regards to Objective AQ-1, or adopting land use policies that site polluting facilities away from sensitive receptors and vice versa; improve job-housing balance; reduce vehicle miles traveled and length of work trips; and improve the flow of traffic, the Project was found to be consistent with this Objective through consistency with GP 2025 Policies AQ-1.1 through AQ-1.4 and AQ-1.21 and AQ-1.22. (DEIR Appendix M, pp. M-58-60.)

GP 2025 Policy AQ-1.8 aims to promote "Job/Housing Opportunity Zones" and incentives to support housing in job-rich areas and jobs in housing-rich areas, where the jobs are located at nonpolluting or extremely low-polluting entities. This is a Policy and not a mandate, as asserted by the comment. This is also a municipal measure that is not directly applicable to the proposed Project. Nevertheless, as outlined in the Project's consistency level with Policy AQ-1.1, the Project site is designated for Light Industrial in the City's General Plan 2025. The currently proposed Project involves construction and operation of two logistics center buildings at the Project site, which is consistent with the site's land use designation. Further, as discussed in Section 5.3.14 of the DEIR (p. 5.3-40), neither the short-term nor long-term Project-related emissions will exceed the localized significance thresholds for air quality impacts to sensitive receptors for NO<sub>x</sub>, CO, PM-10, or PM-2.5. The Project will also not expose workers or residents in the immediate Project vicinity to cancer or non-cancer risks in excess of SCAQMD thresholds. (DEIR Appendix M, p. M-58.) Appendix M has been clarified to include analysis of Policy AQ-1.8:

Applicable City of Riverside General Plan 2025 Objectives and Policies		Relationship of the Project to the Policy	Consistency Level
Policy AQ-1.8	Promote “Job/Housing Opportunity Zones” and incentives to support housing in job-rich areas and jobs in housing-rich areas, where the jobs are located at nonpolluting or extremely low-polluting entities.	<p><u>This is a municipal measure that is not directly applicable to the proposed Project. Nevertheless, the Project site is designated for Light Industrial in the City’s 2025 General Plan. The currently proposed Project involves construction and operation of two logistics center buildings at the Project site, which is consistent with the site’s land use designation.</u></p> <p><u>Further, as discussed in Section 5.3.14 of the DEIR (p. 5.3-40), neither the short-term nor long-term Project-related emissions will exceed the localized significance thresholds for air quality impacts to sensitive receptors for NO<sub>x</sub>, CO, PM-10, or PM-2.5. The Project will also not expose workers or residents in the immediate Project vicinity to cancer or non-cancer risks in excess of SCAQMD thresholds.</u></p>	Consistent

As discussed in Appendix M of the DEIR, General Plan 2025 Policy AQ-2.11 aims to develop ways to incorporate the “Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities” into the Development Review process and City-wide air quality education programs. Building 2 does not propose any dock doors or parking on the north side of the building, so as to increase distance and locate those activities away from the Sycamore Highlands neighborhood and to minimize impacts to these neighbors. Operational NO<sub>x</sub> emissions are anticipated to exceed the SCAQMD regional significance threshold and, due to proximity to existing residences, a HRA was prepared the Project. Refer to Response to Comment 34-FF for a discussion of the HRA and SCAQMD’s review. As discussed in Response to Comment 34-FF, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the proposed Project vicinity. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project operation. (DEIR, p. 5.3-34.) Although cancer and non-cancer risks are predicted to be less than the thresholds set by SCAQMD, the City will be required to adopt a Statement of Overriding Considerations for the proposed Project due to operational NO<sub>x</sub> emissions. Further, the Project will exceed CARB requirements by limiting truck idling to three (3) minutes rather than five (5) minutes at the Project site, consistent with Goal 4 of the Good Neighbor Guidelines. (DEIR Appendix M, p. M-61.) As discussed in Response to Comment 34-PPP, mitigation measures **MM AQ 13** and **MM AQ 22** have been modified to reflect the reduced idling time. Thus, the Project is consistent with the “Good Neighbor Guidelines” as discussed in detail in Appendix M of the DEIR. (DEIR Appendix M, pp. 66-77.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-MMM:**

The comment disputes that the Project is consistent with a number of policies in the Riverside Good Neighbor Guidelines.

Goal 1: The Project is consistent with Goal 1 of the City of Riverside Good Neighbor Guidelines that entails minimizing exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center as described in Appendix M of the DEIR. In accordance with State CEQA Guidelines Section 15126.6, an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. Section 8 – Alternatives of the DEIR evaluates three alternatives and found the alternatives to be infeasible due to a failure to meet the Project objectives or similar, increased, or reduced but still significant and unavoidable environmental impacts when compared with the proposed Project. (DEIR, pp. 8-34-35.) Additionally, the logistics center use proposed by the Project is consistent with the current General Plan 2025 land use designation of B/OP – Business Office Park and is zoned BMP-SP – Business Manufacturing Park and Specific Plan (Sycamore Canyon Business Park Specific Plan) Overlay Zones. The proposed Project will be consistent with both the existing land use designation of the General Plan 2025 and the Sycamore Canyon Business Park Specific Plan and would not require a change of zone. (DEIR, p. 5.10-10.)

Goal 1a: The Project is consistent with Good Neighbor Guideline Strategy 1a in that the Project is expected to be a 24/7 operation and there are queuing areas on site and designated commercial vehicle parking areas in proximity to the Project site. Refer to Response to Comment 34-EEE. Because the Project operator is unknown at this time and it has been noted that similar logistics uses in the City have resulted in trucks queuing on public streets, the potential for the Project to result in trucks queuing onto public streets while waiting for the operator to open the gates in the morning to accept deliveries was analyzed in Section 5.16 of the DEIR. If the Project was not a 24/7 operation, the potential for truck queuing on public streets is the highest in the morning when it is expected that multiple trucks arrive at the Project site prior to the gates opening. As shown on **Figures 5.16-10 – Site Queuing Analysis with 53' Trailer Trucks** and **5.16-11 – Site Queuing Analysis with 48' Trailer Trucks**, the queuing capacity of Building 1 will not be exceeded. Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, this should not result in trucks queuing or parking on the residential streets in proximity to the Project site because there is designated commercial vehicle parking on portions of Box Springs Boulevard. (DEIR, p. 5.16-49.) Therefore, traffic and neighborhood compatibility issues resulting from the three or four trucks that may have to queue are not anticipated and the Project is consistent with this Strategy. (DEIR Appendix M, p. M-67.)

Goal 1b: The Project is consistent with Good Neighbor Guideline Strategy 1b in that the Project has been designed such that no parking is provided along the northern side of Building 2, nearest the residential uses. Building 2 has also been designed to have no cross-dock

facilities. Site access will be taken via Lance Drive to the east of the Project site and Sierra Ridge Drive to the south of the Project site, with limited access from Dan Kipper Drive (exit only), north of the Project site. Thus, access will be located away from residential uses to the extent feasible. All driveways exiting the site will be limited to right turn only movements to avoid traffic headed east on Dan Kipper Drive, closest to the residential uses. (DEIR Appendix M, p. M-67.)

Goal 1c: The Project is consistent with Good Neighbor Guideline Strategy 1c in that a HRA was performed for receptors in vicinity of the Project site. As discussed in Response to Comment 34-FF, according to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the proposed Project vicinity. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. (DEIR, p. 5.3-34, FEIR Attachment A.1, FEIR Attachment A.2.)

As stated in the Refined November HRA, the SCAQMD has not established a significance threshold for ambient cumulative TAC impacts affecting the Basin. The SCAQMD has established a significance threshold for incremental project-level TAC impacts. This same significance threshold (10 in one million) is applied by SCAQMD in determining whether a given project's incremental contribution to ambient TAC-source cancer risks is cumulatively considerable. (Attachment A.1, p. 26.)

Nonetheless, the November Refined HRA provided context for, and the Refined HRA and New Modeling quantified cumulative TAC effects within the Project area. The Project-specific cancer risk and the cancer risks from the related projects were added to the total background risk derived by the MATES IV study, yielding a maximum potential cumulative TAC-source risk affecting the Project area. The maximum potential cumulative cancer risk within the Project area is estimated at 712.58 in one million. (FEIR Attachment A.1, p. 31.)

The MATES-IV ambient background plus related cumulative project TAC impact represents approximately 99 percent of the total cumulative impact; and due to its magnitude when compared to project-level TAC impact significance thresholds, is presumed to be cumulatively significant. The Project would incrementally contribute to this presumably significant cumulative impact. However, the Project's maximum incremental contribution of 4.87 incidents per million population as shown in the New Modeling does not exceed the established SCAQMD threshold (10 incidents per million population) at which Project-level TAC contributions would be determined cumulatively considerable. On this basis, the Project TAC emissions impacts are not considered cumulatively considerable. (FEIR Attachment A.1, p. 31; FEIR, Attachment A.2.)

Goal 2 and 2a: The Project was evaluated for consistency with Good Neighbor Guideline Goal 2 in Appendix M of the DEIR. In terms of Good Neighbor Guideline Strategy 2a, the Project has an established specific truck distribution between the Project site and the freeways in that the Project site is accessed from Sycamore Canyon Boulevard, a 4-lane divided major arterial.

Further, the “urban intersect” as described in the Sycamore Canyon Business Park Specific Plan at the Interstate 215 and Eastridge Avenue has since been constructed, allowing for a direct connection to Interstate 215. Therefore, the Project is consistent with this Strategy. (DEIR Appendix M, p. M-70.) In the City of Riverside, trucks are generally not restricted to specific roadways; however, the majority of trucks will use the I-215 Ramps at Eastridge Ave-Eucalyptus Ave since it utilizes the “urban intersect”. Trucks are not anticipated to travel into residential neighborhoods given the existing freeway access. Additionally, as discussed in Response to Comment 34-FF, pursuant to Chapter 10.56 of the City’s Municipal Code, commercial vehicles (trucks) over 10,000 pounds are prohibited from using Lochmoor Drive, Fair Isle Drive and Sycamore Canyon Boulevard, between El Cerrito Drive and University Drive. Residents who notice trucks where restrictions are in place can call 311 and their complaint will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Goal 2d: The Project is consistent with Good Neighbor Guideline Strategy 2d in that mitigation measure **MM AQ 25** (listed below) was included in the Air Quality Section of the DEIR requiring both building operators to provide flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging and entertainment. (DEIR Appendix M, p. M-70.) The Project is consistent with this Strategy and no further analysis is required.

**MM AQ 25**: The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

Goal 3: The Project was evaluated for consistency with Good Neighbor Guideline Goal 3 in Appendix M of the DEIR. The Project is required to comply with the City Municipal Code which codifies the strategies of Goal 3. Specifically, the Project will adhere to Sections 10.52 pertaining to stopping, standing, or parking on streets, Section 10.52.155<sup>9</sup> pertaining to prohibited parking of certain commercial vehicles, trailers, and semi-trailers, and Section 10.52.160 pertaining to prohibited parking of certain commercial vehicles in residential districts. (DEIR Appendix M, p. M-71.) Therefore, the Project is consistent with Good Neighbor Guideline Goal 3. Additionally, **MM AQ 22** will be implemented which requires that, within six months after operations commence, signs will be posted informing truck drivers about the health effects of diesel particulates, the CARB diesel idling regulations, and the importance of being a good neighbor by not parking in residential areas. Mitigation measure **MM AQ 22** will be revised in the FEIR as shown below:<sup>10</sup>

**MM AQ 22**: The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that ~~CARB~~ diesel idling times cannot exceed

<sup>9</sup> <https://www.riversideca.gov/parking/pdf/boxspringtruckparking.pdf>

<sup>10</sup> Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

~~three minutes~~ regulations, and the importance of being a good neighbor by not parking in residential areas.

- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.
- ~~c)~~ The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-NNN:**

The comment alleges that the DEIR ignores that the City and the Project can require compliance with CARB's Diesel Risk Reduction Program earlier than 2023. Regulations adopted by CARB in December 2008 and last amended in December 2014 ensure that, by 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. (DEIR, p. 5.3-18.) Nonetheless, the Project has incorporated a design feature that requires all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards. To clarify this, the bottom of DEIR page 5.3-21 will be modified as follows:

#### Transportation and Motor Vehicles

- Limit idling time for commercial vehicles to no more than ~~three~~five minutes.
- All medium and heavy duty diesel trucks that enter the Project site shall that meet or exceed 2010 engine emission standards as specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative shall be permitted to enter the Project site. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- Provide up to three electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.

Because the Project will require all medium and heavy duty vehicles entering the Project site to meet or exceed 2010 engine emissions standards, this feature has also been included as a mitigation measure for consistency with other project design features that were also included

as mitigation. Accordingly, mitigation measure **MM AQ 17** will be renumbered to **MM AQ 17a** and **MM AQ 17b** will be added to DEIR page 5.3-37. The addition of this mitigation does not raise any new significant environmental effects of the project but merely clarifies and makes an insignificant modification to the EIR to include a project design feature that the Project will require the use newer truck engines than is currently required by law.

**MM AQ 17b:** All medium and heavy duty diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

The addition of a new project design feature does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-000:**

The comment again claims that the DEIR disregards the CARB recommendation to not place a distribution center within 1000 feet of a residential center and states that the DEIR is ignoring the General Plan 2025. As discussed in Response to Comment 34-JJJ, the DEIR discloses (and thus, includes in the administrative record) CARB recommendations. However, the DEIR also states that these are recommendations, not mandates, and land use decisions ultimately are the responsibility of the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.)

Since the Project involves the construction of a logistics center approximately 100 feet (30 meters) from the nearest sensitive receptor, a HRA was prepared for the Project Refer to Response to Comment 34-FF for a discussion of the results of the HRA and SCAQMD review.

As stated previously, the CARB recommends, but does not mandate that new sensitive land uses should not be placed within 1,000 feet of a distribution center. Furthermore, Appendix M of the DEIR identifies applicable City of Riverside General Plan 2025 objectives and policies and the Project's consistency level with those objectives and policies. The Project was found to be consistent with the General Plan 2025 Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-PPP:**

The comment is in regards to the analysis in Threshold B in Section 5.3 of the DEIR (pp. 5.3-23-30). As adequately disclosed in the DEIR, long-term Project operational emissions will

exceed the threshold for NO<sub>x</sub>, even with the incorporation of proposed Project design features (which are also listed as mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19**, as well as additional **MM AQ 22** through **MM AQ 25**). Mitigation measures **MM AQ 1** through **MM AQ 8**, **MM AQ 14**, **MM AQ 18**, and **MM AQ 25** were previously listed in Response to Comment 34-M. Mitigation measures **MM AQ 22** and **MM AQ 25** were previously listed in Response to Comment 34-MMM. Mitigation measures **MM AQ 8** through **MM AQ 12**, **MM AQ 15** through **MM AQ 21**, **MM AQ 23**, and **MM AQ 24** are listed below. **MM AQ 13** and **MM AQ 23** will be revised in the FEIR as shown below.<sup>11</sup>

**MM AQ 8:** The Project's landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~ five-minutes or less ~~in excess of pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** "Green" building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an

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<sup>11</sup> Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

Because long-term operation of the proposed Project will exceed the SCAQMD threshold for NO<sub>x</sub>, impacts are considered to be significant and unavoidable after implementation of mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p.5.3-30.)

The Project was evaluated for Carbon Monoxide (CO) hotspots based on SCAQMD’s 2003 Air Quality Management Plan and the Revised 1992 Federal Attainment Plan for Carbon Monoxide by comparing the Wilshire Boulevard and Veteran Avenue intersection daily traffic (100,000 vehicles per day) and Project-related traffic (20,213 average daily trips). This comparison does not differentiate between cars and trucks which have differing emissions factors because information on truck percentage was not provided. Considering existing traffic, plus 2018 ambient traffic, plus cumulative traffic plus Project-related traffic, the Traffic Impact Analysis (TIA) prepared for this Project calculated that the highest average daily trips would be 20,213 on Eastridge Avenue between Box Springs Boulevard to the I-215 Ramps, which is lower than the values studied by SCAQMD in their 1992 CO Plan and 2003 AQMP, as described above (DEIR, Appendix J). Therefore, none of the roadway segments in the vicinity of the proposed Project site would have daily traffic volumes exceeding those at the intersections modeled in the 2003 AQMP, nor would there be any reason unique to the meteorology to conclude that this intersection would yield higher CO concentrations. Since the Wilshire Boulevard and Veteran Avenue intersection daily traffic is almost five times higher than the cumulative Project-related traffic on Eastridge Avenue between Box Springs Boulevard to the I-215 Ramps, the comparison of project CO hot-spot impacts support the analogy, regardless of unknown truck percentages. (DEIR, p. 5.3-29-30.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-QQQ:**

The comment is in regards to the analysis in Threshold C in Section 5.3 of the DEIR (pp. 5.3-30-31). The portion of the Basin within which the Project is located is designated as a non-attainment area for PM-10 under State standards, and for ozone and PM<sub>2.5</sub> under both State and federal standards. Ozone is not directly emitted into the atmosphere; rather, it forms via a reaction of VOC and NO<sub>x</sub> in the atmosphere. (DEIR, p.5.3-30.)

As stated in the DEIR, SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same. Therefore, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. Based on SCAQMD's regulatory jurisdiction over regional air quality, it is reasonable to rely on its thresholds to determine whether there is a cumulative air quality impact. None of the SCAQMD mass daily significance thresholds are exceeded during Project construction; however, the mass daily significance threshold for NO<sub>x</sub> would be exceeded during Project operation. Thus, the Project would have a cumulatively considerable increase in emissions due to operational NO<sub>x</sub>. In terms of localized air quality impacts, none of the SCAQMD LST thresholds are exceeded. Thus, the Project would not have a cumulatively considerable impact due to criteria pollutant emissions. Because the Project would have a cumulatively considerable increase in emissions due to operational NO<sub>x</sub>, even with implementation of mitigation measures **MM AQ 1** through **MM AQ 25** (listed previously), the impact is significant and unavoidable after implementation of mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p.5.3-31.)

Since none of the other criteria pollutants exceed SCAQMD thresholds, the Project is considered to have a cumulatively considerable increase due to criteria pollutant emissions based on the exceedance of NO<sub>x</sub> during Project operations.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-RRR:**

As discussed in Section 5.3 of the DEIR, SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same. Therefore, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. Based on SCAQMD's regulatory jurisdiction over regional air quality, it is reasonable to rely on its thresholds to determine whether there is a cumulative air quality impact. (DEIR, pp. 5.3-31.)

Additionally, cumulative impacts were analyzed in Section 6 – Other CEQA Topics of the DEIR (pp. 6-1-29). In terms of localized air quality impacts, construction of the Project would not have a cumulatively considerable impact due to criteria pollutant emissions. However, because the Project's emissions exceed applicable SCAQMD thresholds during operation due to Project-related NO<sub>x</sub>, the Project will result in significant and unavoidable cumulative impacts to air quality. (DEIR, pp. 6-9-10.) Therefore, the DEIR adequately analyzed cumulative air quality impacts based on significant and unavoidable impacts.

The DEIR's analysis cumulative impacts analysis and reliance upon SCAQMD's guidance for thresholds is adequate and complies with CEQA, including State CEQA Guidelines Sections 15130(a), 15064(h)(1), 15065(a)(3), and 15355(b) referenced in the comment. The commenter's citation to Public Resource Code section 21083.2(b)(2) appears to be misplaced as that provision relates to the treatment of unique archaeological resources and, more specifically, ensuring the protection of such resources by leaving them in place through the deeding of conservation easements.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 34-SSS:**

The comment is in regards to the Screening HRA analysis in Threshold D in Section 5.3 of the DEIR (pp. 5.3-31-34). SCAQMD's *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD guidance) states that volume or area source characterizations are most appropriate for modeling emissions associated with truck idling and movement.<sup>12</sup> To be conservative, the Screening HRA divided the Project site into eight equal areas (each 8.92 acres). The 8.92 acre area closest to existing sensitive (residential) and worker receptors was modeled concentrating all of the Project's mobile source emissions in one area. This is conservative because the Project's mobile source emissions will be generated across the entirety of the Project site, which provides more distance between the loading bays and on-site truck movement associated with Building 1 and the nearest residences and would reduce the concentration of diesel particulate matter (DPM).

As discussed in Response to Comment 34-FF, a Refined HRA and subsequent New Modeling were prepared in November 2016 and January 2017, respectively, to address specific comments from SCAQMD (included in the Final EIR as Response to Comment Letter 36). The Refined HRA and New Modeling are included as Attachments A.1 and A.2 of the Final EIR. Both the Refined HRA and New Modeling are consistent with the requested SCAQMD guidance and methodology and individually modeled the on-site roadways, loading bays, and truck travel on off-site roadways leading to and from the Project site and freeways. According to the Refined HRA and New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the Project vicinity. In fact, as stated in Response to Comment 34-FF, the estimated maximum cancer risk reduced from 5.3 in one million (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project site (FEIR Attachment A.2). Thus, the Screening HRA included in the DEIR conservatively overestimated exposure from mobile source emissions and did not underestimate cancer or non-cancer risk resulting from the proposed Project.

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<sup>12</sup> <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>

Further, the Project has incorporated a design consideration that requires all medium- and heavy-duty trucks entering the Project site meet or exceed 2010 engine emission standards. Specifically, the bottom of DEIR page 5.3-21 will be modified in the FEIR as follows:

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles to no more than threefive minutes.
- All medium and heavy duty diesel trucks that enter the Project site shall that meet or exceed 2010 engine emission standards as specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative shall be permitted to enter the Project site. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- Provide up to three electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.

Because Project Design Features are also listed as mitigation measures in the DEIR (DEIR, p. 5.3-35), as discussed in Response to Comment 34-NNN mitigation measure **MM AQ 17b** will be included in the FEIR and Mitigation Monitoring and Reporting Program (MMRP).

The New Modeling and addition of a project design feature does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD guidance. therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-TTT:**

The commenter disagrees with the Air Quality Report's finding that the Maximum Individual Cancer Risk (MICR) would be greater than that from operation and suggests a modeling error.

As outlined in the Air Quality Report, or Appendix B of the DEIR, a project's construction phase produces many types of emissions, but PM-10 (including PM-2.5<sub>2.5</sub>) in fugitive dust and diesel engine exhaust are the pollutants of greatest concern. Fugitive dust emissions can result from a variety of construction activities, including excavation, grading, demolition, vehicle travel on paved and unpaved surfaces, and vehicle exhaust. Construction-related emissions can cause substantial increases in localized concentrations of PM-10, as well as affecting PM-10 compliance with ambient air quality standards on a regional basis. Particulate emissions from construction activities can lead to adverse health effects as well as nuisance concerns such as reduced visibility and soiling of exposed surfaces. The use of diesel-powered construction equipment emits ozone precursors NO<sub>x</sub> and Reactive Organic Gas (ROG), diesel total organic gases (DTOG), and diesel particulate matter (DPM), the latter being a composite toxic air

contaminant (TAC) containing a variety of hazardous substances. Large construction projects using multiple, large earth-moving equipment are evaluated to determine if operations may exceed the SCAQMD's daily threshold for NO<sub>x</sub> emissions and could temporarily expose area residents to hazardous levels of DPM. Use of architectural coatings and other materials associated with finishing buildings may also emit ROG and TACs. CEQA significance thresholds address the impacts of construction activity emissions on local and regional air quality. Thresholds are also provided for other potential impacts related to project construction, such as odors and TACs. (DEIR Appendix B, pp. 2-3.)

The term "project operations" refers to the full range of activities that can or may generate criteria pollutant, Greenhouse Gas (GHG), and TAC emissions when the project is functioning in its intended use. For projects such as office parks, shopping centers, residential subdivisions, and other indirect sources, motor vehicles traveling to and from the project represents the primary source of air pollutant emissions. For industrial projects and some commercial projects, equipment operation and manufacturing processes, i.e., permitted stationary sources, can be of greatest concern from an emissions standpoint. CEQA significance thresholds address the impacts of operational emission sources on local and regional air quality. Thresholds are also provided for other potential impacts related to project operations, such as odors. (DEIR Appendix B, p. 3.)

Construction – particularly the site preparation and grading phases – utilizes heavy, powerful off-road equipment such as bulldozers, scrapers, and front-end loaders. Off-road diesel engines emit more DPM than on-road engines (e.g., trucks) of similar size due to 1) less stringent emission standards, 2) generally older fleets due to long equipment life and high replacement costs, and 3) cyclic operation (i.e., frequent throttle-up & throttle down). Thus, construction can have a higher time-weighted impact than the on-site fraction of operational emissions. This is because the OEHHA residential risk calculations incorporate a tenfold early-in-life potency factor adjustment for the third trimester and ages zero to less than two, and a threefold adjustment factor for ages two to less than sixteen. Since construction would occur for about one year, the early-in-life potency factor adjustment dominates the cancer risk calculation.

Since construction of the Project will result in earth moving and large, higher-emitting construction equipment operating concurrently on-site and many operational emissions would occur off-site due to truck travel to and from the ports, it is reasonable to conclude that the Maximum Individual Cancer Risk (MICR) for construction would be greater than that from operation. Refer to Response to Comment 34-FF for a discussion regarding the Project's HRA. (DEIR Appendix B, p. 6.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-UUU:**

Although the Project site is located within the boundary of the adopted Stephens' Kangaroo Rat Habitat Conservation Plan (SKR-HCP), it is not within the Core Reserve and so impacts to

this species are offset through payment of SKR-HCP fees. The SKR-HCP does not require surveys for this species outside the Core Reserve and impacts to any SKR that may occur at the Project site will be offset via payment of fees. The SKR-HCP is available online at: <http://www.skrplan.org/skr.html>.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-VVV:**

The existing drainage that runs through the project site is currently unprotected and unmaintained. While it has some native vegetation, the existing drainage also has numerous invasive species and is subject to degradation, trespass and illegal dumping. The DEIR included an analysis of the loss of this natural drainage feature per Section 6.1.2 of the MSHCP, Riparian and Riverine Policy. (DEIR, p. 5.4-24.) Following the requirements of Section 6.1.2 of the MSHCP, the City had a Determination of Biologically Equivalent or Superior (DBESP) prepared to analyze the quality of habitat on the Project site and provided an analysis of the mitigated area proposed to recreate a drainage along the western edge of the site. (DEIR, Appendix C.4.) Prior to development of the DBESP document, the City met with the Regional Conservation Authority (RCA), the agency responsible for determining MSHCP compliance, the California Department of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFWS) on December 9, 2015, and February 10, 2016. (DEIR, Appendix C.4, p. 5-7.) The purpose of these meetings was to discuss the location and the characteristics of the drainage and proposed Mitigation Area that would fulfill the requirements of Section 6.1.2 of the MSHCP.

The DBESP was reviewed by the CDFW and USFWS for 60 days per the MSHCP requirements. As of November 22, 2016, CDFW determined that the habitat that will be created in the Project's Mitigation Area is considered biologically superior in comparison to the existing drainage. (DEIR, pp. 5.4-21.) Because the relocated drainage will be protected in perpetuity, it will be maintained and kept free of invasive. The relocated drainage into the Mitigation Area also provides habitat and buffering between the proposed development and the MSHCP Conservation Area (i.e. Sycamore Canyon Wilderness Park) to the west. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-WWW:**

See Response to Comment 34-UUU. Species trapping is neither required nor necessary because there is an SKR HCP (<http://www.skrplan.org/skr.html#004>), of which the Project will pay fees and the Project site is not located in a Core Reserve of the HCP. (DEIR pp. 5.4-14 – 5.4-15.) Regarding the San Diego black-tailed jackrabbit, this species is a Covered Species under the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) (<http://wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/>). The Covered Species status means that as long as the Project pays MSHCP fees and is compliant with Section 6.0 of the MSHCP (namely Sections 6.1.2, 6.1.3, 6.1.4 and 6.3.2), then the Project can obtain take

authorization for the San Diego black-tailed jackrabbit. Per Section 6.1.1 of the MSHCP, impacts to this species are mitigated fully under CEQA through the City's payment of MSHCP fees, which is required of the Project Applicant under the MSHCP and pursuant to City Ordinance No. 6709, as well as compliance with the MSHCP. (DEIR, p. 5.4-19.) Therefore, trapping and relocation of the San Diego black-tailed jackrabbit is not necessary or required as a result of the Project.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-XXX:**

See Response to Comment 34-JJJJ. This comment does not provide any substantial evidence that changes the analysis and determinations in the DEIR. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-YYY:**

It is not common practice for the Habitat Mitigation Monitoring Plan (HMMP) to be prepared concurrently with the DEIR because HMMPs are drafted in response to regulatory permitting requirements related to the details of how the Mitigation Area will be monitored for success. The HMMP does not provide the plan for how the Mitigation Area is to be created, that document is the DBESP, which is the appropriate level document to have in the DEIR, and is also the requirement to show compliance with the MSHCP. An HMMP is not a requirement of the MSHCP. An HMMP would be required by any of the regulatory agencies responsible for issuing permits per the Clean Water Act and Streambed Alteration Agreement which can only happen after the CEQA document is approved. A draft of the HMMP success criteria has been included in the DBESP which was addressed in the DEIR analysis. For instance, the DBESP states that the Mitigation Area, when complete, should have 85 percent coverage of the existing riparian habitat, no more than 10 percent cover of non-native species, and reduction of supplemental watering during the last two years of monitoring. (DEIR, Appendix C.4, p. 6-1.)

The HMMP will be prepared once detailed discussions related to the regulatory permitting process is underway. The HMMP would not include any more details or analysis that would change the determination of the DBESP nor the determination that the Project will have a less than significant impact related to biological resources. The HMMP document would also not include any details that would change the MSHCP compliance determinations utilized in the DEIR.

Additionally, the Wildlife Agencies (CDFW and USFWS) were given an opportunity to review and comment on the DBESP from May 20, 2016, through June 20, 2016. None of the agencies requested changes to the text of the DBESP, and the DBESP determined that the habitat that will be created in the Mitigation Area is considered biologically superior in comparison to the existing drainage.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-ZZZ:**

There is no “link” (i.e. connectivity) between the Sycamore Canyon Wilderness Park and the Box Springs Mountains through the Project Site. Existing development has eliminated any such link or connections. Further, the MSHCP which is the guiding document used to identify locations of linkages and/or corridors through the identification of the MSHCP Conservation Area does not identify any conservation or “links” (i.e. the Criteria Area) on the Project Site (<http://wrc-rca.org/about-rca/multiple-species-habitat-conservation-plan/>). Thus, even if the Project site currently provides natural habitat that may be used by species in the vicinity, the site is not within an MSHCP Criteria Cell. During the biological resources assessment conducted by AMEC, a golden eagle was observed flying over the Project site; however, the Project site contains low quality raptor foraging habitat, the loss of which is not considered a significant impact (DEIR, p. 5.4-19). One willow flycatcher was observed flying through the site; however, the Project site does not present suitable breeding habitat for this species and the bird was not detected during any subsequent surveys and this individual was determined to have been a transitory individual that happened to be passing through at the time of the survey. (DEIR, Appendix C.2, pp. 1 – 2.) Once the Mitigation Area and the perimeter landscaping is complete, trees such as pines, sycamores and oaks will provide raptor habitat (DEIR, **Figure 3-11 – Conceptual Landscape Plan**). Additionally, the riparian vegetation proposed in the Mitigation Area (willows, mulefat) could provide habitat for southwestern willow flycatchers that may stray over from the Wilderness Park.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-AAAA:**

See Response to Comment 34-UUU. Impacts to Stephens’ Kangaroo Rat are mitigated through payment of fees pursuant to the Stephens’ Kangaroo Rat Habitat Conservation Plan; further, the SKR-HCP does not have a survey requirement for areas outside of the designated Core Reserve.<sup>13</sup>

Therefore, the Project is consistent with Objective LU-7 of the City’s General Plan 2025 because it will adequately mitigate any potential impacts to Stephens’ Kangaroo Rat through payment of fees as required by the SKR-HCP. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-BBBB:**

The DEIR fully evaluated compliance with the MSHCP, in particular Sections 6.1.2, 6.1.3, 6.1.4 and 6.3.2. (DEIR, pp. 5.4-23 – 5.4-28.) Pursuant to Section 6.1.2 of the MSHCP, focused surveys for riparian birds are required when suitable habitat is identified on the site that cannot be avoided. Per the Biological Assessment (DEIR, Appendix C.1, p. iii), the Project site supports suitable habitat for least Bell’s vireo and southwestern willow flycatcher.

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<sup>13</sup> Stephens’ Kangaroo Rat Habitat Conservation Plan, Section 5.C.1.O.6; Available at <http://www.skrplan.org/skr.html#004>, Accessed October 24, 2016.

During the least bell's vireo (LBVI) presence/absence surveys, the biologists also focused on the potential presence of southwestern willow flycatcher and yellow-billed cuckoo, as well as to other special-status species known to occur in the area. The willow flycatcher detected during the surveys was recorded with a GPS and mapped per the requirements of the survey protocol. However, no suitable habitat for willow flycatcher was identified on the site (DEIR, Appendix C.2, p. 1) during these focused surveys. As noted in Response to Comment 34-ZZZ, the southwestern willow flycatcher observed passing through the Project site was determined to be a transitory individual passing through the site, as the site does not present suitable breeding habitat for this species. No LBVI or yellow-billed cuckoos were detected during any of the focused surveys. (DEIR, Appendix C.2, p. 4.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-CCCC:**

See Responses to Comments ZZZ and BBBB. Special attention was given to the presence of southwestern willow flycatcher and yellow-billed cuckoo during the LBVI protocol surveys. One southwestern willow flycatcher was observed passing through the site, and this observation was recorded pursuant to survey protocols for this species. Biologists determined that because the Project site does not possess suitable breeding habitat for this species and because surveys were conducted during the migration period of this species, it is very likely that this individual was passing through. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-DDDD:**

The Mitigation Area along the western edge will be designed so that it will not receive untreated stormwater flows. Further, all runoff from the Mitigation Area will also drain into the onsite detention basin for treatment before reaching the offsite storm drain system and regional marsh.

The Project proposes 10.69 acres of "self-treating" areas, which include a component of Low Impact Development (LID) principles. In general, self-treating areas include no impervious areas, unless very small, and slopes are gentle enough to ensure runoff from impervious areas will be absorbed into the vegetation and soil. More than 10 percent of the developed site area will be designated self-treating areas that meet the requirement for LID Best Management Practices (BMPs). (DEIR, p. 5.9-22.) These self-treating areas will reduce the creation or severity of potential pollutant sources and will reduce the toxic load from the site going into the regional water quality basin.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-EEEE:**

Source Control Best Management Practices (BMPs), such as onsite storm drain inlet markings as well as interior floor drains, and regular maintenance of refuse areas, will limit the contact

between pollutant sources and stormwater at the Project site. In particular, one of the Operational Source Control BMPs includes landscape maintenance with minimal pesticide use and providing Integrated Pest Management information to new occupants (DEIR, pp. 5.9-21).

Additionally, as described in Response to Comment 34-DDDD, the Project site incorporates self-treating areas to limit the creation of potential pollutant sources and to limit the amount of runoff from the Project site. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-FFFF:**

Although lighting at the Project site will be installed 34 feet high on Building 1 and 32 feet high on Building 2, all Project lighting will be shielded to minimize offsite glare, will not direct light skyward, and will be directed away from adjacent properties and public rights-of-way. In addition, the Project will introduce new sources of light in the form of security lighting, internal roadway and parking lot lighting within the Project site for public safety and operation of the proposed structures. The proposed lighting at the Project site has been designed in accordance with all applicable City codes to minimize spillover. Impacts with regard to new sources of light and glare were determined to be less than significant through compliance with the City's Zoning Code, mitigation measures **MM AES 10** (as revised per Response to Comment 34-P), **MM HAZ 4**, and **MM BIO 7** (listed in Response to Comment 34-P), any other applicable lighting requirements and regulations, and compliance with Staff Recommended Conditions of Approval listed below: (DEIR, pp. 5.1-29-5.1-31.) In addition, the height of any freestanding light poles in the parking areas etc. are subject to the design called out in the Section 3 – Project Description (DEIR, pp. 3-34-35.) and as conditioned under Staff Recommended Condition of Approval 20:

An exterior lighting plan shall be submitted to Design Review staff for review and approval. A photometric study and manufacturer's cut sheets of all exterior lighting on the building, in the landscaped areas and in the parking lots shall be submitted with the exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). The light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties and public rights-of-ways. No light spill shall be permitted on the MSHCP Conservation Area (Sycamore Canyon Wilderness Park). If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed 14 feet in height, including the height of any concrete or other base material, within the 100-foot setback between Building 2 and the residential property lines to north property line and shall not exceed 20 feet in height, including the height of any concrete or other base material, elsewhere on the property.

Therefore, with implementation of **MM AES 10**, as revised in Response to Comment 34-P, and the Project's Condition of Approval 20, there will be no lighting spillover into the Sycamore

Canyon Wilderness Park. This comment does not does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-GGGG:**

Although the Sycamore Canyon Wilderness Park is not classified as a neighborhood park land use by the City, this is the closest land use CNEL standard, and can be used to determine the significance of noise impacts to the park. The Project’s mitigated noise levels are within the City’s General Plan 2025 “Normally Acceptable” compatibility criteria for neighborhood park land uses. (DEIR, p. 5.12-40.) Therefore, because noise levels within the park will not exceed the threshold, no additional noise barriers will be required to minimize impacts to the Sycamore Canyon Wilderness Park.

DEIR **Table 5.4-B – Project Compliance with MSHCP Urban/Wildlands Interface Guidelines** incorrectly indicates there will be a wall surrounding the truck yards and loading/docking areas and will be revised in the FEIR as follows:

MSHCP Guidelines	Project Features
<b>Noise</b>	
Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards.	As discussed in Section 5.13 – Noise, the Project will install a temporary construction noise barrier along its western boundary to minimize the effect of noise on the Sycamore Canyon Wilderness Park. <u>Once the Project is operational, noise at the boundary between the Park and the Project site will not exceed the City’s “Normally Acceptable” compatibility criteria for neighborhood parks land uses.</u> <del>Once completed, the Project will include walls surrounding the truck yards and loading/docking areas.</del> Therefore, the Project is consistent with the MSHCP Urban/Wildlands Interface Noise Guidelines.

The above correction does constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-HHHH:**

As described in Response to Comment 34-GGGG, lighting at the Project site will be properly shielded and arranged so as to minimize spillover onto adjacent properties. However, to ensure no light spillover occurs, mitigation measure MM AES 10 will be revised as described in Response to Comment 34-P.

Additionally, the Project vicinity is generally developed with a variety of warehouse and residential uses and so construction and operation of the Project will not create a new source of light in a previously unlit, rural area, nor will it substantially alter the lighting environment of

the Project vicinity. Furthermore, the Project site does not currently provide a link between the Sycamore Canyon Wilderness Park and Box Springs Mountain and no significant wildlife movement or corridor areas were documented on the site during the biological habitat assessment. (DEIR, p. 5.4-22.)

Therefore, this comment does not does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-III:**

See Response to Comment 34-GGGG. Except for the Sycamore Canyon Wilderness Park, the area surrounding the Project site is generally developed and is already incrementally impacted by night lighting at each of these developments. Project lighting will be designed to minimize spillover and the Project's lighting plans will be subject to approval by the City Planning Department prior to installation. Therefore, lighting impacts to the park will be less than significant and this comment does not does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-JJJ:**

The following documents were provided and referenced in this comment: Attachment C1, *A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher*, US Fish and Wildlife Service dated 2010; Attachment C2, *Final Report – NCCP/MSCP Raptor Monitoring Project (January 1, 2001 – December 31, 2003)*, Wildlife Research Institute dated 2005; Attachment C3, *Least Bell's Vireo*, Michael Patten, undated. Although not explained in the comment, these documents are provided to presumably refute the nesting season referenced in the DEIR (February 1 to August 31) per MM BIO 1. (DEIR, p 5.4-30.) These documents do not provide substantial evidence that February 1 to August 31 is an inappropriate breeding season for all of the birds that could be expected to nest on the site. C1 documents the background and survey protocol for the southwestern willow flycatcher which outlines the type of habitats associated with southwestern willow flycatcher (i.e. standing and slow moving water/saturated soils and dense riparian vegetation with canopy) none of which are located on the Project site. Additionally, C1 reports the breeding season as being from early May to August, depending on migration patterns. The breeding season discussed in the DEIR matches this time period.

Document C2 provided by the Commenter relates to raptor monitoring that took place in San Diego County, south of State Route 78. The area monitored is over 50 miles south of the Project site and does not represent the same habitat and regional conditions found on the Project site. Additionally, this report was prepared for the sole purpose of monitoring the success of the Multiple Species Conservation Program (MSCP). Specifically, this study utilized its own established seasons (p. 6) based on the latitude of the survey area. This report acknowledges "...raptor nesting activities can start as early as December and run into August. However, wintering raptors are commonly observed in this region December through February, with some remaining (or migrating through) into mid-March. Therefore, we have, somewhat arbitrarily, called the filed observations made December through February 'winter' survey data.

However, ‘breeding’ season data are not limited to a specific timeframe.....” (C2, Attachment p. 6). Hence, this report acknowledges that it utilized arbitrary timeframes for breeding seasons. As such, Document C2 does not provide substantial evidence that the breeding season of February 1 to August 31 is incorrect.

Lastly, Attachment C3 to this comment is a paper from a biology professor at the University of California on least Bell’s vireo (LBV). This paper is a generic summary of the LBV and its habitats, history, population status and threats analysis. The breeding season referenced in this document is mid-March to September. This time period is consistent with the DEIR’s breeding season of February 1 to August 31.

**MM BIO 1:** To comply with the provisions of the MBTA and the California Fish and Game Code, potential impacts to nesting habitat (i.e., site grading or removal of trees) shall be limited to the times when birds are less likely to be nesting (i.e., the non-breeding season, approximately September to February) to the extent feasible. The period from approximately February 1 to August 31 covers the breeding season for most birds that may occur in the Project area. If construction is conducted during breeding season, a qualified biologist shall check potential nesting sites no more than three (3) days prior to any Project related ground disturbance or tree removal activities. If nesting birds are present, the area shall be avoided until young have fledged (as determined by a qualified biologist). Avoidance will involve prescribed 500-foot buffer zone for birds of prey and 100- to 300-foot buffer zone for songbirds from sensitive locations.

Regarding **MM BIO 2**, relocation of burrowing owls shall be conducted pursuant to the requirements outlined in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Burrowing Owl Survey Protocols. Because of the existence of the MSHCP, the CDFW 2012 Burrowing Owl Guidelines do not need to be followed as long as the MSHCP guidelines are being fulfilled. Thus, because **MM BIO 2** cites the requirement laid out in the MSHCP, no change to the language mitigation measure is required.

Mitigation measure **MM BIO 2** reads as follows in the DEIR:

**MM BIO 2:** Per MSHCP Species-Specific Objective 6, preconstruction presence/absence surveys for burrowing owl shall be conducted on the Project site and within 150 meters (500 feet) 30 days by a qualified biologist prior to any ground disturbance. Take of active nests shall be avoided. Passive relocation (use of one-way doors and collapse of burrows) will occur when owls are present outside the nesting season. If feasible, the owls will be relocated to the Sycamore Canyon Wilderness Park or to property owned by the California Department of Fish and Wildlife in proximity to the Project site.

As outlined in response to Comment 34-YYY, above, it is not common practice for the Habitat Mitigation Monitoring Plan (HMMP) to be prepared concurrently with DEIR. Thus, a HMMP will

be prepared at a later date pursuant to mitigation measure **MM BIO 3**. Nonetheless, as explained in Response to Comment 34-YYY, the requirements for the HMMP are clearly outlined in the DBESP prepared for the Project, and include “85 percent coverage of the existing riparian habitat, no more than 10 percent cover of non-native species, and reduction of supplemental watering during the last two years of monitoring. (DEIR, Appendix C.4, p. 6-1.)

Mitigation measure **MM BIO 3** reads as follows in the DEIR:

**MM BIO 3:** As required by the Project’s DBESP, prior to issuance of grading permits the Project proponent shall provide evidence to the City Planning Division that a Habitat Mitigation and Monitoring Plan (HMMP) has been approved by the USFWS and CDFW for the Mitigation Area. Success criteria for the HMMP will include: 85% percent coverage of the existing riparian habitat, no more than 10% cover of non-native species, and reduction of supplemental watering during the last two years of monitoring. The Mitigation Area shall be monitored by a qualified biologist figure retained by the Project proponent for a minimum of five (5) years and monitoring reports shall be provided to the City, RCA, USFWS, and CDFW.

With regard to mitigation measure **MM BIO 4**, Government Code Section 65967 does not require the mitigation entity to be approved by the California Department of Fish and Wildlife (CDFW); nonetheless, entities on the CDFW approved list will be considered when this measure is implemented.

Mitigation measure **MM BIO 4** reads as follows in the DEIR:

**MM BIO 4:** Prior to the issuance of any occupancy permit, the Project proponent shall provide evidence to the City Planning Division that the Mitigation Area has been placed under a conservation easement and dedicated to an approved mitigation entity to be managed in perpetuity.

Mitigation measure **MM BIO 5** reads as follows in the DEIR:

**MM BIO 5:** Prior to any ground disturbing activities within jurisdictional waters, the Project proponent shall obtain the necessary authorization from the regulatory agencies for proposed impacts to jurisdictional waters. Impacts to jurisdictional waters shall require authorization by the corresponding regulatory agency. Authorization may include, but is not limited to, a Section 404 permit from the USACE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW. Project-specific impacts to jurisdictional waters shall be mitigated by the USACE, CDFW, and the RWQCB where applicable.

The Project Applicant will obtain necessary approvals from the United States Army Corps of Engineers, Regional Water Quality Control Board, and California Department of Fish and Wildlife for impacts to waterways under the jurisdiction of each corresponding agency which

occurs after the CEQA document is approved by the City. Any mitigation requirements that arise out of the regulatory process referenced in MM BIO 5 will be the responsibility of the Project Applicant.

The commenter takes issue with the lack of requirement for trapping and release of Stephens' Kangaroo Rat offsite, and suggests that full compliance with mitigation measure **MM BIO 6** cannot be attained without this requirement. However, as discussed in Response to Comment 34-UUU, the Project site is not within the SKR-HCP Core Reserve area and impacts to this species are mitigated through payment of SKR-HCP fees. Thus, no revisions to mitigation measure **MM BIO 6** are necessary.

Mitigation measure **MM BIO 6** reads as follows in the DEIR:

**MM BIO 6:** The Project shall be required to comply with the following standard best management practices (BMPs) outlined in Volume I, Appendix C of the MSHCP:

- A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be completed.
- Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian species identified in MSHCP Global Species Objective No. 7.
- The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.
- Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.
- The Permittee, City of Riverside, shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs.

No revisions to the mitigation measures referenced by the commenter are necessary because this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-KKKK:**

Although it is true that the Pechanga Band of Luiseño Indians submitted a comment letter in response to the Notice of Preparation time line, the letter restated legislative requirements for government-to-government consultation and provided a general history of the Pechanga Band of Luiseño Indians' Tribal activities in the Project vicinity. The City engaged in consultation with both the Pechanga Band of Luiseño Indians, the Soboba Band of Luiseño Indians and the Morongo Band of Mission Indians pursuant to Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). (DEIR, pp. 5.5-18–5.5-20.) The consultation process included meetings, conference calls, on-site visits (by representatives of the Pechanga Band of Luiseño Indians and Morongo Band of Mission Indians), review of the *Cultural Resources Assessment of the Sycamore Canyon Business Park Buildings 1 & 2, Riverside County, California* (included as Appendix D.1 of the DEIR) and the confidential results of the records search. As a result of the consultation process, the following mitigation measures will be implemented to reduce impacts to tribal cultural resources to less than significant: (DEIR, pp. 5.5-31–5.5-33.)

**MM CR 1: Prior to grading permit issuance:** If there are any changes to project site design and/or proposed grades, the Applicant shall contact interested tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, Applicant and interested tribes to discuss the proposed changes and to review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project. The Applicant will make all attempts to avoid and/or preserve in place as many as possible of the cultural resources located on the project site if the site design and/or proposed grades should be revised in consult with the City. In specific circumstances where existing and/or new resources are determined to be unavoidable and/or unable to be preserved in place despite all feasible alternatives, the developer shall make every effort to relocate the resource to a nearby open space or designated location on the property that is not subject any future development, erosion or flooding.

**MM CR 2: Archaeological Monitoring:** At least 30-days prior to application for a grading permit and before any grading, excavation and/or ground disturbing activities on the site take place, the Project Applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.

1. The Project Archaeologist, in consultation with interested tribes, the Developer and the City, shall develop an Archaeological Monitoring Plan to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. Details in the Plan shall include:
  - a. Project grading and development scheduling;

- b. The development of a rotating or simultaneous schedule in coordination with the applicant and the Project Archeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation and ground disturbing activities on the site: including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project archaeologists;
- c. Plan for the controlled grading within 50 feet of the boundaries of CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752. Grading within 50-feet of these sites shall be conducted using controlled grading techniques. Large indiscriminate grading equipment shall not be used, and the controlled grading technique shall be reviewed by the Project Archaeologist, in consultation with interested tribes, the Developer and the City. The archaeologist and Native Tribal Monitors shall ensure that the grading efforts in these areas are conducted in a manner that allows for the identification of subsurface cultural resources. Any resources observed shall be addressed in accordance with Mitigation Measure CR 3;
- d. The determination by the project archaeologist, Developer, City and Native Tribal Monitors as to which features of sites CA-RIV-8750, CA-RIV-8751 and CA-RIV-8752 can be successfully relocated to locations onsite that will be mutually agreed upon. The relocated features will be placed in an area that will be preserved in perpetuity, so that no future disturbances will occur;
- e. The protocols and stipulations that the Developer, City, Tribes and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation;
- f. The 3D modeling on all the sites located within the Project site, specifically in Areas 1 (CA-RIV-8750), 2 (CA-RIV-8751), and 3 (CA-RIV-8752), as delineated on the Site Plan attached to the Archaeological Monitoring Plan shall take into account the potential impacts to undiscovered buried archaeological and cultural resources and procedures to protect in place and/or mitigate such impacts;
- g. The location of the Cottonwood Tree requested by the Morongo Band of Mission Indians for their tribal requirements shall be noted on the Archaeological Monitoring Plan. The Monitoring Plan shall address the timing of the removal of the tree by the Morongo Band of Mission Indians and transfer of the tree to them; and
- h. The scheduling and timing of the Cultural Sensitivity Training noted in Mitigation Measure CR 4.

**MM CR 3: Treatment and Disposition of Cultural Resources:** In the event that Native American cultural resources are inadvertently discovered during the course of grading for this Project. The following procedures will be carried out for treatment and disposition of the discoveries:

1. **Temporary Curation and Storage:** During the course of construction, all discovered resources shall be temporarily curated in a secure location onsite or at the offices of the project archaeologist. The removal of any artifacts from the project site will need to be thoroughly inventoried with tribal monitor oversight of the process; and
2. **Treatment and Final Disposition:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
  - a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
  - b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
  - c. For purposes of conflict resolution, if more than one Native American tribe or band is involved with the project and cannot come to an agreement as to the disposition of cultural materials, they shall be curated at the Western Science Center or Riverside Metropolitan Museum by default; and.
  - d. At the completion of grading, excavation and ground disturbing activities on the site a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project Archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix,

include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center and interested tribes:

- i. Information on the location of, up to, 13 protein residue tests on the site and one or more control sites, will be provided in the final report.

**MM CR 4: Cultural Sensitivity Training:** The County Certified Archaeologist and Native American Monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. (DEIR, pp. 5-33-5-36.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-LLLL:**

See Response to Comment 34-KKKK. Through the Senate Bill 18/Assembly Bill 52 consultation process, the Pechanga Band of Luiseño Indians Tribe requested full avoidance of all three archaeological sites at the Project site, but acknowledges that the current design of the proposed Project will entail removal of all the known archaeological resources at the Project site (DEIR, p. 5.5-32). Thus, at the Tribe's request, the Project will implement mitigation measures **MM CR 1** through **MM CR 4** listed under Response to Comment 34-KKKK above to reduce impacts to the known archaeological resources.

The tribes recognize that full avoidance of these resources is not feasible due to site design; however, mitigation measures **MM CR 1** through **MM CR 4** will ensure that impacts to these resources are less than significant and ensure that any newly discovered resources are properly handled. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 34-MMMM:**

The comment alleges that the Greenhouse Gas (GHG) analysis is inadequate on the basis of failing to use the CEQA Appendix G thresholds. Significance Thresholds used are discussed in Section 5.7.3 of the DEIR (pp. 5.7-28-31) Consistent with CEQA Guidelines Appendix G, the three factors identified in CEQA Guidelines Section 15064.4 and the California Supreme Court opinion in *Ctr. for Biological Diversity v. California Dep't of Fish & Wildlife* (2015) 62 Cal.4th 204(*Newhall Ranch*), the following thresholds were considered in determining the significance of impacts from GHG in the DEIR:

- Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of GHGs (see Threshold A).

Analysis under Threshold A involved both a qualitative and quantitative analysis of the Project's compliance with the City of Riverside's Climate Action Plan ("CAP"). The CAP is a geographically specific plan that was adopted by the City of Riverside for the purpose of reducing GHG emissions under the control or influence of the City consistent with Assembly Bill 32 (AB 32) and subsequent state legislation and state agency action to address climate change.

- Would the Project conflict with the CARB Scoping Plan and regulations adopted for the purpose of reducing emissions of greenhouse gases (see Threshold B)?

Analysis under Impact Threshold B involved a qualitative analysis of the Project's consistency with the CARB's Scoping Plan and with GHG emission reducing regulations. The Scoping Plan (and its adopted regulations) are considered a statewide plan, policy, or regulation adopted by a public agency to reduce GHG emissions that may be used to assess consistency with AB 32.

The comment also questions why the GHG analysis did not make use of the SCAQMD thresholds. The City further determined that each of the above thresholds is considered to be a separate and independent basis upon which to substantiate the significance of the Project's GHG impact. (DEIR, p. 5.7-31.) Therefore, it is appropriate for the Project to not make use of the SCAQMD draft threshold for its own industrial projects of 10,000 MTCO<sub>2e</sub> or the 3,000 MTCO<sub>2e</sub> for land use projects, and instead use the City's CAP.

The comment objects to the rejection of the standard adopted in Executive Order B-30-15. As explained in Section 5.7 – Greenhouse Gas Emissions of the DEIR (pp. 5.7-44-45), the executive goals set by EO B-30-15 and EO S-3-05 are presently inappropriate significance criteria in analyzing impacts related to GHG emissions and climate change under CEQA because they do not establish any binding mandates. (DEIR, p. 44) The recent passing of Senate Bill 32 (SB 32) makes EO B-30-15 part of California's overall climate change law by adding a new section to the California Global Warming Solutions Act of 2006. Additional action at the state and subregional level is critical to the City's ability to attain its long-term GHG targets, as the City cannot meet the goals without altering land uses. Additionally, the proposed Project will be operational prior to 2020, and is consistent with the City's CAP and AB 32 reduction targets. Moreover, as buildings, roads, or other components of the Project are updated or replaced over time, they will be subject to the then-existing requirements for GHG emissions reductions, including those set forth to ensure compliance with EOs S-3-05, 05 and B-30-15, and will use then-existing technologies employed to achieve deep reductions in GHG emissions. (DEIR, p. 5.7-44-45.)

Additionally, the comment points out that the DEIR applies CEQA Guideline Section 15083.5, which does not exist. The DEIR inadvertently identified the CEQA Section and has been clarified on page 5.7-35 to read CEQA Guideline Section 15183.5 as follows.

The following from CEQA Guidelines Section 15183.5(b) ~~15083.5(b)~~ lists the requirements for greenhouse gas reduction plans used for this purpose:

The comment asserts that the Project conducted a Business as Usual (BAU) scenario in a manner that the California Supreme Court amended its *Newhall Ranch* decision to specifically reject. However, *Newhall Ranch* provides that a lead agency may assess consistency with AB 32's goal in whole or in part by looking to compliance with regulatory programs designed to reduce GHG emissions from particular activities. (DEIR, p. 5.7-45; *Ctr. for Biological Diversity v. California Dep't of Fish & Wildlife, supra*, 62 Cal.4th at p. 229.) Specifically, the Court advised that, in regards to compliance with GHG Reduction Plans or Climate Action Plans (CAPs), a lead agency may utilize "geographically specific GHG emission reduction plans" such as climate action plans or greenhouse gas emission reduction plans to provide a basis for the tiering or streamlining of project-level CEQA analysis. (DEIR, p. 5.7-30; *Ctr. for Biological Diversity v. California Dep't of Fish & Wildlife, supra*, 62 Cal.4th at p. 230.) The City's CAP is a geographically specific plan that was adopted by the City of Riverside for the purpose of reducing GHG emissions under the control or influence of the City consistent with AB 32 and subsequent state legislation and state agency action to address climate change. Therefore, conducting a BAU analysis consistent with the City's CAP is an appropriate method of assessing the Project's consistency with AB 32's goals and is consistent with the *Newhall Ranch* decision.

The comment also voices concern over the reduction in GHG emissions calculated due to vegetation change. In terms of vegetation change, SCAQMD's Model CalEEMod estimates the GHG emissions associated with the one-time change in vegetation resulting from development and the GHG emissions sequestered as a result of planting new trees on a project site. Planting trees as part of the Project will sequester CO<sub>2</sub> while they are actively growing. (DEIR, p. 5.7-40.) Additionally, according to Section 5.4 of the DEIR, disturbed non-native grassland dominates the site with an ephemeral drainage traversing the site. The Project site also appears to be regularly mowed for weed abatement and fire control purposes. (DEIR, p. 5.4-1.) The existing vegetation community is desiccated for a majority of the year and thereby has limited carbon storage potential. CalEEMod estimates vegetation change from a pre-construction condition within the parameters of forest land, cropland, grassland, and wetlands. The Project's existing land use does not adequately fit into any of these parameters, and therefore land use related vegetation change was not included in the GHG modeling. Any potential impact from including the land use change with the limited carbon storing potential of the existing vegetation community would be negligible, and would not affect the results of the analysis.

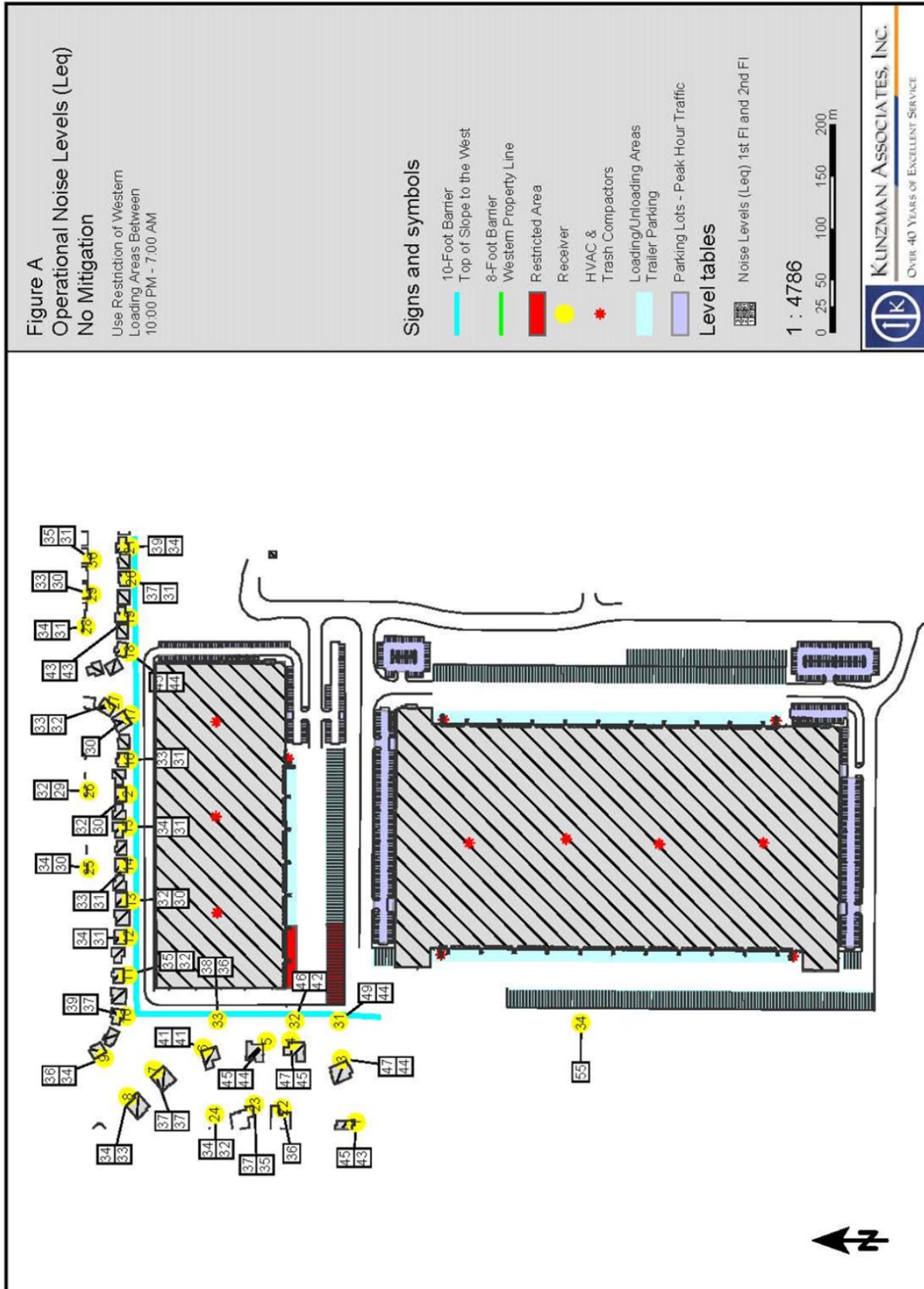
A comparison of the Project's estimated GHG emissions in 2020 (23,541.61 MTCO<sub>2</sub>E /year) to the estimated BAU GHG emissions (28,778.85 MTCO<sub>2</sub>E/year) corresponds to a 18.2 percent reduction, which achieves the 15 percent reduction target to meet the goal of the City's CAP pursuant to AB 32 reduction targets. (DEIR, p. 5.7-43.) Even if the 17.49 MTCO<sub>2</sub>E annual net-reduction was not included in the analysis, the Project would continue to meet and exceed the goal of the City's CAP and be consistent with the reduction targets of AB 32 as the sequestration-related reduction is not substantial.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 34-NNNN:**

Comment noted. The public will have an opportunity to comment on the merits of the Project itself at the December 15, 2016, City Planning Commission hearing and the following City Council hearing. Notice of these hearings on this Project will be published at least 10 days prior to the hearing date. The agenda for City Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx>

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.



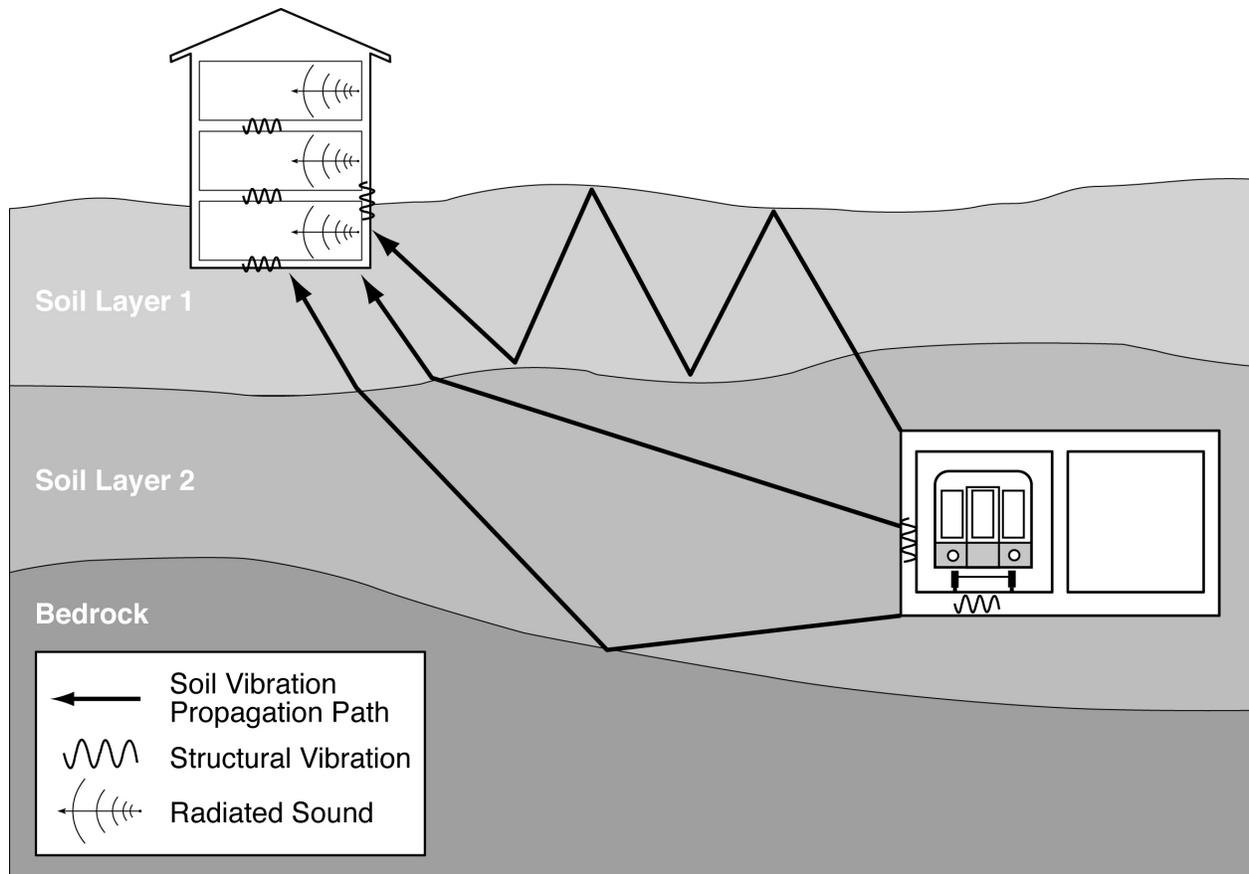
## 7. BASIC GROUND-BORNE VIBRATION CONCEPTS

Ground-borne vibration can be a serious concern for nearby neighbors of a transit system route or maintenance facility, causing buildings to shake and rumbling sounds to be heard. In contrast to airborne noise, ground-borne vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of ground-borne vibration are trains, buses on rough roads, and construction activities such as blasting, pile-driving and operating heavy earth-moving equipment.

The effects of ground-borne vibration include feelable movement of the building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. In extreme cases, the vibration can cause damage to buildings. Building damage is not a factor for normal transportation projects, with the occasional exception of blasting and pile-driving during construction. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by only a small margin. A vibration level that causes annoyance will be well below the damage threshold for normal buildings.

The basic concepts of ground-borne vibration are illustrated for a rail system in Figure 7-1. The train wheels rolling on the rails create vibration energy that is transmitted through the track support system into the transit structure. The amount of energy that is transmitted into the transit structure is strongly dependent on factors such as how smooth the wheels and rails are and the resonance frequencies of the vehicle suspension system and the track support system. These systems, like all mechanical systems, have resonances which result in increased vibration response at certain frequencies, called natural frequencies.

The vibration of the transit structure excites the adjacent ground, creating vibration waves that propagate through the various soil and rock strata to the foundations of nearby buildings. The vibration propagates from the foundation throughout the remainder of the building structure. The maximum vibration amplitudes of the floors and walls of a building often will be at the resonance frequencies of various components of the building.



**Figure 7-1. Propagation of Ground-Borne Vibration into Buildings**

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The vibration of floors and walls may cause perceptible vibration, rattling of items such as windows or dishes on shelves, or a rumble noise. The rumble is the noise radiated from the motion of the room surfaces. In essence, the room surfaces act like a giant loudspeaker causing what is called ground-borne noise.

Ground-borne vibration is almost never annoying to people who are outdoors. Although the motion of the ground may be perceived, without the effects associated with the shaking of a building, the motion does not provoke the same adverse human reaction. In addition, the rumble noise that usually accompanies the building vibration is perceptible only inside buildings.

## 7.1 DESCRIPTORS OF GROUND-BORNE VIBRATION AND NOISE

### 7.1.1 Vibratory Motion

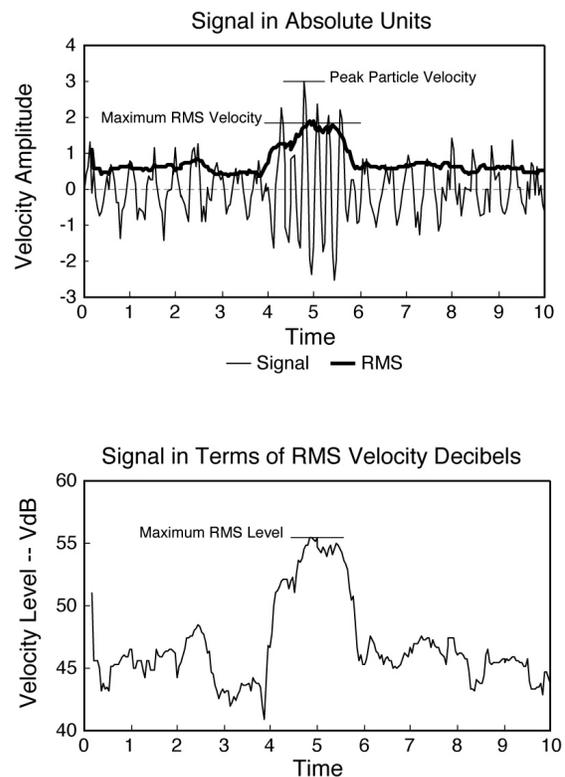
Vibration is an oscillatory motion which can be described in terms of the displacement, velocity, or acceleration. Because the motion is oscillatory, there is no net movement of the vibration element and the average of any of the motion descriptors is zero. Displacement is the easiest descriptor to understand. For a vibrating floor, the displacement is simply the distance that a point on the floor moves away from its static position. The velocity represents the instantaneous speed of the floor movement and acceleration is the rate of change of the speed.

Although displacement is easier to understand than velocity or acceleration, it is rarely used for describing ground-borne vibration. Most transducers used for measuring ground-borne vibration use either velocity or acceleration. Furthermore, the response of humans, buildings, and equipment to vibration is more accurately described using velocity or acceleration.

### 7.1.2 Amplitude Descriptors

Vibration consists of rapidly fluctuating motions with an average motion of zero. Several descriptors can be used to quantify vibration amplitude, three of which are shown in Figure 7-2. The raw signal is the lighter-weight curve in the top graph. This curve shows the instantaneous vibration velocity which fluctuates positive and negative about the zero point. The peak particle velocity (PPV) is defined as the maximum instantaneous positive or negative peak of the vibration signal. PPV is often used in monitoring of blasting vibration since it is related to the stresses that are experienced by buildings.

Although peak particle velocity is appropriate for evaluating the potential of building damage, it is not suitable for evaluating human response. It takes some time for the human body to respond to vibration signals. In a sense, the human body responds to an average vibration amplitude. Because the net average of a vibration signal is zero, the root mean square (rms) amplitude is used to describe the "smoothed" vibration amplitude. The root mean square of a signal is the square root of the average of the squared amplitude of the signal. The average is typically calculated over a one-second period. The rms amplitude is shown superimposed



**Figure 7-2. Different Methods of Describing a Vibration Signal**

on the vibration signal in Figure 7-2. The rms amplitude is always less than the PPV\* and is always positive.

The PPV and rms velocity are normally described in inches per second in the USA and meters per second in the rest of the world. Although it is not universally accepted, decibel notation is in common use for vibration.

Decibel notation acts to compress the range of numbers required to describe vibration. The bottom graph in Figure 7-2 shows the rms curve of the top graph expressed in decibels. Vibration velocity level in decibels is defined as:

$$L_v = 20 \times \log_{10} \left( \frac{v}{v_{ref}} \right)$$

where "L<sub>v</sub>" is the velocity level in decibels, "v" is the rms velocity amplitude, and "v<sub>ref</sub>" is the reference velocity amplitude. A reference must always be specified whenever a quantity is expressed in terms of decibels. The accepted reference quantities for vibration velocity are 1x10<sup>-6</sup> inches/second in the USA and either 1x10<sup>-8</sup> meters/second or 5x10<sup>-8</sup> meters/second in the rest of the world. Because of the variations in the reference quantities, it is important to be clear about what reference quantity is being used whenever velocity levels are specified. *All vibration levels in this manual are referenced to 1x10<sup>-6</sup> in./sec.* Although not a universally accepted notation, the abbreviation "VdB" is used in this document for vibration decibels to reduce the potential for confusion with sound decibels.

### 7.1.3 Ground-Borne Noise

As discussed above, the rumbling sound caused by the vibration of room surfaces is called ground-borne noise. The annoyance potential of ground-borne noise is usually characterized with the A-weighted sound level. Although the A-weighted level is almost the only metric used to characterize community noise, there are potential problems when characterizing low-frequency noise using A-weighting. This is because of the non-linearity of human hearing which causes sounds dominated by low-frequency components to seem louder than broadband sounds that have the same A-weighted level. The result is that ground-borne noise with a level of 40 dBA sounds louder than 40 dBA broadband noise. This is accounted for by setting the limits for ground-borne noise lower than would be the case for broadband noise.

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\*The ratio of PPV to maximum rms amplitude is defined as the **crest factor** for the signal. The crest factor is always greater than 1.71, although a crest factor of 8 or more is not unusual for impulsive signals. For ground-borne vibration from trains, the crest factor is usually 4 to 5.

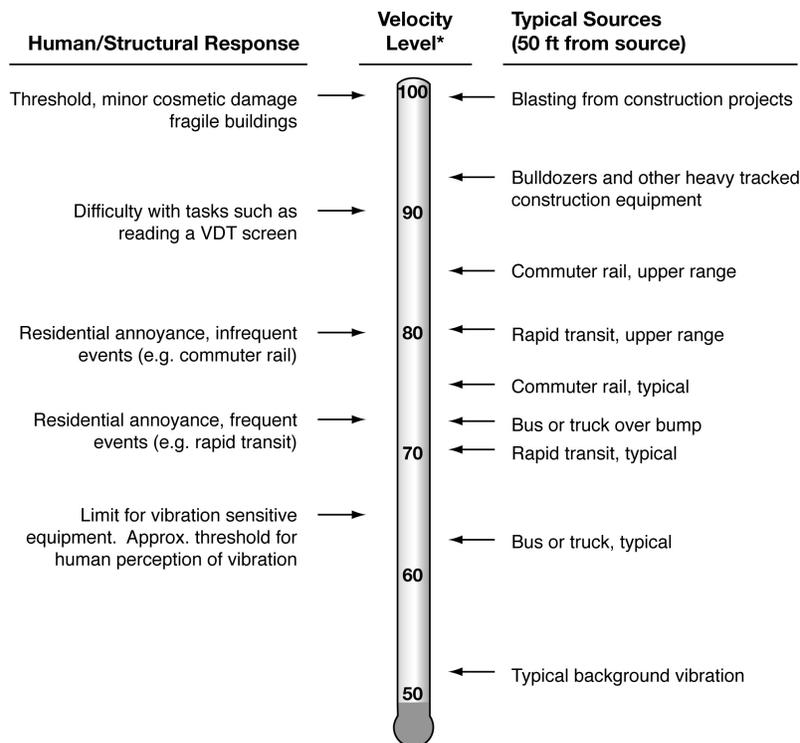
## 7.2 HUMAN PERCEPTION OF GROUND-BORNE VIBRATION AND NOISE

This section gives some general background on human response to different levels of building vibration, laying the groundwork for the criteria for ground-borne vibration and noise that are presented in Chapter 8.

### 7.2.1 Typical Levels of Ground-Borne Vibration and Noise

In contrast to airborne noise, ground-borne vibration is not a phenomenon that most people experience every day. The background vibration velocity level in residential areas is usually 50 VdB or lower, well below the threshold of perception for humans which is around 65 VdB. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people or slamming of doors. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is rarely perceptible.

Figure 7-3 illustrates common vibration sources and the human and structural response to ground-borne vibration. The range of interest is from approximately 50 VdB to 100 VdB. Background vibration is usually well below the threshold of human perception and is of concern only when the vibration affects very sensitive manufacturing or research equipment. Electron microscopes and high-resolution lithography equipment are typical of equipment that is highly sensitive to vibration.



\* RMS Vibration Velocity Level in VdB relative to  $10^{-6}$  inches/second

Figure 7-3. Typical Levels of Ground-Borne Vibration

Although the perceptibility threshold is about 65 VdB, human response to vibration is not usually significant unless the vibration exceeds 70 VdB. Rapid transit or light rail systems typically generate vibration levels of 70 VdB or more near their tracks. On the other hand, buses and trucks rarely create vibration that exceeds 70 VdB unless there are bumps in the road. Because of the heavy locomotives on diesel commuter rail systems, the vibration levels average about 5 to 10 decibels higher than rail transit vehicles. If there is unusually rough road or track, wheel flats, geologic conditions that promote efficient propagation of vibration, or vehicles with very stiff suspension systems, the vibration levels from any source can be 10 decibels higher than typical. Hence, at 50 feet, the upper range for rapid transit vibration is around 80 VdB and the high range for commuter rail vibration is 85 VdB. If the vibration level in a residence reaches 85 VdB, most people will be strongly annoyed by the vibration.

The relationship between ground-borne vibration and ground-borne noise depends on the frequency content of the vibration and the acoustical absorption of the receiving room. The more acoustical absorption in the room, the lower will be the noise level. For a room with average acoustical absorption, the unweighted sound pressure level is approximately equal to the average vibration velocity level of the room surfaces.\* Hence, the A-weighted level of ground-borne noise can be estimated by applying A-weighting to the vibration velocity spectrum. Since the A-weighting at 31.5 Hz is -39.4 dB, if the vibration spectrum peaks at 30 Hz, the A-weighted sound level will be approximately 40 decibels lower than the velocity level. Correspondingly, if the vibration spectrum peaks at 60 Hz, the A-weighted sound level will be about 25 decibels lower than the velocity level.

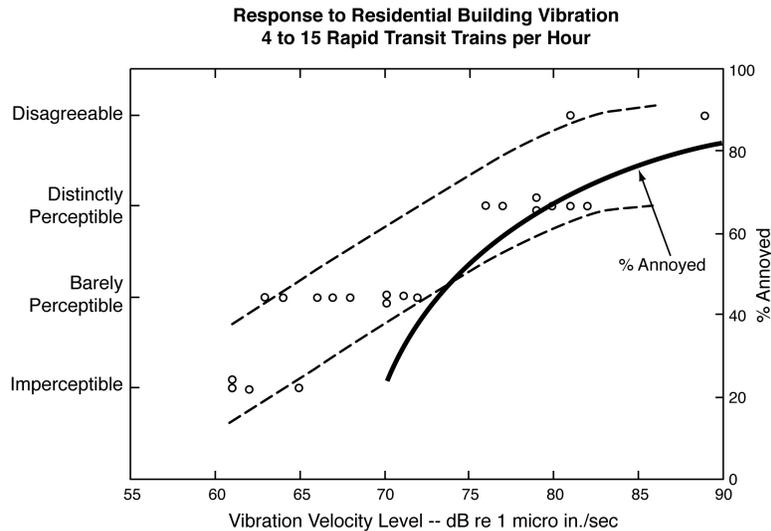
### **7.2.2 Quantifying Human Response to Ground-Borne Vibration and Noise**

One of the major problems in developing suitable criteria for ground-borne vibration is that there has been relatively little research into human response to vibration, in particular, human annoyance with building vibration. The American National Standards Institute (ANSI) developed criteria for evaluation of human exposure to vibration in buildings in 1983<sup>(1)</sup> and the International Organization for Standardization (ISO) adopted similar criteria in 1989<sup>(2)</sup> and revised them in 2003<sup>(3)</sup>. The 2003 version of ISO 2361-2 acknowledges that “human response to vibration in buildings is very complex.” It further indicates that the degree of annoyance can not always be explained by the magnitude of the vibration alone. In some cases the complaints are associated with measured vibration that is lower than the perception threshold. Other phenomena such as ground-borne noise, rattling, visual effects such as movement of hanging objects, and time of day (e.g., late at night) all play some role in the response of individuals. To understand and evaluate human response, which is often measured by complaints, all of these related effects need to be considered. The available data documenting real world experience with these phenomena is still relatively sparse. Experience with U.S. rapid transit projects represents a good foundation for developing suitable limits for residential exposure to ground-borne vibration and noise from transit operations.

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\*The sound level approximately equals the average vibration velocity level *only* when the velocity level is referenced to 1 micro-inch/second. When velocity level is expressed using the international standard of  $1 \times 10^{-8}$  m/sec, the sound level is approximately 8 decibels lower than the average velocity level.

Figure 7-4 illustrates the relationship between the vibration velocity level measured in 22 homes and the general response of the occupants to the vibration. The data shown were assembled from measurements performed for several transit systems along with subjective ratings by the researchers and residents. These data were previously published in the "State-of-the-Art Review of Ground-borne Noise and Vibration."<sup>(4)</sup> Both the occupants and the people who performed the measurements agreed that floor vibration in the "Distinctly Perceptible" category was unacceptable for a residence. The data in Figure 7-4 indicate that residential vibration exceeding 75 VdB is unacceptable for a repetitive vibration source such as rapid transit trains that pass every 5 to 15 minutes. Also shown in Figure 7-4 is a curve showing the percent of people annoyed by vibration from high-speed trains in Japan.<sup>(5)</sup> The scale for the percent annoyed is on the right-hand axis of the graph. The results of the Japanese study confirm the conclusion that at a vibration velocity level of 75 to 80 VdB, many people will find the vibration annoying.



**Figure 7-4. Response to Transit-induced Residential Vibration**

Table 7-1 describes the human response to different levels of ground-borne noise and vibration. The first column is the vibration velocity level, and the next two columns are for the corresponding noise level assuming that the vibration spectrum peaks at 30 Hz or 60 Hz. As discussed above, the A-weighted noise level will be approximately 40 dB less than the vibration velocity level if the spectrum peak is around 30 Hz, and 25 dB lower if the spectrum peak is around 60 Hz. Table 7-1 illustrates that achieving either the acceptable vibration or acceptable noise levels does not guarantee that the other will be acceptable. For example, the noise caused by vibrating structural components may be very annoying even though the vibration cannot be felt. Alternatively, a low-frequency vibration could be annoying while the ground-borne noise level it generates is acceptable.

<b>Table 7-1. Human Response to Different Levels of Ground-Borne Noise and Vibration</b>			
<b>Vib. Velocity Level</b>	<b>Noise Level</b>		<b>Human Response</b>
	<b>Low Freq1</b>	<b>Mid Freq2</b>	
65 VdB	25 dBA	40 dBA	Approximate threshold of perception for many humans. Low-frequency sound usually inaudible, mid-frequency sound excessive for quiet sleeping areas.
75 VdB	35 dBA	50 dBA	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying. Low-frequency noise acceptable for sleeping areas, mid-frequency noise annoying in most quiet occupied areas.
85 VdB	45 dBA	60 dBA	Vibration acceptable only if there are an infrequent number of events per day. Low-frequency noise annoying for sleeping areas, mid-frequency noise annoying even for infrequent events with institutional land uses such as schools and churches.
Notes:			
1. Approximate noise level when vibration spectrum peak is near 30 Hz.			
2. Approximate noise level when vibration spectrum peak is near 60 Hz.			

### 7.3 GROUND-BORNE VIBRATION FOR DIFFERENT TRANSIT MODES

This section provides a brief discussion of typical problems with ground-borne vibration and noise for different modes of transit.

- Steel-Wheel Urban Rail Transit:** This category includes both heavy rail transit and light rail transit. Heavy rail is generally defined as electrified rapid transit trains with dedicated guideway, and light rail as electrified transit trains that do not require dedicated guideway. The ground-borne vibration characteristics of heavy and light rail vehicles are very similar since they have similar suspension systems and axle loads. Most of the studies of ground-borne vibration in this country have focused on urban rail transit. Problems with ground-borne vibration and noise are common when there is less than 50 feet between a subway structure and building foundations. Whether the problem will be perceptible vibration or audible noise is strongly dependent on local geology and the structural details of the building. Complaints about ground-borne vibration from surface track are more common than complaints about ground-borne noise. A significant percentage of complaints about both ground-borne vibration and noise can be attributed to the proximity of special trackwork, rough or corrugated track, or wheel flats.

- **Commuter and Intercity Passenger Trains:** This category includes passenger trains powered by either diesel or electric locomotives. In terms of vibration effects at a single location, the major difference between commuter and intercity passenger trains is that the latter are on a less frequent schedule. Both often share track with freight trains, which have quite different vibration characteristics as discussed below. The locomotives usually create the highest vibration levels. There is the potential of vibration-related problems anytime that new commuter or intercity rail passenger service is introduced in an urban or suburban area.
- **High-Speed Passenger Trains:** High-speed passenger trains have the potential of creating high levels of ground-borne vibration. Ground-borne vibration should be anticipated as one of the major environmental impacts of any high-speed train located in an urban or suburban area. The Amtrak trains on the Northeast Corridor between Boston and Washington, D.C., which attain moderate to high speeds in some sections with improved track, fit into this category.
- **Freight Trains:** Local and long-distance freight trains are similar in that they both are diesel-powered and have the same types of cars. They differ in their overall length, number and size of locomotives, and number of heavily loaded cars. Locomotives and rail cars with wheel flats are the sources of the highest vibration levels. Because locomotive suspensions are similar, the maximum vibration levels of local and long-distance freights are similar. It is not uncommon for freight trains to be the source of intrusive ground-borne vibration. Most railroad tracks used for freight lines were in existence for many years before the affected residential areas were developed. Vibration from freight trains can be a consideration for FTA-assisted projects when a new transit line will share an existing freight train right-of-way. Relocating the freight tracks within the right-of-way to make room for the transit tracks must be considered a direct impact of the transit system which must be evaluated as part of the proposed project. However, vibration mitigation is very difficult to implement on tracks where trains with heavy axle loads will be operating.
- **Automated Guideway Transit Systems (AGT):** This transit mode encompasses a wide range of transportation vehicles providing local circulation in downtown areas, airports and theme parks. In general, ground-borne vibration can be expected to be generated by steel-wheel/steel-rail systems even when limited in size. Because AGT systems normally operate at low speeds, have lightweight vehicles, and rarely operate in vibration-sensitive areas, ground-borne vibration problems are very rare.
- **Bus Projects:** Because the rubber tires and suspension systems of buses provide vibration isolation, it is unusual for buses to cause ground-borne noise or vibration problems. When buses cause effects such as rattling of windows, the source is almost always airborne noise. Most problems with bus-related vibration can be directly related to a pothole, bump, expansion joint, or other discontinuity in the road surface. Smoothing the bump or filling the pothole will usually solve the problem. Problems are likely when buses will be operating inside buildings. Intrusive building vibration can be caused by sudden loading of a building slab by a heavy moving vehicle or by vehicles running over lane divider bumps. A bus transfer station with commercial office space in the same building may have annoying vibration within the office space caused by bus operations.

## 7.4 FACTORS THAT INFLUENCE GROUND-BORNE VIBRATION AND NOISE

One of the major problems in developing accurate estimates of ground-borne vibration is the large number of factors that can influence the levels at the receiver position. This section gives a general appreciation of which factors have significant effects on the levels of ground-borne vibration. Table 7-2 is a summary of some of the many factors that are known to have, or are suspected of having, a significant influence on the levels of ground-borne vibration and noise. As indicated, the physical parameters of the transit facility, the geology, and the receiving building all influence the vibration levels. The important physical parameters can be divided into the following four categories:

- **Operational and Vehicle Factors:** This category includes all of the parameters that relate to the vehicle and operation of the trains. Factors such as high speed, stiff primary suspensions on the vehicle, and flat or worn wheels will increase the possibility of problems from ground-borne vibration.
- **Guideway:** The type and condition of the rails, the type of guideway, the rail support system, and the mass and stiffness of the guideway structure will all have an influence on the level of ground-borne vibration. Jointed rail, worn rail, and wheel impacts at special trackwork can all cause substantial increases in ground-borne vibration. A rail system guideway will be either subway, at-grade, or elevated. It is rare for ground-borne vibration to be a problem with elevated railways except when guideway supports are located within 50 feet of buildings. For guideways at-grade, directly radiated noise is usually the dominant problem, although vibration can be a problem. For subways, ground-borne vibration is often one of the most important environmental problems. For rubber-tired systems, the smoothness of the roadway/guideway is the critical factor; if the surface is smooth, vibration problems are unlikely.
- **Geology:** Soil and subsurface conditions are known to have a strong influence on the levels of ground-borne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock. Experience with ground-borne vibration is that vibration propagation is more efficient in stiff clay soils, and shallow rock seems to concentrate the vibration energy close to the surface and can result in ground-borne vibration problems at large distances from the track. Factors such as layering of the soil and depth to water table can have significant effects on the propagation of ground-borne vibration.
- **Receiving Building:** The receiving building is a key component in the evaluation of ground-borne vibration since ground-borne vibration problems occur almost exclusively inside buildings. The train vibration may be perceptible to people who are outdoors, but it is very rare for outdoor vibration to cause complaints. The vibration levels inside a building are dependent on the vibration energy that reaches the building foundation, the coupling of the building foundation to the soil, and the propagation of the vibration through the building. The general guideline is that the heavier a building is, the lower the response will be to the incident vibration energy.

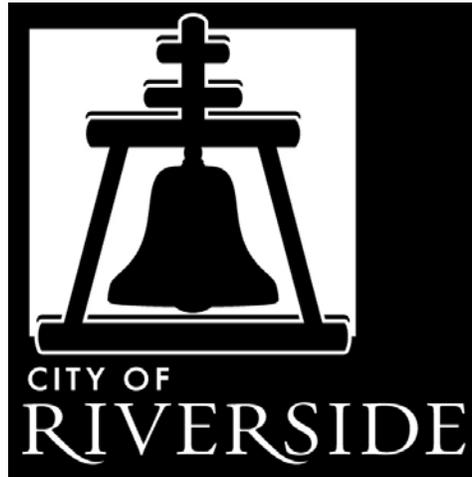
<b>Table 7-2. Factors that Influence Levels of Ground-Borne Vibration and Noise</b>	
<i>Factors Related to Vibration Source</i>	
<b>Factors</b>	<b>Influence</b>
Vehicle Suspension	If the suspension is stiff in the vertical direction, the effective vibration forces will be higher. On transit cars, only the primary suspension affects the vibration levels, the secondary suspension that supports the car body has no apparent effect.
Wheel Type and Condition	Use of pneumatic tires is one of the best methods of controlling ground-borne vibration. Normal resilient wheels on rail transit systems are usually too stiff to provide significant vibration reduction. Wheel flats and general wheel roughness are the major cause of vibration from steel wheel/steel rail systems.
Track/Roadway Surface	Rough track or rough roads are often the cause of vibration problems. Maintaining a smooth surface will reduce vibration levels.
Track Support System	On rail systems, the track support system is one of the major components in determining the levels of ground-borne vibration. The highest vibration levels are created by track that is rigidly attached to a concrete trackbed (e.g. track on wood half-ties embedded in the concrete). The vibration levels are much lower when special vibration control track systems such as resilient fasteners, ballast mats and floating slabs are used.
Speed	As intuitively expected, higher speeds result in higher vibration levels. Doubling speed usually results in a vibration level increase of 4 to 6 decibels.
Transit Structure	The general rule-of-thumb is that the heavier the transit structure, the lower the vibration levels. The vibration levels from a lightweight bored tunnel will usually be higher than from a poured concrete box subway.
Depth of Vibration Source	There are significant differences in the vibration characteristics when the source is underground compared to surface level.
<i>Factors Related to Vibration Path</i>	
<b>Factor</b>	<b>Influence</b>
Soil Type	Vibration levels are generally higher in stiff clay-type soils than in loose sandy soils.
Rock Layers	Vibration levels are usually high near at-grade track when the depth to bedrock is 30 feet or less. Subways founded in rock will result in lower vibration amplitudes close to the subway. Because of efficient propagation, the vibration level does not attenuate as rapidly in rock as it does in soil.
Soil Layering	Soil layering will have a substantial, but unpredictable, effect on the vibration levels since each stratum can have significantly different dynamic characteristics.
Depth to Water Table	The presence of the water table may have a significant effect on ground-borne vibration, but a definite relationship has not been established.
<i>Factors Related to Vibration Receiver</i>	
<b>Factor</b>	<b>Influence</b>
Foundation Type	The general rule-of-thumb is that the heavier the building foundation, the greater the coupling loss as the vibration propagates from the ground into the building.
Building Construction	Since ground-borne vibration and noise are almost always evaluated in terms of indoor receivers, the propagation of the vibration through the building must be considered. Each building has different characteristics relative to structureborne vibration, although the general rule-of-thumb is the more massive the building, the lower the levels of ground-borne vibration.
Acoustical Absorption	The amount of acoustical absorption in the receiver room affects the levels of ground-borne noise.

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2. International Organization for Standardization, "Evaluation of Human exposure to whole body vibration: Part 2 – Continuous and shock-induced vibration in buildings (1 – 80 Hz), ISO 2361-2-1989
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CITY OF RIVERSIDE GOOD NEIGHBOR GUIDELINES  
FOR  
SITING NEW AND/OR MODIFIED  
WAREHOUSE DISTRIBUTION FACILITIES



CITY OF RIVERSIDE  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

3900 MAIN STREET  
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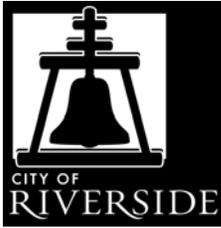
ADOPTED OCTOBER 14, 2008  
RESOLUTION No. 21734



In September, 2005, the Western Riverside Council of Governments (WRCOG) and the Regional Air Quality Task Force (RAQTF) approved the *Good Neighbor Guidelines For Siting New and/or Modified Warehouse/Distribution Facilities*. The Good Neighbor Guidelines that follow, adopted by the City Council on October 14, 2008, are a modified version of the WRCOG's RAQTF Guidelines, and include goals and strategies tailored to the unique characteristics and specific needs of the City of Riverside.

These "Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities," (referred to as "Good Neighbor Guidelines") focus on the relationship between land use, permitting, and air quality, highlighting strategies that can help minimize the impacts of diesel emissions associated with warehouse/distribution centers. These Guidelines are intended to assist developers, property owners, elected officials, community organizations, and the general public address some of the complicated choices associated with siting warehouse/distribution facilities and understanding the options available when addressing environmental issues. The Guidelines will help to minimize the impacts of diesel particulate matter (PM) from on-road trucks associated with warehouses and distribution centers on existing communities and sensitive receptors located in the City. Sensitive receptors include residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time.

For the purpose of these Guidelines, warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 400,000 square feet. This shall be cumulative to include multiple warehouse buildings exceeding a total combined building area of 400,000 square feet, including phased projects. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include "big box" discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.



## PURPOSE

The purpose of the Good Neighbor Guidelines is to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that are delivering goods to and from warehouse and distribution centers.

In 1998, the South Coast Air Quality Management District (SCAQMD) conducted its second Multiple Air Toxics Emissions Study (MATES II)<sup>1</sup>. Considered the nation's most comprehensive study of toxic air pollution to date, the study found that:

- Diesel exhaust is responsible for about 70 percent of the total cancer risk from air pollution;
- Emissions from mobile sources -- including cars and trucks as well as ships, trains and planes -- account for about 90 percent of the cancer risk. Emissions from businesses and industry are responsible for the remaining 10 percent; and
- The highest cancer risk occurs in south Los Angeles County -- including the port area--and along major freeways<sup>2</sup>.

Implementation of the recommended guidance for proposed facilities is technically more feasible than a retroactive application to existing warehouse/distribution centers. However, there is an educational component of these Guidelines aimed at existing facilities. As well, there are mechanisms in the planning process that will encourage developers to incorporate the recommended guidelines upfront in the design phase of a project.

These Guidelines are intended to be considered when issuing permits such as conditional use permits, or zoning permits. In addition, the recommended Guidelines can be used to mitigate potentially significant adverse environmental impacts that are identified under the California Environmental Quality Act (CEQA). The recommended Guidelines are intended to be used for new warehouses and can be incorporated in the design phase of the proposed warehouse or distribution center.

The recommended Guidelines format identifies the overall goal and the recommended strategies that can be implemented to achieve the goal. The Guidelines include a series of strategies that can be implemented in part or whole, or tailored to

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<sup>1</sup> For more information on the MATES II Study visit <http://www.aqmd.gov/matesiidf/matestoc.htm>.

<sup>2</sup> Taken from the MATES II Fact Sheet found at <http://www.aqmd.gov/news1/2005/matesiiifactsheet.html>.

the specific needs of a project. They will provide a general framework for planners and developers regarding how to achieve a specified goal.

It should be noted that the California Air Resources Board (CARB) has adopted two airborne toxic control measures that will reduce diesel particulate materials (PM) emissions associated with warehouse/distribution centers. The first will limit nonessential (or unnecessary) idling of diesel-fueled commercial vehicles, including those entering from other states or countries<sup>3</sup>. This measure prohibits idling of a vehicle for more than five minutes at any one location. The second measure requires that transport refrigeration units (TRUs) operating in California become cleaner over time<sup>4</sup>. The measure establishes in-use performance standards for existing TRU engines that operate in California, including out-of-state TRUs. The requirements are phased-in beginning in 2004, and extend to 2019.

CARB also operates a smoke inspection program for heavy-duty diesel trucks that focuses on reducing truck emissions in California communities. Areas with large numbers of distributions centers are a high priority.

While CARB has these measures in place, local agencies need to acknowledge that the enforcement of these measures is through the California Highway Patrol and do not provide a swift resolve to local air quality issues.

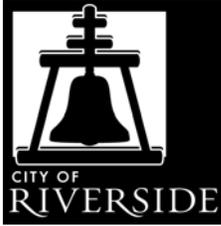
#### **ACRONYMS USED THROUGHOUT THIS DOCUMENT**

CARB	California Air Resources Board
CEQA	California Environmental Quality Act
EMFAC	EMission FACtors (EMFAC) Model for On-Road Vehicle Emissions
PM	Particulate Matter
RAQTF	Regional Air Quality Task Force
SCAQMD	South Coast Air Quality Management District
TRU	Transportation Refrigeration Unit
URBEMIS	Urban Emissions Software
WRCOG	Western Riverside Council of Governments

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<sup>3</sup> For more information visit <http://www.arb.ca.gov/regact/idling/idling.htm>.

<sup>4</sup> For more information visit <http://www.arb.ca.gov/diesel/tru.htm>.



## CITY OF RIVERSIDE GOOD NEIGHBOR GUIDELINES

**GOAL 1:** Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center.

*Recommended Strategies:*

- 1a. Design facilities to allow for the queuing of trucks on-site and away from sensitive receptors. Conversely, prevent the queuing of trucks on streets or elsewhere outside of facility in compliance with Title 10 – Vehicles and Traffic – Chapter 10.44 – Stopping, Standing and Parking.
- 1b. To the extent possible, locate driveways, loading docks and internal circulation routes away from residential uses or any other sensitive receptors.
- 1c. In compliance with CEQA, conduct SCAQMD URBEMIS and EMFAC computer models, as appropriate, to initially evaluate warehouse and distribution projects on a case by case basis to determine the significance of air quality impacts and whether air quality thresholds would be exceeded as a result of a project. Where thresholds are exceeded, a more detailed air quality analysis/health risk assessment prepared by an air quality specialist is required to be prepared and submitted by the project applicant. As a general rule, the following guidelines can be used to determine whether a proposed project will be required to prepare additional technical analyses:
  - i. An air quality study for an industrial project is required when the proposed project has the potential to exceed established thresholds as noted by URBEMIS and EMFAC computer models provided by SCAQMD. If these models indicate the project will exceed thresholds due to existing or proposed site conditions, intensity of development, location of nearest sensitive receptor, or any other exceptional circumstance warranting the need for

additional review the preparation of an air quality study will be required.

- ii. A health risk assessment is required when the truck traffic areas of an industrial project are located within 1,000 feet of sensitive receptors, in accordance with SCAQMD guidelines and/or practices.
- 1d. Enforce compliance with Riverside Municipal Code Section 19.880 – “Transportation Demand Management Regulations”. This section of the Code requires trip reduction plans to be submitted for all businesses, including warehouses, with over one hundred employees to reduce work-related vehicle trips by six and one half percent from the number of trips related to the project.

**GOAL 2: Eliminate diesel trucks from unnecessarily traversing through residential neighborhoods.**

***Recommended strategies:***

- 2a. Require warehouse/distribution centers to establish a specific truck route between the warehouse/distribution center and the SR-60 and I-215 freeways for City approval as part of the Design Review process. In addition, a haul route plan for construction activities should also be provided as part of the Design Review process.
- 2b. Require warehouse/distribution centers to clearly specify all entrance and exit points on the site plan submitted for City review and approval.
- 2c. Require warehouse/distribution centers to provide on-site signage for directional guidance to trucks entering and exiting the facility
- 2d. Require warehouse/distribution centers to provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging and entertainment.

**GOAL 3:** Eliminate trucks from using residential areas and repairing vehicles on the streets.

***Recommended Strategies:***

- 3a. Enforce compliance with Riverside Municipal Code Section 10.44.155 – “Parking of certain commercial vehicles, trailers and semi-trailers prohibited; exceptions”.
- 3b. Enforce compliance with Riverside Municipal Code Section 10.44.160 – “Parking of certain commercial vehicles prohibited in residential districts”.
- 3c. Enforce compliance with Section 10.44.040 Parking for certain purposes prohibited.

**GOAL 4:** Reduce and/or eliminate diesel idling within the warehouse/distribution center.

***Recommended Strategies:***

- 4a. Promote the installation of on-site electric hook-ups to eliminate the idling of main and auxiliary engines during loading and unloading of cargo and when trucks are not in use – especially where TRUs are proposed to be used.
- 4b. Implement General Plan 2025 Program Final Program Environmental Impact Report, Mitigation Measure MM Air 12. This Mitigation Measure requires that all new truck terminals, warehouses and other shipping facilities requiring the use of refrigerated trucks and with more than 50 truck trips per day shall provide electrical hookups for the refrigerated units to reduce idling and its associated air quality pollutants. Additionally, future tenant improvements involving conversion of a warehouse for refrigeration storage shall include electrical hookups for refrigerated units.
- 4c. Require signage (posted inside and outside of the warehouse facility) to inform truck drivers of CARB regulations, idling limits, authorized truck routes, and designated truck parking locations. Post signs requesting truck drivers to turn off engines when not in use and restrict idling within facilities to less than 5 minutes.

## DEFINITIONS

<b>Buffer Zone:</b>	An area of land separating one parcel or land from another that acts to soften or mitigate the effects of one land use on the other.
<b>DPM - Diesel Particulate Matter:</b>	Refers to the particles found in the exhaust of diesel-fueled CI engines. DPM may agglomerate and absorb other species to form structures of complex physical and chemical properties (identified in 1998 as a toxic air contaminant).
<b>Idling:</b>	The operation of the engine of a vehicle while the vehicle is not in motion.
<b>Mobil Source:</b>	Sources of air pollution such as automobiles, motorcycles, trucks, off-road vehicles, boats, trains and airplanes.
<b>PM - Particulate Matter:</b>	Refers to the particles found in the exhaust of CI engines, which may agglomerate and absorb other species to form structures of complex physical and chemical properties.
<b>Risk:</b>	For cancer health effects, risk is expressed as an estimate of the increase chances of getting cancer due to facility emissions over 70-year lifetime. The increase in risk expressed as chances in a million (e.g., 1,400 in a million)
<b>TRU:</b>	A Transport Refrigeration Unit refers to refrigeration systems powered by integral internal combustion engines designed to control the environment of temperature sensitive products that are transported in trucks and refrigerated trailers. TRUs may be capable of both cooling and heating.

**Warehouse/Distribution Center:** For the purpose of these Guidelines, a warehouse/distribution center means a building used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities that is greater than 400,000 square feet. This shall be cumulative to include multiple warehouse buildings exceeding a total combined building area of 400,000 square feet including phased projects. For the purpose of these Guidelines, a warehouse and distribution center is not intended to include “big box” discount or warehouse stores that sell retail goods, merchandise or equipment, or storage and mini-storage facilities that are offered for rent or lease to the general public.

**WRCOG:** Western Riverside Council of Governments

**Attachment C1**

Prepared in cooperation with the Bureau of Reclamation and the U.S. Fish and Wildlife Service

# **A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher**

Chapter 10 of  
**Section A, Biological Science**  
**Book 2, Collection of Environmental Data**



Techniques and Methods 2A-10

**Cover:** Southwestern Willow Flycatcher. Photograph taken by Susan Sferra, U.S. Fish and Wildlife Service.

# **A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher**

By Mark K. Sogge, U.S. Geological Survey; Darrell Ahlers, Bureau of Reclamation; and Susan J. Sferra, U.S. Fish and Wildlife Service

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Techniques and Methods 2A-10

**U.S. Department of the Interior**  
**U.S. Geological Survey**

**U.S. Department of the Interior**  
KEN SALAZAR, Secretary

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## Conversion Factors

Multiply	By	To obtain
centimeter (cm)	0.3937	inch (in.)
gram (g)	0.03527	ounce, avoirdupois (oz)
hectare (ha)	2.471	acre
kilometer (km)	0.6214	mile (mi)
meter (m)	3.281	foot (ft)
millimeter (mm)	0.03937	inch (in.)

## Abbreviations and Acronyms

GPS	Global Positioning System
NDVI	Normalized Difference Vegetation Index
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

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## Background

The Southwestern Willow Flycatcher (*Empidonax traillii extimus*) has been the subject of substantial research, monitoring, and management activity since it was listed as an endangered species in 1995. When proposed for listing in 1993, relatively little was known about the flycatcher's natural history, and there were only 30 known breeding sites supporting an estimated 111 territories rangewide (Sogge and others, 2003a). Since that time, thousands of presence/absence surveys have been conducted throughout the historical range of the flycatcher, and many studies of its natural history and ecology have been completed. As a result, the ecology of the flycatcher is much better understood than it was just over a decade ago. In addition, we have learned that the current status of the flycatcher is better than originally thought: as of 2007, the population was estimated at approximately 1,300 territories distributed among approximately 280 breeding sites (Durst and others, 2008a).

Concern about the Southwestern Willow Flycatcher on a rangewide scale was brought to focus by Unitt (1987), who described declines in flycatcher abundance and distribution throughout the Southwest. *E. t. extimus* populations declined during the 20th century, primarily because of habitat loss and modification from activities, such as dam construction and operation, groundwater pumping, water diversions, and flood control. In 1991, the U.S. Fish and Wildlife Service (USFWS) designated the Southwestern Willow Flycatcher as a candidate category 1 species (U.S. Fish and Wildlife Service, 1991). In July 1993, the USFWS proposed to list *E. t. extimus* as an endangered species and to designate critical habitat under the Act (U.S. Fish and Wildlife Service, 1993). A final rule listing *E. t. extimus* as endangered was published in February 1995 (U.S. Fish and Wildlife Service, 1995); critical habitat was designated in 1997 (U.S. Fish and Wildlife Service, 1997). The USFWS Service released a Recovery Plan for the Southwestern Willow Flycatcher in 2002 (U.S. Fish and Wildlife Service, 2002), and re-designated critical habitat in 2005 (U.S. Fish and Wildlife Service, 2005).

In addition to its federal status, the Southwestern Willow Flycatcher is listed as an endangered species or species of concern in Arizona (Arizona Game and Fish Department, 2006), New Mexico (New Mexico Department of Game and Fish, 1996), California (California Department of Fish and Game, 1991), and Utah (Utah Division of Wildlife Resources, 1997).

Sound management and conservation of an endangered species like the Southwestern Willow Flycatcher requires current, detailed information on its abundance and distribution. This requires, among other things, identifying where flycatchers are and are not breeding, and annual monitoring of as many breeding areas as possible. Such efforts require effective, standardized survey protocols and consistent reporting, at both local and regional levels. However, the Willow Flycatcher is a difficult species to identify and survey for. Moreover, inconsistent or ineffective surveys are of limited value, can produce misleading information (including "false positives" and "false negatives"), hinder regional and rangewide analyses, and waste limited resources.

We developed this document to provide a standardized survey protocol and a source of basic ecological and status information on the flycatcher. The first section summarizes the current state of knowledge regarding Southwestern Willow Flycatcher natural history, based on a wide array of published and unpublished literature. Emphasis is given to information relevant to flycatcher conservation and management, and to conducting and interpreting surveys. The second section details a standard survey protocol that provides for consistent data collection, reporting, and interpretation. This protocol document builds on and supersedes previous versions, the most recent of which was Sogge and others (1997a). In this update, we incorporate over a decade of new science and survey results, and refine the survey methodology to clarify key points. Further, we update the standard survey data sheets and provide guidelines on how to fill in the requested information. Amidst these revisions, the basic approach of the survey protocol has remained unchanged—multiple surveys at each survey area within the same breeding season, the use of the call-playback technique using flycatcher vocalizations to increase the probability of detection, and verification of species identity through its diagnostic song.

## Section 1. Natural History

### Breeding Range and Taxonomy

The Willow Flycatcher is a widespread species that breeds across much of the conterminous United States (Sedgwick, 2000). Four subspecies commonly are recognized in North America, with each occupying a distinct breeding range (fig. 1): *E. t. adastus*, ranging across the northern Rocky Mountains and Great Basin; *E. t. brewsteri*, found west of the Sierra Nevada and Cascade Mountains along the Pacific Slope; *E. t. extimus*, the Southwestern Willow Flycatcher, which breeds across the Southwest; and *E. t. traillii*, ranging east of the northern Rocky Mountains. Although the overall subspecies' ranges are distinct, Sedgwick (2001) and Paxton (2008) noted interbreeding/gradation zones in the boundary area between *E. t. extimus* and *E. t. adastus*.

The breeding range of the Southwestern Willow Flycatcher includes southern California, Arizona, New Mexico, southwestern Colorado, and extreme southern portions of Nevada and Utah: specific range boundaries are delineated in the subspecies' recovery plan (U.S. Fish and Wildlife Service, 2002). Unitt (1987) included western Texas in the subspecies' range, but recent breeding records from western Texas are lacking. Records of probable breeding Southwestern Willow Flycatchers in Mexico are few and restricted to extreme northern Baja California and Sonora (Unitt, 1987; Wilbur, 1987). Although recent data are lacking, the USFWS does include parts of northern Mexico in its description of *E. t. extimus* breeding range (U.S. Fish and Wildlife Service, 2002).

Although they appear very similar to most observers, experienced taxonomist or those using specialized equipment (for example, an electronic colorimeter) can differentiate among the subspecies by subtle differences in color and morphology (for example, Unitt, 1987; Paxton, 2008). Despite the subtle level of differences, the taxonomic status of *E. t. extimus* has been critically reviewed and confirmed multiple times based on morphological, genetic, and song data (Hubbard, 1987; Unitt, 1987; Browning, 1993; Paxton, 2000; Sedgwick, 2001).

The Southwestern Willow Flycatcher was described by Phillips (1948) from a specimen collected along the San Pedro River in southeastern Arizona. The Southwestern Willow Flycatcher generally is paler than other Willow Flycatcher subspecies, although this difference is indistinguishable without considerable experience and training, and study skins as comparative reference material. The southwestern subspecies differs in morphology (primarily wing formula) but not overall size. The plumage and color differences between the Willow Flycatcher subspecies are so subtle that they should not be used to characterize birds observed in the field (Unitt, 1987; Hubbard, 1999; U.S. Fish and Wildlife Service, 2002).

### Migration and Winter Range, Habitat, and Ecology

All Willow Flycatcher subspecies breed in North America but winter in the subtropical and tropical regions of southern Mexico, Central America, and northern South America (Sedgwick, 2000; Koronkiewicz, 2002; fig. 1). Most wintering birds are found in the Pacific slope lowlands in Mexico and Central America, and Caribbean slope lowlands in Mexico and Guatemala.

Because all Willow Flycatcher subspecies look very similar, determining specific wintering sites for the southwestern race has been challenging. However, recent genetic analysis of wintering birds (Paxton, 2008) suggests that the four subspecies occupy finite areas of the wintering grounds, but with overlapping ranges. The Southwestern Willow Flycatcher appears to be largely restricted to the center of the winter range (in the vicinity of Costa Rica), although Paxton (2008) suggests more research is needed to address this question.

On the wintering grounds, flycatchers primarily are found in habitats that have four main components: (1) standing or slow moving water and/or saturated soils, (2) patches or stringers of trees, (3) woody shrubs, and (4) open areas (Koronkiewicz and Whitfield, 1999; Koronkiewicz and Sogge, 2000; Lynn and others, 2003; Nishida and Whitfield, 2007; Schuetz and others, 2007). Based on surveys to date, the presence of water or saturated soils is almost universal, although tree heights and configurations, the presence of woody shrubs, and the amount of open space surrounding winter territories can vary considerably (Schuetz and others, 2007).

Male and female flycatchers hold separate, individual non-breeding territories, and defend those territories throughout the winter by using song, calls, and aggression displays. Fidelity to wintering territories and sites is high, as is survivorship over the wintering period (Koronkiewicz and others, 2006b; Sogge and others, 2007).

Willow Flycatchers travel approximately 1,500–8,000 km each way between wintering and breeding areas. During migration, flycatchers use a wider array of forest and shrub habitats than they do for breeding, although riparian vegetation may still be a preferred migration habitat type (Finch and others, 2000). Migration requires high energy expenditures, exposure to predators, and successful foraging in unfamiliar areas. Therefore, migration is the period of highest mortality within the annual cycle of the flycatcher (Paxton and others, 2007). Willow Flycatchers of all subspecies sing during northward migration, perhaps to establish temporary territories for short-term defense of food resources.



Basemap modified from U.S. Geological Survey and other agency digital data, various scales. Projection Mercator, World Geodetic System 1984 datum.

**EXPLANATION**

**Approximate range distribution of the Willow Flycatcher (*Empidonax traillii*)**—Adapted from Unitt (1987), Browning (1993), and Paxton (2008)

- Breeding range, including boundaries of the Willow Flycatcher subspecies
- Wintering range—Question marks reflect uncertainty of the location of the eastern boundary of the winter range

**Figure 1.** Approximate ranges of the Willow Flycatcher (*Empidonax traillii*) during breeding and non-breeding seasons.

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Southwestern Willow Flycatchers typically arrive on breeding grounds between early May and early June (Ellis and others, 2008; Moore and Ahlers, 2009). Because arrival dates vary annually and geographically, northbound migrant Willow Flycatchers of multiple subspecies pass through areas where Southwestern Willow Flycatchers have already begun nesting. Similarly, southbound migrants in late July and August may occur where Southwestern Willow Flycatchers are still breeding (Unitt, 1987). This can make it challenging for an observer to differentiate local breeders from migrants. Other than timing, we still know relatively little about Southwestern Willow Flycatcher migratory behavior, pathways, or habitat use.

### Breeding Habitat

Breeding Southwestern Willow Flycatchers are riparian obligates, typically nesting in relatively dense riparian vegetation where surface water is present or soil moisture is high enough to maintain the appropriate vegetation characteristics (Sogge and Marshall, 2000; U.S. Fish and Wildlife Service, 2002; Ahlers and Moore, 2009). However, hydrological conditions in the Southwest can be highly variable within a season and between years, so water availability at a site may range from flooded to dry over the course of a breeding season or from year to year.

The Southwestern Willow Flycatcher breeds in dense riparian habitats across a wide elevational range, from near sea level in California to more than 2,600 m in Arizona and southwestern Colorado (Durst and others, 2008a). Vegetation characteristics of Southwestern Willow Flycatcher breeding habitat generally include dense tree or shrub cover that is  $\geq 3$  m tall (with or without a higher overstory layer), dense twig structure, and high levels of live green foliage (Allison and others, 2003); many patches with tall canopy vegetation also include dense midstory vegetation in the 2–5 m range. Beyond these generalities, the flycatcher shows adaptability in habitat selection, as demonstrated by variability in dominant plant species (both native and exotic), size and shape of breeding patch, and canopy height and structure (U.S. Fish and Wildlife Service, 2002).

Southwestern Willow Flycatcher breeding habitat can be quantified and characterized in a number of ways, depending on the level of detail needed and habitat traits of interest. For many sites, detailed floristic composition, plant structure, patch size, and even characteristics such as Normalized Difference Vegetation Index (NDVI) have been described in agency reports and scientific journal articles (Allison and others, 2003; Hatten and Paradzick, 2003; Koronkiewicz and others, 2006a; Hatten and Sogge, 2007; Moore, 2007; Schuetz and Whitfield, 2007; Ellis and others, 2008). For purposes of this survey protocol, we take a relatively simple approach and broadly describe and classify breeding sites based on plant

species composition and habitat structure. Clearly, these are not the only important components, but they are conspicuous to human perception and easily observed and recorded. Thus, they have proven useful in conceptualizing, selecting and evaluating suitable survey habitat, and in predicting where breeding flycatchers are likely to be found.

Breeding habitat types commonly used by Southwestern Willow Flycatchers are described below. The general categories are based on the composition of the tree/shrub vegetation at the site—native broadleaf, exotic, and mixed native/exotic. In the field, breeding habitats occur along a continuum of plant species composition (from nearly monotypic to mixed species) and vegetation structure (from simple, single stratum patches to complex, multiple strata patches). The images in [figures 2–7](#) illustrate some of the variation in flycatcher breeding habitat, and other examples can be found in numerous publications and agency reports, and on the USGS photo gallery web site (<http://sbsc.wr.usgs.gov/SBSCgallery/>). The intent of the descriptions and photographs is to provide a general guide for identifying suitable habitat in which to conduct surveys.

**Native broadleaf.**—Southwestern Willow Flycatchers breed across a great elevational range, and the characteristics of their native broadleaf breeding sites varies between high elevation sites and those at low and mid-elevation sites.

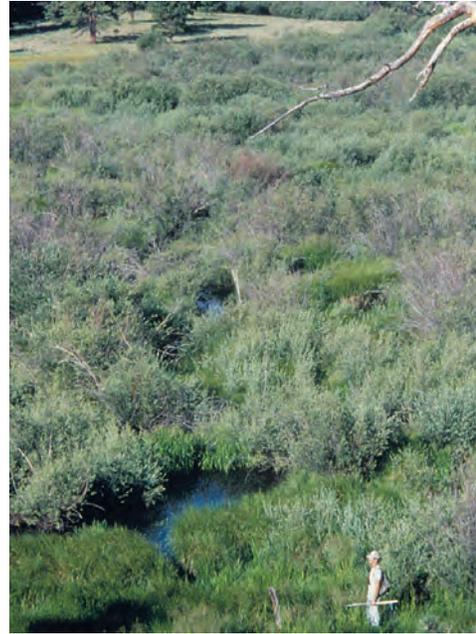
High elevation sites ([fig. 2](#)) range from nearly monotypic dense stands of willow to mixed stands of native broadleaf trees and shrubs, 2–7 m in height with no distinct overstory layer; often associated with sedges, rushes, nettles, and other herbaceous wetland plants; usually very dense structure in lower 2 m; live foliage density is high from the ground to the canopy. Vegetation surrounding the patch can range from open meadow, to agricultural lands, to pines or upland shrub.

At low and mid-elevations ([fig. 3](#)), flycatcher breeding sites can be composed of single species (often Goodding's willow (*Salix gooddingii*), *S. exigua*, or other willow species) or mixtures of native broadleaf trees and shrubs including (but not limited to) cottonwood, willows, boxelder (*Acer negundo*), ash (*Fraxinus* spp.), alder (*Alnus* spp.), and buttonbush (*Cephalanthus* spp.), height from 3 to 15 m; characterized by trees of different size classes; often a distinct overstory of cottonwood, willow or other broadleaf tree, with recognizable subcanopy layers and a dense understory of mixed species; exotic/introduced species may be a rare component, particularly in the understory.

**Monotypic exotic.**—([fig. 4](#)) Breeding sites also can include nearly monotypic, dense stands of exotics such as saltcedar (*Tamarix* spp.) or Russian olive (*Elaeagnus angustifolia*), 4–10 m in height forming a nearly continuous, closed canopy (with no distinct overstory layer); lower 2 m commonly very difficult to penetrate due to dense branches, however, live foliage density may be relatively low 1–2 m above ground, but increases higher in the canopy; canopy density uniformly high.



Aerial view of Little Colorado River near Greer, Arizona. Photograph by USGS, 1995.



Little Colorado River near Greer, Arizona. Photograph courtesy of Arizona Game and Fish Department, 1996.



Parkview Fish Hatchery, New Mexico. Photograph by USGS, 2000.



Rio Grande State Wildlife Area, Colorado. Photograph by USGS, 2002.



Tierra Azul, New Mexico. Photograph by USGS, 2005.



McIntyre Springs, Colorado. Photograph by USGS, 2002.

**Figure 2.** Examples of Southwestern Willow Flycatcher breeding habitat in native broadleaf vegetation at high-elevation sites.

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Hassayampa River, Arizona. Photograph by USGS, 2003.



Kern River, California. Photograph by USGS, 1995.



Santa Ynez River, California, Photograph by USGS, 1996.



Bosque del Apache, Rio Grande, New Mexico. Photograph courtesy of Bureau of Reclamation, 2008.



San Luis Rey River, California. Photograph by USGS, 2005.



Kern River, California. Photograph by USGS, 1995.

**Figure 3.** Examples of Southwestern Willow Flycatcher breeding habitat in native broadleaf vegetation at low and mid-elevation sites.



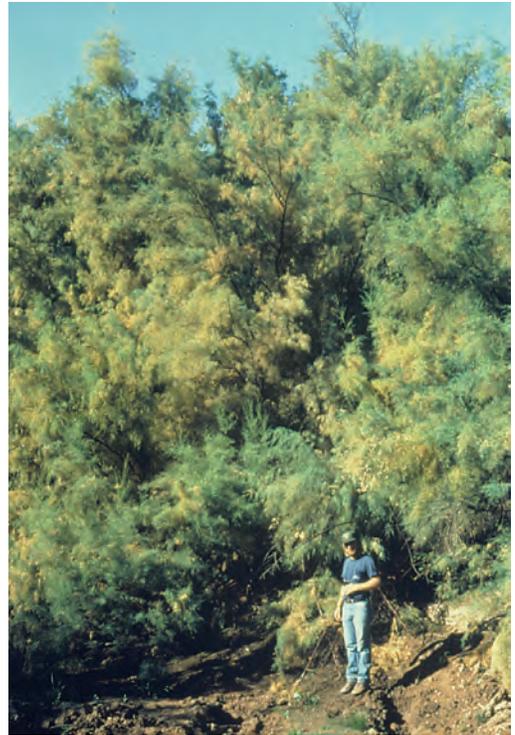
Aerial view of Topock Marsh, Colorado River, Arizona. Photograph by USGS, 1996.



Topock Marsh, Colorado River, Arizona. Photograph by USGS, 1996.



Rio Grande, New Mexico. Photograph by USGS, 2005.



Salt River, Arizona. Photograph courtesy of Bureau of Reclamation, 1996.



Orrilla Verde, Rio Grande, New Mexico. Photograph by USGS, 2006.



Aerial view of Salt River, Arizona. Photograph by USGS, 1996.

**Figure 4.** Examples of Southwestern Willow Flycatcher breeding habitat in exotic vegetation.

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**Mixed native/exotic**—(fig. 5) These sites include dense mixtures of native broadleaf trees and shrubs (such as those listed above) mixed with exotic/introduced species, such as saltcedar or Russian olive; exotics are often primarily in the understory, but may be a component of overstory; the native and exotic components may be dispersed throughout the habitat or concentrated as a distinct patch within a larger matrix of habitat; overall, a particular site may be dominated primarily by natives or exotics, or be a more-or-less equal mixture.

Regardless of the plant species composition or height, occupied sites almost always have dense vegetation in the patch interior (fig. 6). These dense patches are often interspersed with small openings, open water, or shorter/sparser vegetation, creating a mosaic that is not uniformly dense.



Gila River, Arizona. Photograph by USGS, 2002.



Roosevelt Lake, Arizona. Photograph by USGS, 1999.



Verde River, Arizona. Photograph by USGS, 2002.



Virgin River, Utah. Photograph by USGS, 1997.

**Figure 5.** Examples of Southwestern Willow Flycatcher breeding habitat in mixed native/exotic vegetation.



Gila River, Arizona. Photograph by USGS, 2002.



Kern River, California. Photograph by USGS, 1999.



Rio Grande, New Mexico. Photograph by USGS, 2007.



Salt River, Arizona. Photograph by USGS, 1999.



Rio Grande, New Mexico. Photograph by USGS, 2007.



Rio Grande, New Mexico. Photograph by USGS, 2005.

**Figure 6.** Examples of dense vegetation structure within breeding habitats of Southwestern Willow Flycatcher.

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Riparian patches used by breeding flycatchers vary in size and shape, ranging from a relatively contiguous stand of uniform vegetation to an irregularly shaped mosaic of dense vegetation with open areas. Southwestern Willow Flycatchers have nested in patches as small as 0.8 ha (for example, in the Grand Canyon) and as large as several hundred hectares (for example, at Roosevelt Lake, Ariz., or Elephant Butte Reservoir, New Mex.). They have only rarely been found nesting in isolated, narrow, linear riparian habitats that are less than 10 m wide, although they will use such linear habitats during migration.

Flycatcher territories and nests typically are adjacent to open water, cienegas, marshy seeps, or saturated soil, and within riparian areas rooted in standing water. However, in the Southwest, hydrological conditions at a site can vary remarkably within a season, between years, and among nearby sites (fig. 7). Surface water or saturated soil may only be

present early in the breeding season (that is, May and part of June), especially in dry years. Similarly, vegetation at a patch may be immersed in standing water during a wet year, but be hundreds of meters from surface water in dry years (Ahlers and Moore, 2009). This is particularly true of reservoir sites, such as the Kern River at Lake Isabella, Calif., Tonto Creek and Salt River at Roosevelt Lake, and the Rio Grande near Elephant Butte Reservoir. Natural or human-caused river channel modifications and altered subsurface flows (for example, from agricultural runoff), can lead to a total absence of water or visibly saturated soil at a site for several years.

Other potentially important aspects of Southwestern Willow Flycatcher habitat include distribution and isolation of vegetation patches, hydrology, food base (arthropods), parasites, predators, environmental factors (for example temperature, humidity), and interspecific competition (U.S. Fish and Wildlife Service, 2002). Population dynamics



Rio Grande at San Marcial, New Mexico, with dry substrate. Photograph by USGS, 2007.



Rio Grande at San Marcial, New Mexico, with flowing water beneath the territories. Photograph by USGS, 2007.



Tonto Creek inflow to Roosevelt Lake, Arizona, during a dry year. Photograph by USGS, 2004.



Tonto Creek inflow to Roosevelt Lake, Arizona, during high-water year. Photograph by USGS, 2005.

**Figure 7.** Examples of the variable hydrologic conditions at breeding habitats of Southwestern Willow Flycatcher.

factors, such as demography (for example, survivorship rates, fecundity), distribution of breeding groups across the landscape, flycatcher dispersal patterns, migration routes, the tendency for adults and surviving young to return to their previous year breeding site, and conspecific sociality also influence where flycatchers are found and what habitats they use (U.S. Fish and Wildlife Service, 2002).

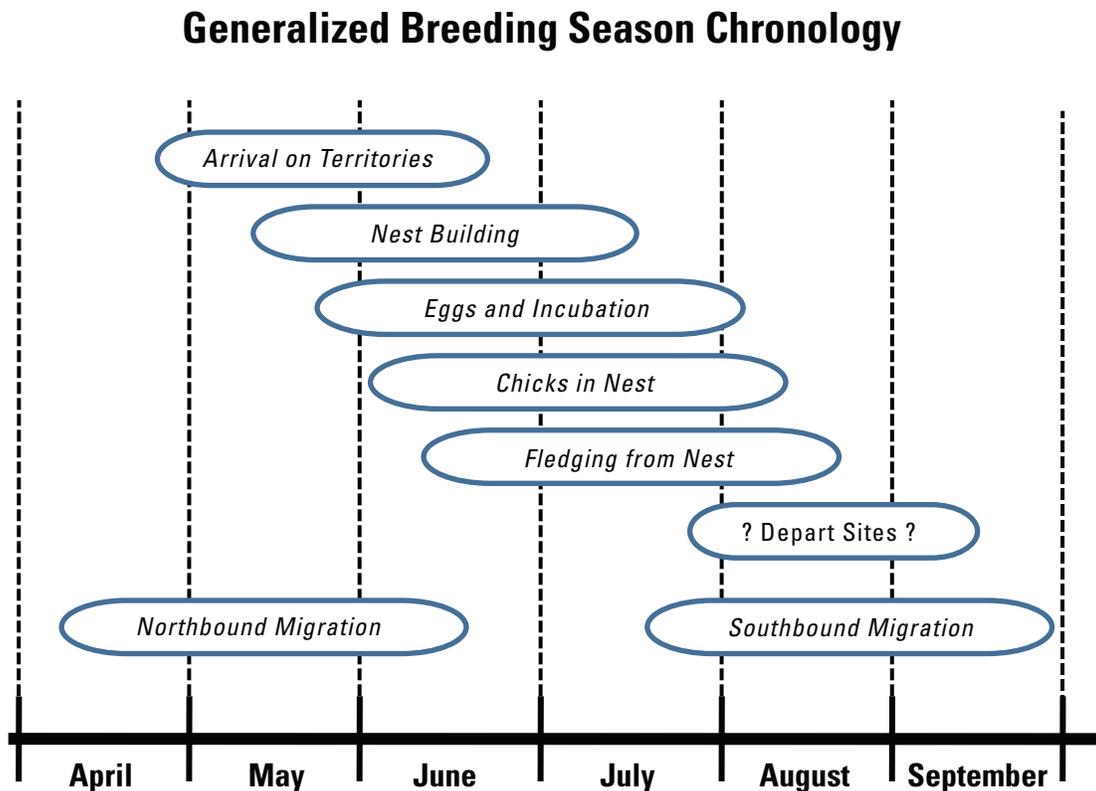
It is critically important to recognize that the ultimate measure of habitat suitability is not simply whether or not a site is occupied. Habitat suitability occurs along a gradient from high to poor to unsuitable; the best habitats are those in which flycatcher reproductive success and survivorship result in a stable or growing population. Some occupied habitats may be acting as population sources, while others may be functioning as population sinks (Pulliam, 1988). Therefore, it can take extensive research to determine the quality of any given habitat patch. Furthermore, productivity and survival rates can vary widely among years (Paxton and others, 2007; Ellis and others, 2008; Ahlers and Moore, 2009), so conclusions based on short-term datasets or data extrapolated from one area to another may be erroneous. It also is important to note that not all unoccupied habitat is unsuitable; some sites with suitable habitat may be geographically isolated or newly established, such that they are not yet colonized by breeding flycatchers. There also may simply not be enough flycatchers in a given area to fill all available habitat in particular

locations (U.S. Fish and Wildlife Service, 2002). A better understanding of which habitats or sites are sinks or sources can be especially helpful in site conservation and restoration planning.

As described earlier, migrant Willow Flycatchers may occur in riparian habitats that are structurally unsuitable for breeding (for example, too sparse, smaller patch size, etc.), and in non-riparian habitats. Such migration stopover areas, even though not used for breeding, may be critically important resources affecting local and regional flycatcher productivity and survival (U.S. Fish and Wildlife Service, 2002, 2005).

## Breeding Chronology and Biology

Unless otherwise noted, the information that follows and upon which the generalized breeding season chronology (fig. 8) is based comes from Unitt (1987), Whitfield (1990), Maynard (1995), Sogge and others (2003b), Paxton and others (2007), Schuetz and Whitfield (2007), and Ellis and others (2008). Extreme or record dates for any stage of the breeding cycle may vary by 1–2 weeks from the dates presented, depending on the geographic area, extreme weather events, yearly variation and other factors. Higher elevation areas, in particular, have delayed chronology (Ahlers and White, 2000).



**Figure 8.** Generalized migration and breeding chronology for the Willow Flycatcher in the Southwest. Extreme or record dates may occur slightly earlier or later than indicated.

Both sexes can breed beginning in their second year. Male Southwestern Willow Flycatchers generally arrive at breeding areas first; older males typically arrive before younger ones. Although females usually arrive a few weeks after males, some older females are present at sites before late-arriving males. Adult flycatchers will sometimes wander extensively through large riparian sites before and after breeding, possibly as a way to evaluate potential breeding habitat (Cardinal and others, 2006).

Males establish and defend their territories through singing and aggressive interactions. Females settle on established territories, and may choose a territory more for its habitat characteristics than for the traits of its territorial male. Territory size tends to be larger when a male first arrives, then gets smaller after a female pairs with the male (Cardinal and others, 2006). Similarly, male song rate is very high early in the season, then declines after pairing (Yard and Brown, 2003). Not all males are successful in attracting mates in a given year, and as a result unpaired territorial males occur at many breeding sites. Unpaired males are usually a small percentage of any local population, but can comprise as much as 15–25 percent of the territories in some populations (Munzer and others, 2005; Ahlers and Moore, 2009).

Although the Willow Flycatcher as a species is considered predominantly monogamous during the breeding season (Sedgwick, 2000), some Southwestern Willow Flycatcher populations have a relatively high degree of polygyny whereby one male can have more than one breeding female in its territory. Polygynous males generally have two females in their territory, but up to four have been recorded (Davidson and Allison, 2003; Pearson and others, 2006). Polygyny rates can vary between sites, and among years at a given site. At some sites, polygynous males have much higher productivity than monogamous males (Paxton and others, 2007).

Nest building within the territory usually begins within a week or two after pair formation. Egg laying begins as early as mid-May, but more often starts in late May to mid-June. Chicks can be present in nests from late May through early August. Young typically fledge from nests from mid-June through mid-August; later fledglings are often products of re-nesting attempts. Breeding adults generally depart from their territories in early to mid-August, but may stay later if they fledged young late in the season. Males that fail to attract or retain mates, and males or pairs that are subject to significant disturbance, such as repeated nest parasitism or predation may leave territories by early July. Fledglings probably leave the breeding areas a week or two after adults, but few details are known.

Southwestern Willow Flycatcher territory size varies widely, probably due to differences in population density, habitat quality (including vegetation density and food availability), and nesting stage. Studies have reported estimated territory sizes ranging from 0.06 to 2.3 ha (Sogge

and others, 1995; Whitfield and Enos, 1996; Bureau of Reclamation, 2009). At Roosevelt Lake, Ariz., measurements of home ranges, which include the defended territory and sometimes adjacent use areas, averaged 0.4 ha for actively breeding males; home range can be much larger for pre- and post-breeding males (Paxton and others, 2007). During incubation and nestling phases territory size, or at least the activity centers of pairs, can be very small. Flycatchers may increase their activity area after young are fledged, and use non-riparian habitats adjacent to the breeding area (Cardinal and others, 2006). This variability among sites, individual territories, and over time illustrates the challenge of defining a minimum habitat patch size for breeding flycatchers, or estimating the number of territories based simply on the size of a given breeding site.

At some breeding sites, non-territorial adult “floaters” will be present among the territorial population. Floaters are quieter and less aggressive than territorial adults, and therefore are harder to detect and frequently overlooked. Most floaters are young males, and float for only a single year. At Roosevelt Lake, floaters typically accounted for 3–8 percent of the known adult population, although the rate was much higher in drought years when habitat quality was lower (Paxton and others, 2007). The presence of floaters in a population may indicate that there is not enough high quality habitat to support all potentially territorial individuals present in a given breeding season.

## Nests and Eggs

Historically, 75–80 percent of reported Southwestern Willow Flycatcher nests were placed in willows (Phillips, 1948; Phillips and others, 1964; Hubbard, 1987; Unitt, 1987). Southwestern Willow Flycatchers still commonly place their nests in native plants, but will often build nests in exotics, such as saltcedar and Russian olive (Sogge and Marshall, 2000; Stoleson and Finch, 2003; Durst and others, 2008a). In Arizona, most nests are in saltcedar or willows (Paradzick and Woodward, 2003; McLeod and others, 2007). In a unique situation in San Diego County, Calif., the flycatcher nests in coast live oak (*Quercus agrifolia*) along the San Luis Rey River (Haas, 2003), where oak became the dominant plant species adjacent to the river following willow removal in the 1950s. In another unusual situation, flycatchers in the Cliff-Gila Valley in New Mex. nest in tall boxelder (Stoleson and Finch, 2003). Southwestern Willow Flycatcher nests also have been found in buttonbush, black twinberry (*Lonicera involucrata*), Fremont cottonwood (*Populus fremontii*), alder (*Alnus* spp.), blackberry (*Rubus ursinus*), baccharis (*Baccharis* spp.), and stinging nettle (*Urtica* spp.). Overall, flycatcher nest site selection appears to be driven more by plant structure than by species composition.

Southwestern Willow Flycatchers build open cup nests approximately 8 cm high and 8 cm wide (outside dimensions), exclusive of any dangling material at the bottom. Females build the nest with little or no assistance from the males. Nests typically are placed in the fork of a branch with the nest cup supported by several small-diameter vertical stems. Nest height is highly variable and depends on the available plant structure within the territory; nests have been found from 0.6 m to approximately 20 m above ground. In any given habitat type or nest substrate, nests can be placed wherever suitable twig structure and vegetative cover are present.

Egg laying generally begins from mid-May through mid-June, depending on the geographic area and elevation. Willow Flycatcher eggs are buffy or light tan, approximately 18 mm long and 14 mm wide, with brown markings in a wreath at the blunt end. Clutch size is usually three or four eggs for first nests. Only the female develops a brood patch and incubates the eggs. Incubation lasts 12–13 days from the date the last egg is laid, and all eggs typically hatch within 24–48 hours of each other.

Flycatcher chicks are altricial and weigh only about 1–2 g at hatching, but grow rapidly and are ready to leave the nest at 12–15 days of age (Sedgwick, 2000; Paxton and Owen, 2002). The female provides most or all initial care of the young, although the role of the male increases with the age and size of nestlings. After Willow Flycatchers fledge at 12–15 days of age, they stay close to the nest and each other for 3–5 days, and adults continue feeding the fledged young for approximately 2 weeks. Recently fledged birds may repeatedly return to and leave the nest during this period (Spencer and others, 1996). Both male and female adults feed the fledged young, which give frequent, loud “peep” calls.

Southwestern Willow Flycatchers readily re-nest following an unsuccessful nesting attempt, although rarely more than once (Ellis and others, 2008). They also will sometimes nest again (double brood) following a successful nesting attempt, although this is more uncommon than re-nesting and varies between sites and years. From 2002 to 2008 at Elephant Butte Reservoir, approximately 13 percent of the pairs produced two successful nests per year (Ahlers and Moore, 2009). The productivity gains from pairs having successful second nests are important drivers of positive population growth (Paxton and others, 2007; Moore and Ahlers, 2009).

Replacement nests are built in the same territory, either in the same plant or at a distance of as much as 20 m from the previous nest. Reuse of old nests is uncommon, but does occur (Yard and Brown, 1999; Darrell Ahlers, Bureau of Reclamation, unpub. data, 2009). Replacement nest building and egg laying can occur (uncommonly) as late as the end of July or early August. Pairs may attempt a third nest if the second fails. However, clutch size, and therefore potential productivity, decreases with each nest attempt (Whitfield and Strong, 1995; Ellis and others, 2008).

## Food and Foraging

The breeding season diet of Southwestern Willow Flycatchers is relatively well documented (DeLay and others, 2002; Drost and others, 2003; Durst, 2004; Wiesenborn and Heydon, 2007; Durst and others, 2008b). Breeding flycatchers are exclusively insectivorous, and consume a wide range of prey taxa ranging in size from small leafhoppers (Homoptera) to large dragonflies (Odonata). Major prey taxa include bugs (Hemiptera), bees and wasps (Hymenoptera), flies (Diptera), and leafhoppers; however, diet can vary widely between years and among different habitat types. There is no known differences in diet by sex, but there are differences between adult and nestling diet in the proportions of some arthropod groups. Differences in the composition of arthropods in flycatcher diet have been documented between native and exotic habitats, and between years within particular breeding sites; however, flycatchers appear able to tolerate substantial variation in relative prey abundance, except in extreme situations such as severe droughts (Durst and others, 2008b).

Willow Flycatchers of all subspecies forage primarily by sallying from a perch to perform aerial hawking and gleaning (Sedgwick, 2000; Durst, 2004). Males and females forage with similar maneuvers, although males may forage higher in the tree canopy than females. Foraging frequently takes place at external edges or internal openings within a habitat patch, or at the top of the upper canopy.

## Site Fidelity and Survivorship

Based on studies of banded birds, most adult Southwestern Willow Flycatchers that survive from one year to the next will return to the same river drainage, often in proximity to the same breeding site (U.S. Fish and Wildlife Service, 2002; McLeod and others, 2007; Paxton and others, 2007). However, it is common for individual flycatchers to return to different sites within a breeding area, and even to move between breeding areas, from one year to the next. Some of this movement may be related to breeding success and habitat quality. At Roosevelt Lake, those birds that moved to different sites within a breeding area had on average higher productivity in the year following the move than in the year before the move (Paxton and others, 2007). At Roosevelt Lake and on the San Pedro and Gila Rivers, movement out of breeding patches also increased with the relative age of a patch, which may indicate a preference for younger riparian vegetation structure.

In addition to movements within a breeding site, long-distance movements within and between drainages have been observed (Paxton and others, 2007), at distances up to approximately 450 km. Dispersal of first-year flycatchers is more extensive than adult birds, as typical for most bird species.

Survivorship within the breeding season can be very high, averaging 97 percent at Roosevelt Lake (Paxton and others, 2007). Between-year survivorship of adults can be highly variable, but appears to be similar to that of most small passerine birds studied, with estimates generally ranging from approximately 55 to 65 percent (Stoleson and others, 2000; McLeod and others, 2007; Paxton and others, 2007; Schuetz and Whitfield, 2007). Males and females have similar survivorship rates.

Estimated survivorship of young birds (from hatching to the next breeding season) is highly variable, depending in part on how the estimates are generated (Stoleson and others, 2000). Generally reported as between 15 and 40 percent, juvenile survivorship typically is lower than adult survivorship (Whitfield and Strong, 1995; Stoleson and others, 2000; McLeod and others, 2007). Early fledging young have higher survivorship than those that leave the nest later in the season (Whitfield and Strong, 1995; Paxton and others, 2007). Most flycatchers survive for only 1–2 adult years, and mean life expectancy in Arizona was estimated to be 1.9 years following fledging. However, some individuals live much longer. The maximum reported ages of banded Southwestern Willow Flycatchers are 9–11 years (Sedgwick, 2000; Paxton and others, 2007).

Overall, the Southwestern Willow Flycatcher population appears to persist as one or more widely dispersed metapopulations (Busch and others, 2000; U.S. Fish and Wildlife Service, 2002), with movement of individuals, and thus genetic exchange, occurring across the landscape. However, the amount of movement and interchange is lower among sites that are farther apart or more isolated. Some sites serve as population sources while others may be sinks; some sites will be ephemeral over periods of years or decades. Flycatcher movement and dispersal among sites is important for initial site colonization and subsequent recolonization.

There are few general predictors for the persistence of breeding sites. Relatively large populations, such as the Kern River Preserve, San Pedro River, Elephant Butte Reservoir, and the Gila River have persisted for 10 or more years. However, such large sites can be subject to major changes in population numbers, and even potential extirpation, due to changes in local hydrology, site inundation, drought, etc. (Moore, 2005; Paxton and others, 2007). Although some small populations may be ephemeral and last only a few years (Durst and others, 2008a), others have remained occupied for much longer periods (Kus and others, 2003). Breeding populations also may reappear at unoccupied sites following 1–5 year absences. Suitable flycatcher habitat also can develop—and poor quality habitat can improve—relatively quickly in some

sites, under favorable hydrological conditions. For example, at Roosevelt Lake and the San Pedro River (AZ), the age of riparian vegetation when first colonized was as young as 3 years (Paxton and others, 2007). In the same study, flycatchers moved back into older habitat patches when nearby younger, occupied habitat was inundated or scoured away.

Overall, the vegetation and flycatcher occupancy of a habitat patch or river drainage are often dynamic; few if any sites remain static over time. The amount of suitable flycatcher habitat can substantially increase or decrease in just a few years, at local and regional scales. Flycatchers can respond quickly to habitat changes, colonizing new sites if available and abandoning others. Therefore, one cannot assume that local, regional, or rangewide flycatcher population numbers will remain stable over time.

## **Threats to the Flycatcher and Habitat**

The greatest historical factor in the decline of the Southwestern Willow Flycatcher is the extensive loss, fragmentation, and modification of riparian breeding habitat (U.S. Fish and Wildlife Service, 2002). Large-scale losses of southwestern wetlands have occurred, particularly the cottonwood-willow riparian habitats historically used by the Southwestern Willow Flycatcher (Unitt, 1987; General Accounting Office, 1988; Dahl, 1990; State of Arizona, 1990). Changes in the riparian plant community have frequently reduced, degraded, and eliminated nesting habitat for the flycatcher, curtailing its distribution and abundance.

Habitat losses and changes have occurred and continue to occur because of urban, recreational, and agricultural development, water diversion and impoundment, channelization, livestock grazing, and replacement of native habitats by introduced plant species (Marshall and Stoleson, 2000; U.S. Fish and Wildlife Service, 2002). Hydrological changes, natural or man-made, can greatly reduce the quality and extent of flycatcher habitat. Although riparian areas are often not considered as fire-prone, several Southwestern Willow Flycatcher breeding sites were destroyed by fire over the past decade (U.S. Fish and Wildlife Service, 2002), and others are at risk to similar catastrophic loss. Fire danger in these riparian systems may be exacerbated by increases in exotic vegetation, such as saltcedar, diversions or reductions of surface water, increased recreational activity, and drawdown of local water tables.

Although the degradation of many river systems and associated riparian habitat is a key cause of their absence, Southwestern Willow Flycatchers do not require free-running rivers or “pristine” riparian habitats. Most of the largest

Southwestern Willow Flycatcher populations in the last decade were found in reservoir drawdown zones, such as at Roosevelt Lake and Elephant Butte Reservoir. Many breeding populations are found on regulated rivers (Graf and others, 2002). In addition, the vegetation at many smaller flycatcher breeding sites is supported by artificial water sources such as irrigation canals, sewage outflow, or agricultural drainages (U.S. Fish and Wildlife Service, 2002). Although rising water levels could be detrimental to breeding flycatchers within a reservoir drawdown zone, reservoir fluctuations can simulate river dynamics with cycles of destruction and establishment of riparian vegetation, depositing rich sediments and flushing salt accumulations in the soil (Paxton and others, 2007). Therefore, managed and manipulated rivers and reservoirs have the potential to play a positive role by providing flycatcher breeding habitat. However, because rivers and reservoirs are not managed solely to create and maintain flycatcher habitat, the persistence of riparian vegetation in these systems—and any flycatchers breeding therein—is not assured.

Although the historic degradation and loss of native riparian negatively affected the Southwestern Willow Flycatcher, this species does not show an inherent preference for native vegetation. Instead, breeding habitat selection is based primarily on vegetation structure, density, size, and other stand characteristics, and presence of water or saturated soils (U.S. Fish and Wildlife Service, 2002). In fact, approximately 25 percent of known territories are found in habitat composed of 50 percent or greater exotic vegetative component—primarily saltcedar (Durst and others, 2008a). Saltcedar also can be an important habitat component in sites dominated by native vegetation (U.S. Fish and Wildlife Service, 2002, 2005). Despite suggestions that flycatchers breeding in saltcedar are suffering negative consequences and that removal of saltcedar is therefore a benefit (DeLoach and others, 2000; Dudley and DeLoach, 2004), there is increasing and substantial evidence that this is not the case. For example, Paxton and others (2007) found that flycatchers did not suffer any detectable negative consequences from breeding in saltcedar. This is consistent with the findings of Owen and others (2005) and Sogge and others (2006). Therefore, the rapid or large-scale loss of saltcedar in occupied flycatcher habitats, without rapid replacement of suitable native vegetation, could result in reduction or degradation of flycatcher habitat (U.S. Fish and Wildlife Service, 2002; Sogge and others, 2008).

In evaluating Southwestern Willow Flycatcher use of either native or exotic habitat, it is important to recognize that throughout the Southwest, there are many saltcedar-dominated and native-dominated habitats in which flycatchers do not breed (U.S. Fish and Wildlife Service, 2002; Sogge and others, 2006). Therefore, the use of any riparian patch—native or exotic—as breeding habitat will be site specific and will depend on the spatial, structural, and ecological characteristics of that particular patch and the potential for flycatchers to colonize and maintain populations within it.

Drought can have substantial negative effects on breeding flycatchers and their breeding habitat by reducing riparian vegetation vigor and density, and reducing prey availability (Durst, 2004; Paxton and others, 2007; Bureau of Reclamation, 2009). For example, the extreme drought of 2002 caused near complete reproductive failure of the large flycatcher population at Roosevelt Lake; among approximately 150 breeding territories, only two nests successfully fledged young in that year (Ellis and others, 2008). If future climate change produces more frequent or more sustained droughts, as predicted by many climate change models (for example, Seager and others, 2007), southwestern riparian habitats could be reduced in extent or quality. This scenario would present a challenge to the long-term sustainability of Southwestern Willow Flycatcher populations.

Brood parasitism by the Brown-headed Cowbird (*Molothrus ater*) was initially considered another significant threat to the Southwestern Willow Flycatcher (Whitfield, 1990; Harris, 1991; U.S. Fish and Wildlife Service, 1993, 1995; Whitfield and Strong, 1995; Sferra and others, 1997). Cowbirds lay their eggs in the nest of other species (the “hosts”), which raise the young cowbirds—often at the expense of reduced survivorship of their own young. Southwestern Willow Flycatchers seldom fledge any flycatcher young from nests that are parasitized by cowbirds (Whitfield and Sogge, 1999). Although parasitism negatively impacts some Southwestern Willow Flycatcher populations, especially at small and isolated breeding sites, it is highly variable and no longer considered among the primary rangewide threats to flycatcher conservation (U.S. Fish and Wildlife Service, 2002). Cowbird abundance, and therefore parasitism, tends to be a function of habitat type and quality, and the availability of suitable hosts, not specific to the flycatcher. Therefore, large-scale cowbirds control may not always be warranted unless certain impact thresholds are met (U.S. Fish and Wildlife Service, 2002; Rothstein and others, 2003; Siegle and Ahlers, 2004).

## Section 2. Survey Protocol

The fundamental principles of the methodology described in this version have remained the same since the original Tibbitts and others (1994) and subsequent Sogge and others (1997a) protocols: the use of vocalization play-back, repeated site visits, and confirmation of flycatcher identity via the species-characteristic song. This newest protocol incorporates guidelines of the 2000 USFWS addendum, and includes changes based on our improved understanding of Willow Flycatcher biology and the significance of potential threats, and the availability of new survey technologies.

Several factors work together to make Southwestern Willow Flycatcher surveys challenging. Difficulties include the flycatcher's physical similarities with other species and subspecies; accessing the dense habitat they occupy; time constraints based on their breeding period; and vocalization patterns. Given these challenges, no methodology can assure 100-percent detection rates. However, the survey protocol described herein has proven to be an effective tool for locating flycatchers, and flycatchers generally are detectable when the protocol is carefully followed. Since 1995, hundreds of sites have been surveyed and thousands of flycatchers detected using the two previous versions of the survey protocol.

The Willow Flycatcher is 1 of 10 regularly occurring *Empidonax* flycatchers found in North America, all of which look very much alike. Like all *Empidonax*, Willow Flycatchers are nondescript in appearance, making them difficult to see in dense breeding habitat. Although the Willow Flycatcher has a characteristic *fitz-bew* song that distinguishes it from other birds (including other *Empidonax*), Willow Flycatchers are not equally vocal at all times of the day or during all parts of the breeding season. Because Southwestern Willow Flycatchers are rare and require relatively dense riparian habitat, they may occur only in a small area within a larger riparian system, thus decreasing detectability during general bird surveys. Migrating Willow Flycatchers (of all subspecies) often sing during their migration through the Southwest, and could therefore be confused with local breeders. In addition, Southwestern Willow Flycatchers are in breeding areas for only 3–4 months of the year. Surveys conducted too early or late in the year would fail to find flycatchers even at sites where they breed.

These life history characteristics and demographic factors influence how Southwestern Willow Flycatcher surveys should be conducted and form the basis upon which this protocol was developed. This protocol is based on the use of repeated call-playback surveys during pre-determined periods of the breeding season, to confirm presence or to derive a high degree of confidence regarding their absence at a site. Such species-specific survey techniques are necessary to collect reliable presence/absence information for rare species (Bibby and others, 1992).

The primary objective of this protocol is to provide a standardized survey technique to detect Southwestern Willow Flycatchers, determine breeding status, and facilitate consistent and standardized data reporting. The survey technique will, at a minimum, help determine presence or absence of the species in the surveyed habitat for that breeding season. Ultimately, the quality of the survey that is conducted will depend on the preparation, training, and in-the-field diligence of the individual surveyor.

This protocol is designed for use by persons who are non-specialists with *Empidonax* flycatchers or who are not expert birders. However, surveyors must have sufficient knowledge, training, and experience with bird identification and surveys to distinguish the Willow Flycatcher from other non-*Empidonax* species, and be able to recognize the Willow Flycatcher's primary song. A surveyor's dedication and attitude, willingness to work early hours in dense, rugged and wet habitats, and their ability to remain alert and aware of important cues also are important. Surveys conducted improperly or by unqualified, inexperienced, or complacent personnel may lead to inaccurate results and unwarranted conclusions.

Surveys conducted by qualified personnel in a consistent and standardized manner will enable continued monitoring of general population trends at and between sites, and between years. Annual or periodic surveys in cooperation with State and Federal agencies should aid resource managers in gathering basic information on flycatcher status and distribution at various spatial scales. Identifying occupied and unoccupied sites will assist resource managers in assessing potential impacts of proposed projects, avoiding impacts to occupied habitat, identifying suitable habitat characteristics, developing effective restoration management plans, and assessing species recovery.

The earlier versions of this protocol (Tibbitts and others, 1994; Sogge and others, 1997a) were used extensively and successfully for many years. Hundreds of flycatcher surveys conducted throughout the Southwest since 1994 revealed much about the usefulness and application of this survey technique. Three important lessons were: (1) the call-playback technique works and detects flycatchers that would have otherwise been overlooked; (2) multiple surveys at each site are important; and (3) with appropriate effort, general biologists without extensive experience with *Empidonax* can find and verify Willow Flycatcher breeding sites.

This revised protocol is still based on call-playback techniques and detection of singing individuals. However, it includes changes in the timing and number of surveys to increase the probability of detecting flycatchers and to help determine if they are breeders or migrants. It also incorporates the basic premise of the USFWS 2000 addendum to the 1997 protocol by requiring a minimum of five surveys in all "project-related" sites. A detailed description of surveys and

timing is discussed in section, “[Timing and Number of Visits.](#)” Changes in the survey data sheets make them easier to use and submit, and allow reporting all site visits within a single year on one form. The new survey forms also are formatted such that the data on the respective forms can be easily incorporated into the flycatcher range-wide database.

This protocol is intended to determine if a habitat patch contains territorial Southwestern Willow Flycatchers, and is not designed establish the exact distribution and abundance of flycatchers at a site. Determining precise flycatcher numbers and locations requires many more visits and additional time observing the behavior of individual birds. This survey protocol also does not address issues and techniques associated with nest monitoring or other flycatcher research activities. Those efforts are beyond the scope usually needed for most survey purposes, and require advanced levels of experience and skills to gather useful data and avoid potential negative effects to the flycatcher. If nest monitoring is a required component of your study, refer to Rourke and others (1999) for appropriate nest monitoring techniques (available for download at <http://sbsc.wr.usgs.gov/cprs/research/projects/swwf/reports.asp>).

Biologists who are not expert birders or specialists with regard to *Empidonax* flycatchers can effectively use this protocol. However, users should attend a U.S. Fish and Wildlife Service-approved Southwestern Willow Flycatcher survey training workshop, and have knowledge and experience with bird identification, surveys, and ecology sufficient to effectively apply this protocol.

## Permits

**Federal endangered species recovery permits are required for surveys in all USFWS regions where the Southwestern Willow Flycatcher breeds** (application forms can be downloaded at <http://www.fws.gov/forms/3-200-55.pdf>). State permits also may be required before you can survey within any of the States throughout the Southwestern Willow Flycatcher’s range: be certain to check with the appropriate State wildlife agency in your area. It usually takes several months to receive permits, so apply early to avoid delays in starting your surveys. You also must obtain permission from government agencies and private landowners prior to conducting any surveys on their lands.

## Pre-Survey Preparation

The degree of effort invested in pre-survey preparation will have a direct effect on the quality and efficiency of the surveys conducted. Pre-survey preparation is often overlooked, but can prove to be one of the more important aspects in achieving high-quality survey results.

Surveyors should study calls, songs, drawings, photographs, and videos of Willow Flycatchers. Several web sites describe life history requirements, and provide photographs and vocalizations. It is especially critical for surveyors to be familiar with Willow Flycatcher vocalizations before going in the field. Although the *fitz-bew* song is the basis of verifying detections using this protocol, Willow Flycatchers use many other vocalizations that are valuable in locating birds and breeding sites. We strongly encourage that all surveyors learn as many vocalizations as possible and refer to the on-line “Willow Flycatcher Vocalizations; a Guide for Surveyors” (available at <http://sbsc.wr.usgs.gov/cprs/research/projects/swwf/wiflvocl.asp>). Several commercial bird song recordings include Willow Flycatcher vocalizations, but these recordings typically have only a few vocalizations and the dialects may differ from those heard in the Southwest.

If possible, visit known Willow Flycatcher breeding sites to become familiar with flycatcher appearance, behavior, vocalizations, and habitat. Such visits are usually part of the standardized flycatcher survey workshops. All visits should be coordinated with USFWS, State wildlife agencies, and the property manager/owner, and must avoid disturbance to territorial flycatchers. While visiting these sites, carefully observe the habitat characteristics to develop a mental image of the key features of suitable habitat.

Surveyors must be able to identify, by sight and vocalizations, other species likely to be found in survey areas that may be confused with Southwestern Willow Flycatchers. These include Bell’s Vireo (*Vireo bellii*), Western Wood-pewee (*Contopus sordidulus*), young or female Vermillion Flycatchers (*Pyrocephalus rubinus*), and other *Empidonax* flycatchers. At a distance, partial song or call notes of Bell’s Vireo, Ash-throated Flycatchers (*Myiarchus cinerascens*) and some swallows can sound considerably like a *fitz-bew*. Surveyors also should be able to identify Brown-headed Cowbirds by sight and vocalizations. It is worthwhile to make one or more pre-survey trips to the survey sites or other similar areas to become familiar with the local bird fauna. You might consider obtaining a species list relative to your area and become familiar with those species by site and sound.

Prior to conducting any presence/absence surveys in your respective State or USFWS Region, contact the respective flycatcher coordinators to discuss the proposed survey sites and determine if the sites have been surveyed in prior years. If possible, obtain copies of previous survey forms and maintain consistency with naming conventions and site boundaries. Study the forms to determine if flycatchers have been previously detected in the site, record locations of any previous detections, and read the comments provided by prior surveyors. While surveying, be sure to pay special attention to any patches where flycatchers have previously been detected.

Familiarity with the survey site prior to the first surveys is the best way to be prepared for the conditions you will experience. Determine the best access routes to your sites and always have a back-up plan available in the event of unforeseen conditions (for example, locked gates, weather, etc.). Know the local property boundaries and where the potential hazards may be, including deep water, barbed wire fencing, and difficult terrain. Be prepared to work hard and remain focused and diligent in a wide range of physically demanding conditions. At many sites, these include heat, cold, wading through flowing or stagnant water, muddy or swampy conditions, crawling through dense thickets (often on hands and knees), and exposure to snakes, skunks, and biting insects.

It is imperative that all surveyors exercise the adage “safety first.” Be aware of safety hazards and how to avoid them, and do not allow the need to conduct surveys to supersede common sense and safety. Inform your coworkers where you will be surveying and when you anticipate returning. Always take plenty of water and know how to effectively use your equipment, especially compass, Global Positioning System (GPS), and maps.

## Equipment

The following equipment is necessary to conduct the surveys:

1. **USGS topographic maps of the area:** A marked copy is required to be attached to survey data sheets submitted at the end of the season. Be sure to always delineate the survey area and clearly mark any flycatcher detections. If the survey area differed between visits; delineate each survey individually.
2. **Standardized survey form:** Always bring more copies than you think you need.
3. **Lightweight audio player:** Be sure the player has adequate volume to carry well; use portable speakers if necessary. Several digital devices, such as CD players and MP3 players, are currently available and can be connected to external amplified speakers for broadcasting the flycatcher vocalizations. However, not all are equally functional or effective in field conditions; durability, reliability, and ease of use are particularly important. Talk to experienced surveyors for recommendations on particular models and useful features.
4. **Extra player and batteries:** In the field, dirt, water, dust, and heat often cause equipment failure, and having backup equipment helps avoid aborting a survey due to equipment loss or failure.
5. **Clipboard and permanent (waterproof) ink pen:** We recommend recording survey results directly on the survey data form, to assure that you collect and record all required data and any field notes of interest.
6. **Aerial photographs:** Aerial photographs can significantly improve your surveys by allowing you to accurately target your efforts, thus saving time and energy in the field. Previously, aerial images were often expensive and difficult to obtain. However, it is now easy to get free or low-cost images from sources, such as Google<sup>®</sup> Earth. Even moderate resolution images generally are better than none. For higher resolution aerial photographs, check with local planning offices and/or State/Federal land-management agencies for availability. Take color photocopies, not the original aerial photographs, with you in the field. Aerial photographs also are very useful when submitting your survey results but cannot be substituted in lieu of the required topographic map.
7. **Binoculars and bird field guide:** Although this protocol relies primarily on song detections to verify flycatcher presence, good quality binoculars are still a crucial field tool to help distinguish between possible Southwestern Willow Flycatchers and other species. Use a pair with 7–10 power magnification that can provide crisp images in poor lighting conditions. A good field guide also is essential for the same reason.
8. **GPS unit:** A GPS unit is needed for determining survey coordinates and verifying the location of survey plots on topographic maps. All flycatcher detections should be stored as waypoints and coordinates recorded on the survey form. A wide variety of fairly inexpensive GPS units are currently available. Most commercially available units will provide accuracy within 10 m, which is sufficient for navigating and marking locations.
9. **Compass:** Surveyors should carry a compass to help them while navigating larger habitat patches. This is an important safety back-up device, because GPS units can fail or lose power. Most GPS units have a feature to provide an accurate bearing to stored waypoints (for example, previous flycatcher detections, your parked vehicle, etc.); however, many units do not accurately display the direction in which the surveyor is traveling slowly through dense vegetation. A compass set to the proper bearing provides a more reliable method to navigate the survey site and relocate previously marked locations.

The following equipment also is recommended:

10. **Camera:** These are very helpful for habitat photographs, especially at sites where flycatchers are found. Small digital cameras are easily portable and relatively inexpensive.
11. **Survey flagging:** Used for marking survey sites or areas where flycatcher are detected. Check with the local land owner or management agency before flagging sites. Use flagging conservatively so as to not attract people or predators.
12. **Field vest:** A multi-pocket field vest can be very useful for carrying field equipment and personal items. We recommend muted earth-tone colors.

13. **Cell phone and/or portable radio:** In addition to providing an increased level of safety, cell phones or portable radios may be used by surveyors to assist each other in identifying territories and pairs in dense habitats, or where birds are difficult to hear.

In addition to the necessary equipment mentioned above, personal items, such as food, extra water or electrolyte drink, sunscreen, insect repellent, mosquito net, first-aid kit, whistle, and a light jacket, also should be considered. Being prepared for unforeseen difficulties, and remaining as comfortable as conditions allow while surveying are important factors to conducting thorough and effective surveys.

All survey results (both negative and positive) should be recorded directly on data forms when possible. These data forms have been designed to prompt surveyors to record key information that is crucial to interpretation of survey results and characterization of study sites. Even if no flycatchers are detected or habitat appears unsuitable, this is valuable information and should be recorded. Knowing where flycatchers are not breeding can be as important as knowing where they are; therefore, negative data are important. Standardized data forms are provided in [appendix 1](#), or can be downloaded online. Always check for updated forms prior to each year's surveys.

Willow Flycatcher surveys are targeted at this species and require a great deal of focused effort. Surveyors must be constantly alert and concentrate on detecting a variety of flycatcher cues and responses. Therefore, field work, such as generalized bird surveys (for example, point counts or walking transects) or other distracting tasks, should not be conducted in conjunction with Willow Flycatcher surveys. Avoid bringing pets or additional people who are not needed for the survey. Dress in muted earth-tone colors, and avoid wearing bright clothing.

## Willow Flycatcher Identification

The Southwestern Willow Flycatcher is a small bird, approximately 15 cm long and weighing about 11–12 g. Sexes look alike and cannot be distinguished by plumage. The upper parts are brownish-olive; a white throat contrasts with the pale olive breast, and the belly is pale yellow. Two white wing bars are visible (juveniles have buffy wing bars) and the eye ring is faint or absent. The upper mandible is dark and the lower mandible light. The tail is not strongly forked. When perched, the Willow Flycatcher often flicks its tail upward. As a group, the *Empidonax* flycatchers are very difficult to distinguish from one another by appearance. The Willow Flycatcher also looks very similar to several other passerine species you may encounter in the field.

Given that Willow Flycatchers look similar to other *Empidonax* flycatchers that may be present at survey sites, the most certain way to verify Willow Flycatchers in the field is by their vocalization. For the purpose of this protocol,

identification of Willow Flycatchers cannot be made by sight alone; vocalizations are a critical identification criterion, and specifically the primary song *fitz-bew*. Willow Flycatchers have a variety of vocalizations (see Stein, 1963; Sedgwick, 2000), but two are most commonly heard during surveys or in response to call-playback:

1. ***Fitz-bew***. This is the Willow Flycatcher's characteristic primary song. Note that *fitz-bews* are not unique to the southwestern subspecies; all Willow Flycatchers sing this characteristic song. Male Willow Flycatchers may sing almost continuously for hours, with song rates as high as one song every few seconds. Song volume, pitch, and frequency may change as the season progresses. During prolonged singing bouts, *fitz-bews* are often separated by short *britt* notes. *Fitz-bews* are most often given by a male, but studies have shown female Willow Flycatchers also sing, sometimes quite loudly and persistently (although generally less than males). Flycatchers often sing from the top of vegetation, but also will vocalize while perched or moving about in dense vegetation.
2. ***Whitt***. This is a call often used by nesting pairs on their territory, and commonly is heard even during periods when the flycatchers are not singing (*fitz-bewing*). The *whitt* call appears to be a contact call between sexes, as well as an alarm call, particularly when responding to disturbance near the nest. *Whitt* calls can be extremely useful for locating Willow Flycatchers later in the season when *fitz-bewing* may be infrequent, but are easily overlooked by inexperienced surveyors. When flycatcher pairs have active nests and particularly once young have hatched, *whitts* may be the most noticeable vocalization. However, many species of birds *whitt*, and a *whitt* is not a diagnostic characteristic for Willow Flycatchers. For example, the “*whitt*” of the Black-headed Grosbeak (*Pheucticus melanocephalus*) and Yellow-breasted Chat (*Icteria virens*) are often confused with that of the flycatcher.

The *fitz-bew* and *whitt* calls are the primary vocalizations used to locate Willow Flycatchers. However, other less common Willow Flycatcher vocalizations can be very useful in alerting surveyors to the presence of flycatchers. These include twittering vocalizations typically given during interactions between flycatchers and sometimes between flycatchers and other birds, bill snapping, *britt*'s, and *wheeo*'s. Because these sounds can be valuable in locating territories (Shook and others, 2003), they should be studied prior to going in the field. Willow Flycatcher vocalization recordings are available from Federal and State agency contacts and online at <http://sbsc.wr.usgs.gov/cprs/research/projects/swwf/>. Standardized recordings of Southwestern Willow Flycatchers also are available online at <http://www.naturesongs.com/tyrrcert.html#tyrr>. Specifically, only *fitz-bews* and *britts* should be used for conducting surveys, to provide more robust comparative results among sites and years.

Willow Flycatcher song rates are highest early in the breeding season (late May–early June), and typically decline after eggs hatch. However, in areas with many territorial flycatchers or where an unpaired flycatcher is still trying to attract a mate, or where re-nesting occurs, singing rates may remain high well into July. Isolated pairs can be much quieter and harder to detect than pairs with adjacent territorial flycatchers. At some sites, pre-dawn singing (0330–0500 hours) appears to continue strongly at least through mid-July (Sogge and others, 1995). Singing rates may increase again later in the season, possibly coinciding with re-nesting attempts (Yard and Brown, 2003). The social dynamics of adjacent territories can strongly influence vocalization rates. A single “*fitz-bew*” from one flycatcher may elicit multiple responses from adjacent territories. When these interactions occur, it is a good opportunity to distinguish among territories and provides the surveyor with an estimate of territory numbers in the immediate area.

There are some periods during which Willow Flycatchers do not sing and even the use of call-playback sometimes fails to elicit any response. This can be particularly true late in the breeding season. Early and repeated surveys are the best way to maximize the odds of detecting a singing flycatcher and determining its breeding status.

## Timing and Number of Visits

No survey protocol can guarantee that a Southwestern Willow Flycatcher, if present, will be detected on any single visit. However, performing repeated surveys during the early to mid-nesting season increases the likelihood of detecting flycatchers and aids in determining their breeding status. A single survey, or surveys conducted too early or late in the breeding cycle, do not provide definitive data and are of limited value.

For purposes of this survey protocol, we have divided the Southwestern Willow Flycatcher breeding season into three basic survey periods, and specified a minimum number of survey visits for each period (fig. 9). Although the Sogge and others (1997a) protocol recommended a minimum of one survey in each period, we now recommend a differing number of visits for general surveys versus project-related studies.

General surveys are conducted for the sole purpose of determining whether Willow Flycatchers are present or absent from a respective site, when there is no foreseeable direct or indirect impact to their habitat from a known potential project or change in site management. In such cases, a minimum of one survey visit is required in each of the three survey periods.

Project-related surveys are conducted to determine the presence or absence of Willow Flycatchers within a site when there is a potential or foreseeable impact to their habitat due to a potential project or change in site management. Additional surveys are required for project-related studies in order to derive a greater degree of confidence regarding the presence or absence of Willow Flycatchers.

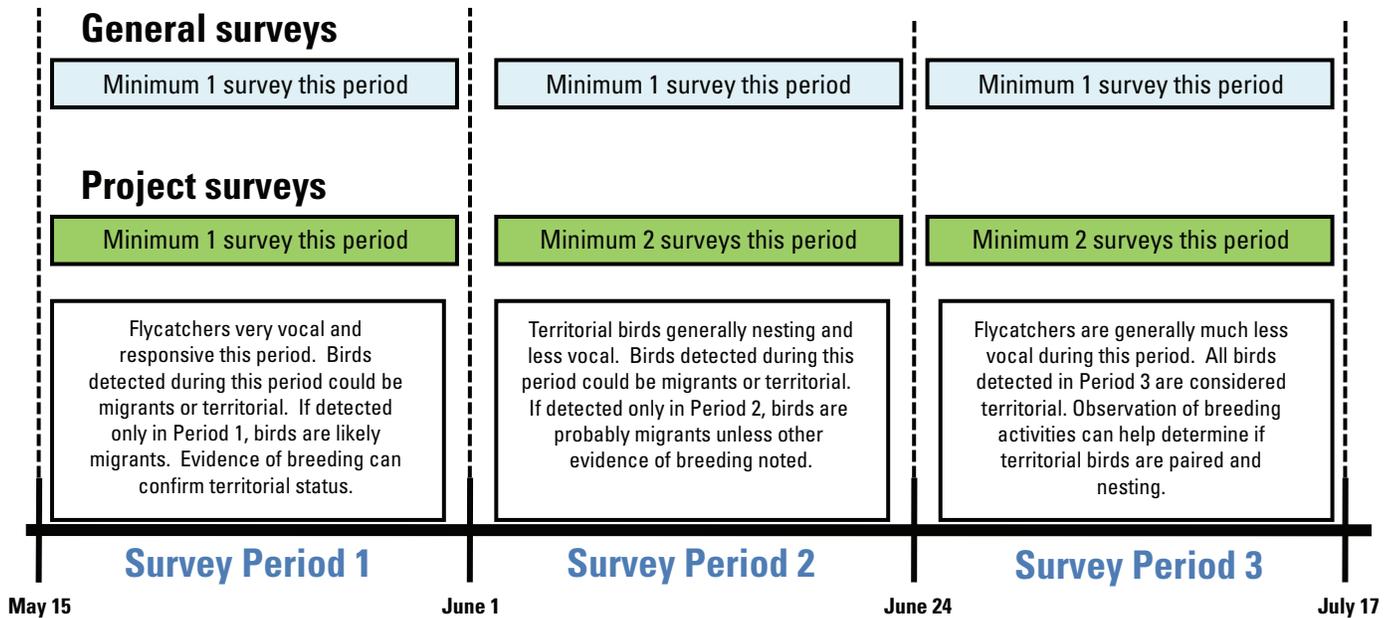
All successive surveys must be at least 5 days apart; surveys conducted more closely are not considered to be separate surveys. Although a minimum of three or five surveys are required for general and project-related purposes, respectively, if the habitat patches are large, contiguous and extremely dense, additional surveys are strongly encouraged to ensure full coverage of the site.

If you are uncertain whether three general surveys or five project-related surveys are required for your respective study, contact your USFWS flycatcher coordinator. As noted earlier, this survey protocol will help determine if territorial flycatchers are present and their approximate locations; if your project requires fine-scale estimates of flycatcher numbers or distribution at a site, you may need to conduct more intensive efforts that include additional surveys, nest searches, and nest monitoring.

**Survey Period 1: May 15–31.**—For both general and project-related surveys: a minimum of one survey is required. The timing of this survey is intended to coincide with the period of high singing rates in newly arrived males, which tends to begin in early to mid-May. This is one of the most reliable times to detect flycatchers that have established their territories, so there is substantial value to conducting period 1 surveys even though not all territorial males may yet have arrived. Migrant Willow Flycatchers of multiple subspecies will likely be present and singing during this period. Because both migrant and resident Willow Flycatchers are present during this period, and relatively more abundant than in subsequent surveys, it is an excellent opportunity to hone your survey and detection skills and gain confidence in your abilities. Detections of flycatchers during period 1 also provide insight on areas to pay particular attention to during the next survey period.

**Survey Period 2: June 1–24.**—For general surveys: a minimum of one survey is required. For project-related surveys, a minimum of two surveys are required. Note that this differs from the minimum of one survey that was recommended in this period under the previous protocol (Sogge and others, 1997a). During this period, the earliest arriving males may already be paired and singing less, but later arriving males should still be singing strongly. Period 2 surveys can provide insight about the status of any flycatchers detected during survey period 1. For example, if a flycatcher is detected during survey period 1 but not survey period 2, the first detection may have been a migrant. Conversely, detecting a flycatcher at the same site during periods 1 and 2 increases the likelihood that the bird is not a migrant, although it does not necessarily confirm it. Survey period 2 also is the earliest time during which you are likely to find nesting activity by resident birds at most sites. Special care should be taken during this period to watch for activity that will verify whether the flycatchers that are present are attempting to breed. A little extra time and diligence should be spent at all locations where flycatchers were detected during survey period 1.

## Survey Visit Timing, Numbers, and Detection Interpretation



**Figure 9.** Recommended numbers and timing of visits during each survey period for general surveys and project surveys. General surveys are those conducted when there is no foreseeable direct or indirect impact to their habitat from a known potential project or change in site management. Project-related surveys are conducted when there is a potential or foreseeable impact to their habitat due to a potential project or change in site management.

**Survey Period 3: June 25–July 17.**—For general surveys, a minimum of one survey is required. For project-related surveys, a minimum of two surveys are required. Virtually all Southwestern Willow Flycatchers should have arrived on their territories by this time. Flycatcher singing rates probably have lessened, and most paired flycatchers will have initiated or even completed their first round of nesting activity. Migrant Willow Flycatchers should no longer be passing through the Southwest; therefore, any flycatchers that you detect are likely to be either territorial or nonbreeding floaters. Surveyors should determine if flycatchers detected during surveys in periods 1 or 2 are still present, and watch closely for nesting activity. Flycatchers that have completed a first nesting attempt may resume vigorous singing during this period. Extra time and diligence should be spent at all locations where flycatchers were detected during survey periods 1 or 2.

At high elevation sites (above 2,000 m), Southwestern Willow Flycatcher arrival and initiation of breeding activities may occur in early June, and possibly later in some years due to weather or migration patterns. Therefore, flycatcher breeding chronology may be delayed by 1 or 2 weeks at such sites, and surveys should be conducted in the latter part of each period.

It may not require multiple surveys to verify Southwestern Willow Flycatcher presence or breeding status. If, for example, Willow Flycatchers are observed carrying nest material during survey periods 1 or 2, this is conclusive verification they are breeders as opposed to migrants, regardless of what is found during period 3. However, it requires a minimum of three surveys for general studies and five surveys for project-related studies to determine with relative confidence that Southwestern Willow Flycatchers probably are not breeding at a site in that year, based on lack of detections.

We strongly encourage additional follow-up surveys to sites where territorial Southwestern Willow Flycatchers are verified or suspected. Extra surveys provide greater confidence about presence or absence of flycatchers at a site, as well as help in estimating the number of breeding territories or pairs, and determining breeding status and the outcome of breeding efforts. Pre-survey visits the evening before the survey or post-survey follow-up later in the morning can help confirm breeding status when surveyors are not under time constraints. However, avoid returning to a site so often as to damage the habitat, establish or enlarge trails, or cause undue disturbance to the flycatchers.

## Survey Methods

The survey methods described below fulfill the primary objectives of documenting the presence or absence of Willow Flycatchers, and determining their status as territorial versus migrant. This protocol primarily is a call-playback technique, a proven method for eliciting response from nearby Willow Flycatchers (Seutin, 1987; Craig and others, 1992), both territorial and migrants. The premise of the call-playback technique is to simulate a territorial intrusion by another Willow Flycatcher, which generally will elicit a defensive response by the territorial bird, increasing its detectability. At each site, surveyors should broadcast a series of recorded Willow Flycatcher *fitz-bews* and *britts*, and look and listen for responses. In addition to maximizing the likelihood of detecting nearby flycatchers, this method also allows for positive identification by comparing the responding bird's vocalizations to the known Willow Flycatcher recording.

**Documenting Presence/Absence**—Begin surveys as soon as there is enough light to safely walk (about 1 hour before sunrise) and end by about 0900–1030 hours, depending on the temperature, wind, rain, background noise, and other environmental factors. Use your best professional judgment whether to conduct surveys that day based on local field conditions. If the detectability of flycatchers is being reduced by environmental factors, surveys planned for that day should be postponed until conditions improve. If observers are camped in or near potential Willow Flycatcher habitat, afternoons and evenings can be spent doing site reconnaissance and planning a survey strategy for the following morning. If camped immediately adjacent to survey sites, surveyors can awaken early and listen for flycatchers singing during the predawn period (0330–0500 hours), when territorial males often sing loudly.

Conduct surveys from within rather than from the perimeter of the sites, while limiting the breaking of vegetation or damaging the habitat. If surveys cannot be conducted from within the habitat, walk along the perimeter and enter the patch at intervals to broadcast the vocalizations and listen for responses. Flycatchers often respond most strongly if the recording is played from within the habitat and territory, rather than from the periphery. In addition, it can be surprisingly difficult to hear singing Willow Flycatchers that are even a short distance away amidst the noise generated by other singing and calling birds, roads, noisy streams, and other extraneous sounds. Therefore, it is preferable to survey from within the habitat, but always move carefully to avoid disturbing habitat or nests. Surveying from the periphery should not be conducted only for the sake of convenience, but is allowable for narrow linear reaches or when absolutely necessary due to safety considerations.

Because flycatchers may be clustered within only a portion of a habitat patch, it is critical to survey all suitable habitat within the patch. Small linear sites may be thoroughly

covered by a single transect through the patch. For larger sites, choose a systematic survey path that assures complete patch coverage throughout the length and breadth of the site. This may require multiple straight transects, serpentine, zig-zag, or criss-cross routes. Aerial photographs and previous survey forms are valuable tools to help plan and conduct surveys, and to assure complete coverage. Always move carefully through the habitat to avoid disturbing vegetation or nests.

Initially approach each site and stand quietly for 1–2 minutes or longer, listening for spontaneously singing flycatchers. A period of quiet listening is important because it helps acclimate surveyors to background noises that can be quite loud due to roads, aircraft, machinery, waterways, and other sounds. It also allows surveyors to recognize and shift attention away from the songs and calls of other bird species, letting them focus on listening for flycatchers. Although it happens rarely, some singing Willow Flycatchers will actually stop vocalizing and approach quietly in response to a broadcast song, perhaps in an effort to locate what they perceive as an intruding male. Therefore, playing a recording before listening for singing individuals has at least some potential of reducing detectability.

If you do not hear singing flycatchers during the initial listening period, broadcast the Willow Flycatcher song recording for 10–15 seconds; then listen for approximately 1 minute for a response. Repeat this procedure (including a 10-second quiet pre-broadcast listening period) every 20–30 m throughout each survey site, more often if background noise is loud. The recording should be played at about the volume of natural bird calls, and not so loud as to cause distortion of the broadcast. We recommend that the playback recording include a series of *fitz-bews* interspersed with several *britts*.

Response to the broadcast call could take several forms. Early in the breeding season (approximately May–mid-June), a responding Willow Flycatcher will usually move toward the observer and *fitz-bew* or *whitt* from within or at the top of vegetation. Territorial Willow Flycatchers almost always vocalize strongly when a recording is played in their territory early in the season. If there are several flycatchers present in an area, some or all may start singing after hearing the recording or the first responding individual. Flycatchers can often hear the recording from far away but will not usually move outside of their territory, so listen for distant responses. Also, stay alert and listen for flycatchers vocalizing behind you that may not have responded when you were first in their territory. Another common flycatcher response is alarm calls (*whitts*) or interaction twitters from within nearby vegetation, particularly once nesting has begun. Willow Flycatchers will often sing after a period of *whitting* in response to a recording, so surveyors hearing *whitts* should remain in the area and quietly listen for *fitz-bews* for several minutes. Because some flycatchers may initially respond by approaching quietly, particularly during periods 2 and 3, it is critical to watch carefully for responding birds.

If you detect flycatchers that appear particularly agitated, it is possible that you are in close proximity to their nest. Agitated flycatchers may swoop down at the surveyor, snap their beaks, and otherwise appear distressed. Exercise extreme caution so as to not accidentally disturb the nest, and move slowly away from the immediate area.

For the purpose of this protocol, detection of a *fitz-bew* song is essential to identify a bird as a Willow Flycatcher. Similar appearing species (including other *Empidonax* flycatchers) occur as migrants, and even breeders, at potential Willow Flycatcher sites. A few of these other species may even approach a broadcast Willow Flycatcher song and respond with vocalizations. In order to standardize interpretation of survey results and assure a high degree of confidence in surveys conducted by biologists of varying experience and skill, positive identification must be based on detection of the Willow Flycatcher's most unique characteristic—its song. It is important to remember that the *whitt* call is not unique to Willow Flycatchers, and therefore cannot serve as the basis of a positive identification. However, *whitts* are extremely useful for locating flycatchers and identifying areas needing follow-up visits. Loud, strong *whitting* may indicate a nearby nest, dictating that surveyors exercise extra caution moving through the area.

Whenever a verified or suspected Willow Flycatcher is detected, be careful not to overplay the song recording. Excessive playing could divert the bird from normal breeding activities or attract the attention of predators and brood parasites. Wildlife management agencies may consider overplaying the recording as “harassment” of the flycatcher, and this is not needed to verify species identification. Although flycatchers usually sing repeatedly once prompted, even a single *fitz-bew* is sufficient for verification. If you have played a recording several times and a bird has approached but has not *fitz-bewed*, do not continue playing the recording. If a potential Willow Flycatcher responds, approaches or *whitts* but does not sing, it is best to carefully back away and wait quietly. If it is a Willow Flycatcher, it probably will sing within a short time (5–10 minutes). Another option is to return to the same site early the following morning to listen for or attempt to elicit singing again. If you are still uncertain, record the location with your GPS, record comments on the survey form, and follow-up on the detection during subsequent surveys. If possible, request the assistance of an experienced surveyor to determine positive identification.

If more habitat remains to be surveyed, continue onward once a flycatcher is detected and verified. In doing so, move 30–40 m past the current detection before again playing the recording, and try to avoid double-counting flycatchers that have already responded. Willow Flycatchers, particularly unpaired males, may follow the broadcast song for 50 m or more.

**Looking For and Recording Color Bands.**—Several research projects have involved the capture and banding of Willow Flycatchers at breeding sites across the Southwest. In such projects, flycatchers are banded with one or more small colored leg bands, including a federal numbered band. As a result, surveyors may find color-banded individuals at their survey sites, and identification and reporting of the band combination can provide important data on flycatcher movements, survivorship, and site fidelity.

To look for bands, move to get a good view of the flycatcher's legs. This may be difficult in dense vegetation, but flycatchers commonly perch on more exposed branches at the edges of their territory or habitat patch. If bands are seen, carefully note the band colors. If there is more than one band on a leg, differentiate the top (farthest up the leg) from the bottom (closest to the foot), and those on the bird's left leg versus the right leg. If you are unsure of the color, do not guess. Instead, record the color as unknown. Incorrect color-band data are worse than incomplete data, so only record colors of which you are certain. The fact that a banded bird was seen, even without being certain of its color combination, is very important information. Record the color-band information on the survey form, and report the sighting to the appropriate State or Federal contact as soon as you return from the survey that day.

**Determining the Number of Territories and Pairs.**—Accurately determining the number of breeding territories and pairs can be more difficult than determining simple presence or absence. Flycatcher habitat is usually so dense that visual detections are difficult, and seeing more than one bird at a time is often impossible. Flycatchers sing from multiple song perches within their territories, and may be mistaken for more than one flycatcher. A flycatcher responding to or following a surveyor playing a recording may move considerable distances in a patch and thus be counted more than once. Territorial male flycatchers often sing strongly, but so do many migrants and some females, particularly in response to call-playback (Seutin, 1987; Unitt, 1987; Sogge and others, 1997b). Rangelwide, many territorial male flycatchers are unmated, particularly those in small breeding groups. For these reasons, each singing flycatcher may not represent a territory or a mated pair. Following the established survey protocol and carefully observing flycatcher behavior can help determine if you have detected migrants, territorial birds, breeders, unmated birds, or pairs.

Given sufficient time, effort and observation, it is usually possible to approximate the number of territories and pairs. First, listen carefully for simultaneously singing flycatchers. Note the general location of each bird—especially concurrently singing individuals—on aerial photographs, map, or a site sketch. Spend some time watching each flycatcher to determine approximate boundaries of its territory, and how it interacts with other flycatchers. If one or more singing

birds stay primarily in mutually exclusive areas, they can be considered as separate territories. To determine if a flycatcher is paired, watch for interactions within a territory. Refer to the section, “[Determining Breeding Status](#)” for signs of pairing and breeding activity. Do not report a territorial male as a pair unless you observe one or more of the signs listed below. In some cases, it may be possible only to estimate the number of singing individuals. In other cases, it may take multiple site visits to differentiate territories or pairs.

**Determining Breeding Status.**—One way to determine if the flycatchers found at a particular site are migrants or territorial is to find out if they are still present during the “non-migrant” period, which generally is from about June 15 to July 20 (Unitt, 1987). A Willow Flycatcher found during this time probably is a territorial bird, although there is a small chance it could be a non-territorial floater (Paxton and others, 2007). If the management question is simply whether the site is a potential breeding area, documenting the presence of a territorial flycatcher during the non-migrant period may meet all survey objectives, and the site may not need to be resurveyed during the remainder of that breeding season.

However, in some cases, surveyors will be interested in knowing not only if territorial Southwestern Willow Flycatchers are present at a site, but also whether breeding or nesting efforts are taking place. Some males maintain territories well into July yet never succeed in attracting a mate, so unpaired males are not uncommon (McLeod and others, 2007; Ellis and others, 2008; Ahlers and Moore, 2009). Thus, an assumption that each singing male represents a breeding pair may not be well founded, especially in small populations. If it is important to determine whether a pair is present and breeding in that territory, move a short distance away from where the bird was sighted, find a good vantage point, and sit or lie quietly to watch for evidence of breeding. Signs of breeding activity include:

- a. observation of another unchallenged Willow Flycatcher in the immediate vicinity (indicates possible pair);
- b. *whitt* calls between nearby flycatchers (indicates possible pair);
- c. interaction twitter calls between nearby flycatchers (indicates possible pair);
- d. countersinging or physical aggression against another flycatcher or bird species (suggests territorial defense);
- e. physical aggression against cowbirds (suggests nest defense);
- f. observation of Willow Flycatchers copulating (verifies attempted breeding);
- g. flycatcher carrying nest material (verifies nesting attempt, but not nest outcome);
- h. flycatcher carrying food or fecal sac (verifies nest with young, but not nest outcome);
- i. locating an active nest (verifies nesting). Recall that general survey permits do not authorize nest searching or monitoring, and see section, “[Special Considerations](#)”;

- j. observation of adult flycatchers feeding fledged young (verifies successful nesting).

You may be able to detect flycatcher nesting activity, especially once the chicks are being fed. Adults feed chicks at rates of as many as 30 times per hour, and the repeated trips to the nest tree or bush are often quite evident. Be sure to note on the flycatcher survey form any breeding activity that is observed, including detailed descriptions of the number of birds, and specific activities observed. Also note the location of breeding activities on an aerial photograph, map, or sketch of the area.

The number of flycatchers found at a site also can provide a clue as to whether they are migrants or territorial birds. Early season detections of single, isolated Willow Flycatchers often turn out to be migrants. However, discovery of a number of Willow Flycatchers at one site usually leads to verification that at least some of them remain as local breeders. This underscores the importance of completing a thorough survey of each site to be confident of the approximate number of flycatchers present.

In some cases, regardless of the time and diligence of your efforts, it will be difficult to determine the actual breeding status of a territorial male. In these instances, use your best professional judgment, or request the assistance of an experienced surveyor or an agency flycatcher coordinator to interpret your observations regarding breeding status.

**Reporting Results.**—There is little value in conducting formal surveys if the data are not recorded and submitted. Fill in all appropriate information on the Willow Flycatcher survey form while still in the field, and mark the location of detections on a copy of the USGS topographic map. Make a habit of reviewing the form before you leave any site—trying to remember specific information and recording it later can lead to missing and inaccurate data. Note the location of the sighting on an aerial photograph or sketch of the site. Attaching photographs of the habitat also is useful. Whenever a Willow Flycatcher territory or nest site is confirmed, notify the USFWS or appropriate State wildlife agency as soon as you return from the field. The immediate reporting of flycatcher detections or nests may differ among USFWS regions and States—discuss these reporting procedures with your respective State and USFWS flycatcher coordinators.

Complete a survey form ([appendix 1](#)) for each site surveyed, whether or not flycatchers are detected. “Negative data” (that is, a lack of detections) are important to document the absence of Willow Flycatchers and help determine what areas have already been surveyed. Make and retain a copy of each survey form, and submit the original or a legible copy. Electronic copies of the survey forms also are acceptable and are available online (<http://sbsc.wr.usgs.gov/cprs/research/projects/swwf/>). All survey forms must be submitted to the USFWS and the appropriate State wildlife agency by the specified deadline identified in your permits. Timely submission of survey data is a permit requirement, and will ensure the information is included in annual statewide and regional reports.

## Special Considerations

To avoid adverse impacts to Willow Flycatchers, follow these guidelines when performing all surveys:

1. Obtain all necessary Federal, State, and agency permits and permissions prior to conducting any surveys. Failure to do so leaves you liable for violation of the Endangered Species Act, various State laws, and prosecution for trespass.
2. Do not play the recording more than necessary or needlessly elicit vocal responses once Willow Flycatchers have been located and verified. This may distract territorial birds from caring for eggs or young, or defending their territory. If flycatchers are vocalizing upon arrival at the site, and your objective is to determine their presence or absence at a particular site—there is no need to play the recording. Excessive playing of the recording also may attract the attention of predators or brood parasites. Stop playing the survey recording as soon as you have confirmed the presence of a Willow Flycatcher, and do not play the recording again until you have moved 30–40 m to the next survey location.
3. Proceed cautiously while moving through Willow Flycatcher habitat. Continuously check the area around you to avoid disturbance to nests of Willow Flycatchers and other species. Do not break understory vegetation, even dead branches, to create a path through the surveyed habitat.
4. Do not approach known or suspected nests. Nest searches and monitoring require specific State and Federal permits, have their own specialized methodologies (Rourke and others, 1999), and are not intended to be a part of this survey protocol.
5. If you find yourself close to a known or suspected nest, move away slowly to avoid startling the birds or force-fledging the young. Avoid physical contact with the nest or nest tree, to prevent physical disturbance and leaving a scent. Do not leave the nest area by the same route that you approached. This leaves a “dead end” trail that could guide a potential predator to the nest/nest tree. If nest monitoring is a component of the study, but you are not specifically permitted to monitor the nest, store a waypoint with your GPS, affix flagging to a nearby tree at least 10 m away, and record the compass bearing to the nest on the flagging. Report your findings to an agency flycatcher coordinator or a biologist who is permitted to monitor nests.
6. If you use flagging to mark an area where flycatchers are found, use it conservatively and make certain the flagging is not near an active nest. Check with the property owner or land-management agency before flagging to be sure that similar flagging is not being used for other purposes in the area. Unless conducting specific and authorized/ permitted nest monitoring, flagging should be placed no closer than 10 m to any nest. Keep flagging inconspicuous from general public view to avoid attracting people or animals to an occupied site, and remove it at the end of the breeding season.
7. Watch for and note the presence of potential nest predators, particularly birds, such as Common Ravens (*Corvus corax*), American Crows (*Corvus brachyrhynchos*), jays, and magpies. If such predators are in the immediate vicinity, wait for them to leave before playing the recording.
8. Although cowbird parasitism is no longer considered among the primary threats to flycatcher conservation it remains useful to note high concentrations of cowbirds in the comment section of the survey form. While conducting surveys, avoid broadcasting the flycatcher vocalizations if cowbirds are nearby, especially if you believe you may be close to an active flycatcher territory. The intent of not broadcasting flycatcher vocalizations is to reduce the potential for attracting cowbirds to a flycatcher territory or making flycatcher nests more detectable to cowbirds.
9. Non-indigenous plants and animals can pose a significant threat to flycatcher habitat and may be unintentionally spread by field personnel, including those conducting flycatcher surveys. Simple avoidance and sanitation measures can help prevent the spread of these organisms to other environments. To avoid being a carrier of non-indigenous plants or animals from one field site to another visually inspect and clean your clothing, gear, and vehicles before moving to a different field site. A detailed description on how to prevent and control the spread of these species is available by visiting the Hazard Analysis and Critical Control Point Planning for Natural Resource Management web site (<http://www.haccp-nrm.org>). One species of particular interest is the tamarisk leaf-beetle (*Diorhabda* spp.). If you observe defoliation of saltcedar while conducting flycatcher surveys and believe that *Diorhabda* beetles may be responsible, notify your USFWS coordinator immediately. Other non-native species of concern in survey locations are the quagga mussel (*Dreissena rostriformis bugensis*), cheatgrass (*Bromus tectorum*), red brome (*Bromus rubens*), giant salvinia (*Salvinia molesta*), water milfoil (*Myriophyllum spicatum*), parrot’s feather (*M. aquaticum*), and amphibian chytrid fungus (*Batrachochytrium dendrobatidis*).

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# Appendix 1. Willow Flycatcher Survey and Detection Form

Always check the U.S. Fish and Wildlife Service Arizona Ecological Services Field Office web site (<http://www.fws.gov/southwest/es/arizona/>) for the most up-to-date version.

## Willow Flycatcher (WIFL) Survey and Detection Form (revised April 2010)

Site Name \_\_\_\_\_ State \_\_\_\_\_ County \_\_\_\_\_  
 USGS Quad Name \_\_\_\_\_ Elevation \_\_\_\_\_ (meters)  
 Creek, River, Wetland, or Lake Name \_\_\_\_\_  
*Is copy of USGS map marked with survey area and WIFL sightings attached (as required)?* Yes \_\_\_ No \_\_\_

Survey Coordinates: Start: E \_\_\_\_\_ N \_\_\_\_\_ UTM Datum \_\_\_\_\_ (See instructions)  
 Stop: E \_\_\_\_\_ N \_\_\_\_\_ UTM Zone \_\_\_\_\_

If survey coordinates changed between visits, enter coordinates for each survey in comments section on back of this page.

**\*\* Fill in additional site information on back of this page \*\***

Survey # Observer(s) (Full Name)	Date (m/d/y) Survey time	Number of Adult WIFLs	Estimated Number of Pairs	Estimated Number of Territories	Nest(s) Found? Y or N If Yes, number of nests	Comments (e.g., bird behavior; evidence of pairs or breeding; potential threats [livestock, cowbirds, <i>Diorhabda</i> spp.]). If <i>Diorhabda</i> found, contact USFWS and State WIFL coordinator	GPS Coordinates for WIFL Detections (this is an optional column for documenting individuals, pairs, or groups of birds found on each survey). Include additional sheets if necessary.			
							# Birds	Sex	UTM E	UTM N
Survey # 1 Observer(s)	Date Start Stop Total hrs ____						# Birds	Sex	UTM E	UTM N
Survey # 2 Observer(s)	Date Start Stop Total hrs ____						# Birds	Sex	UTM E	UTM N
Survey # 3 Observer(s)	Date Start Stop Total hrs ____						# Birds	Sex	UTM E	UTM N
Survey # 4 Observer(s)	Date Start Stop Total hrs ____						# Birds	Sex	UTM E	UTM N
Survey # 5 Observer(s)	Date Start Stop Total hrs ____						# Birds	Sex	UTM E	UTM N
Overall Site Summary Totals do not equal the sum of each column. Include only resident adults. Do not include migrants, nestlings, and fledglings.  Be careful not to double count individuals.  Total Survey Hrs		Total Adult Residents	Total Pairs	Total Territories	Total Nests	Were any Willow Flycatchers color-banded? Yes ___ No ___  If yes, report color combination(s) in the comments section on back of form and report to USFWS.				

Reporting Individual \_\_\_\_\_ Date Report Completed \_\_\_\_\_  
 US Fish and Wildlife Service Permit # \_\_\_\_\_ State Wildlife Agency Permit # \_\_\_\_\_

**Submit form to USFWS and State Wildlife Agency by September 1<sup>st</sup>. Retain a copy for your records.**

**32 A Natural History Summary and Survey Protocol for the Southwestern Willow Flycatcher**

*Fill in the following information completely. Submit form by September 1<sup>st</sup>. Retain a copy for your records.*

Reporting Individual \_\_\_\_\_ Phone # \_\_\_\_\_  
 Affiliation \_\_\_\_\_ E-mail \_\_\_\_\_  
 Site Name \_\_\_\_\_ Date Report Completed \_\_\_\_\_

Did you verify that this site name is consistent with that used in previous years? Yes \_\_\_ No \_\_\_ Not Applicable \_\_\_

If site name is different, what name(s) was used in the past? \_\_\_\_\_

If site was surveyed last year, did you survey the same general area this year? Yes \_\_\_ No \_\_\_ If no, summarize below.

Did you survey the same general area during each visit to this site this year? Yes \_\_\_ No \_\_\_ If no, summarize below.

Management Authority for Survey Area : Federal \_\_\_ Municipal/County \_\_\_ State \_\_\_ Tribal \_\_\_ Private \_\_\_

Name of Management Entity or Owner (e.g., Tonto National Forest) \_\_\_\_\_

Length of area surveyed: \_\_\_\_\_ (meters)

Vegetation Characteristics: Mark the category that best describes the predominant tree/shrub foliar layer at this site (check one):

\_\_\_\_\_ Native broadleaf plants (entirely or almost entirely, > 90% native, includes high-elevation willow)

\_\_\_\_\_ Mixed native and exotic plants (mostly native, 50 - 90% native)

\_\_\_\_\_ Mixed native and exotic plants (mostly exotic, 50 - 90% exotic)

\_\_\_\_\_ Exotic/introduced plants (entirely or almost entirely, > 90% exotic)

Identify the 2-3 predominant tree/shrub species in order of dominance. Use scientific name.

\_\_\_\_\_

Average height of canopy (Do not include a range): \_\_\_\_\_ (meters)

Attach copy of USGS quad/topographical map (REQUIRED) of survey area, outlining survey site and location of WIFL detections.

Attach sketch or aerial photo showing site location, patch shape, survey route, location of any WIFLs or WIFL nests detected.

Attach photos of the interior of the patch, exterior of the patch, and overall site; describe any unique habitat features.

Comments (attach additional sheets if necessary)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Territory Summary Table. Provide the following information for each verified territory at your site.

Territory Number	All Dates Detected	UTM N	UTM E	Pair Confirmed? Y or N	Nest Found? Y or N	Description of How You Confirmed Territory and Breeding Status (e.g., vocalization type, pair interactions, nesting attempts, behavior)

Attach additional sheets if necessary



## Appendix 3. Instructions for Completing the Willow Flycatcher Survey and Detection Form and the Survey Continuation Sheet

These instructions are provided as guidance for completing the standard survey form. It is particularly important to provide the correct type and format of information for each field. Complete and submit your survey forms to both the appropriate State Willow Flycatcher coordinator and the U.S. Fish and Wildlife Service (USFWS) by September 1 of the survey year. You also may complete forms digitally (Microsoft® Word or Excel) and submit them via email with attached or embedded topographic maps and photographs.

### Page 1 of Survey Form

**Site Name.** Standardized site names are provided by the flycatcher survey coordinators for each State and should be consistent with the naming of other sites that might be in the area. If the site is new, work with your State or USFWS flycatcher coordinator to determine suitable site names before the beginning of the survey season. If the site was previously surveyed, use the site name from previous years (which can be obtained from the State or USFWS flycatcher coordinator). If you are uncertain if the site was previously surveyed, contact your State or USFWS flycatcher coordinator.

**USGS Quad Name.** Provide the full quad name, as shown on the appropriate standard 7.5-minute topographic maps.

**Creek, River, Wetland, or Lake Name.** Give the name of the riparian feature, such as the lake or watercourse, where the survey is being conducted.

**Survey Coordinates.** Provide the start and end points of the survey, which will indicate the linear, straight-line extent of survey area, based on Universal Transverse Mercator coordinates (UTMs). California surveyors only: provide latitude/longitude geographic coordinates instead of UTM fields and identify them as such. If the start and end points of the survey changed significantly among visits, enter separate coordinates for each survey in the comments section on the back of the survey sheet. Note that we do not need the coordinates for the detailed path taken by the surveyor(s).

**Datum.** Indicate the datum in which the coordinates are expressed: NAD27, WGS84, or NAD83. The datum can be found in the settings of most GPS units. Note that Arizona prefers NAD27 and New Mexico prefers NAD83.

**Zone.** Provide the appropriate UTM zone for the site, which is displayed along with the coordinates by most GPS units. Zones for California are 10, 11, or 12. The zone for Arizona is 12. Zones for New Mexico are 12 or 13.

**Survey #.** Survey 1 – 5. See the protocol for an explanation of the number of required visits for each survey period. **Note:** A survey is defined as a complete protocol-based survey that occurs over no more than 1 day. If a site is so large as to require more than a single day to survey, consider splitting the site into multiple subsites and use separate survey forms for each. Casual site visits, pre-season or supplemental visits, or follow-up visits to check on the status of a territory should not be listed in this column, but should be documented in the Comments section on page 2 or in the survey continuation sheet.

**Date.** Indicate the date that the survey was conducted, using the format mm/dd/yyyy.

**Start and Stop.** Start and stop time of the survey, given in 24-hour format (e.g., 1600 hours rather than 4:00 p.m.).

**Total hours.** The duration of time (in hours) spent surveying the site, rounded to the nearest tenth (0.1) hour. For single-observer surveys, or when multiple observers stay together throughout the survey, total the number of hours from survey start to end. If two or more observers surveyed sections of the site concurrently and independently, sum the number of hours each observer spent surveying the site.

**Number of Adult WIFLs.** The total number of individual adult Willow Flycatchers detected during this particular survey. Do not count nestlings or recently fledged birds.

**Number of Pairs.** The number of breeding pairs. Do not assume that any bird is paired; designation of birds as paired should be based only on direct evidence of breeding behaviors described in the protocol. If there is strong evidence that the detected bird is unpaired, enter “0”. If it is unknown whether a territorial bird is paired, enter “-”. Note that the estimated number of pairs can change over the course of a season.

**Number of Territories.** Provide your best estimate of the number of territories, defined as a discrete area defended by a resident single bird or pair. This is usually evidenced by the presence of a singing male, and possibly one or more mates. Note that the estimated number of territories may change over the course of a season.

**Nest(s) Found?** Yes or No. If yes, indicate the number of nests. Renests are included in this total.

**Comments about this survey.** Describe bird behavior, evidence of pairs or breeding, evidence of nest building, evidence of nestlings/fledglings, nesting, vocalizations (e.g., interaction twitter calls, *whitts*, *britts*, *wheos*, *fitz-bews*/countersinging), potential threats (e.g., livestock, cowbirds, saltcedar leaf beetles [*Diorhabda* spp.] etc.). If *Diorhabda* beetles are observed, contact your USFWS and State flycatcher coordinator immediately. Please be aware that permits are needed for nest monitoring.

**GPS Coordinates for WIFL Detections.** Provide the number of birds (e.g., unpaired, paired, or groups of birds) and corresponding UTM fields. If known, provide the sex of individuals.

**Overall Site Summary.** For each of these columns, provide your best estimate of the overall total for the season. Do not simply total the numbers in each column. In some cases where consistent numbers were detected on each survey, the overall summary is easy to determine. In cases where numbers varied substantially among the different surveys, use professional judgment and logic to estimate the most likely number of adults, pairs, and territories that were consistently present. Be careful not to double count individuals. Record only territorial adult Southwestern Willow Flycatchers, do not include migrants, nestlings, or fledglings in the overall summary. In complex cases, consult with your State or USFWS flycatcher coordinator.

**Total Survey Hours.** The sum of all hours spent surveying the site.

**Were any WIFLs color-banded?** Circle or highlight “Yes” or “No”. If yes, report the sighting and color combination (if known) in the comments section on back of form, and contact your USFWS coordinator within 48 hours after returning from the survey. Note that identifying colors of bands is difficult and might require follow-up visits by experienced surveyors.

**Reporting Individual.** Indicate the full first and last name of the reporting individual.

**Date Report Completed.** Provide the date the form was completed in mm/dd/yyyy format.

**U.S. Fish and Wildlife Service Permit #.** List the full number of the required federal permit under which the survey was completed.

**State Wildlife Agency Permit #.** If a State permit is required by the State in which the survey was completed, provide the full number of the State permit. State permits are required for Arizona and California. State permits are recommended for New Mexico.

### Page 2 of Survey Form

**Affiliation.** Provide the full name of the agency or other affiliation (which is usually the employer) of the reporting individual.

**Phone Number.** Self-explanatory; include the area code.

**E-mail.** Self-explanatory.

**Was this site surveyed in a previous year?** Indicate “Yes”, “No”, or “Unknown.”

**Did you verify that this site name is consistent with that used in previous years?** Indicate “Yes” or “No”. This can be determined by checking survey forms from previous years or consulting with agency flycatcher coordinators.

**If site name is different, what name(s) was used in the past?** Enter the full site name that was used in previous years.

**If site was surveyed last year, did you survey the same general area this year?** Indicate “Yes” or “No”. If no, indicate the reason and how the survey varied in the Comments section.

**Did you survey the same general area during each visit to this site this year?** If no, indicate the reason in the Comments section and delineate the differing route of each survey on the topographical map.

**Management Authority for Survey Area.** Mark the appropriate management authority.

**Name of Management Entity or Owner (e.g., Tonto National Forest).** Provide the name of the organization or person(s) responsible for management of the survey site.

**Length of area surveyed.** Estimate the linear straight-line distance of the length of the area surveyed, in kilometers. This is not an estimate of the total distance walked throughout the survey site. Do not provide a range of distances.

**Vegetation Characteristics:** Mark only one of the categories that best describes the predominant tree/shrub foliar layer at the site.

Native broadleaf habitat is composed of entirely or almost entirely (i.e., > 90%) native broadleaf plants.

Mostly native habitat is composed of 50–90% native plants with some (i.e., 10–50%) non-native plants.

Mostly exotic habitat is composed of 50–90% non-native plants with some (i.e., 10–50%) native plants.

Exotic/introduced habitat is composed entirely or almost entirely (i.e., > 90%) of non-native plants.

**Identify the 2–3 predominant tree/shrub species in order of dominance.** Identify by scientific name.

**Average height of canopy.** Provide the best estimate of the average height of the top of the canopy throughout the patch. Although canopy height can vary, give only a single (not a range) overall height estimate.

**Attach the following: (1) copy of USGS quad/topographical map (REQUIRED) of survey area, outlining survey site and location of WIFL detections; (2) sketch or aerial photo showing site location, patch shape, survey route, location of any detected WIFLs or their nests; (3) photos of the interior of the patch, exterior of the patch, and overall site. Describe any unique habitat features in Comments.** Include the flycatcher territory number and GPS location. You also may include a compact disc of photographs.

**Comments.** Include any information that supports estimates of total territory numbers and breeding status. You may provide additional information on bird behavior, banded birds, evidence of pairs or breeding, nesting, potential threats (e.g., livestock, cowbirds, saltcedar leaf beetles [*Diorhabda* spp.] etc.), and changes in survey length and route throughout the season. Attach additional pages or use the continuation sheet if needed.

**Table.** If Willow Flycatchers are detected, complete the table at the bottom of the form. Identify flycatchers by territory number and include the dates detected, UTMs, whether or not pairs were detected, and whether or not nests were located. Also describe the observation. For example, the surveyor might have observed and heard a bird *fitz-bew* from an exposed perch, heard and observed two birds interacting and eliciting a twitter call, heard a bird *fitz-bew* while observing another carrying nesting material, heard birds from territory 1 and 2 countersinging, etc. This information provides supporting information for territory and breeding status. Use the continuation sheet if needed.

# Appendix 4. Example of a Completed Willow Flycatcher Survey and Detection Form (with map)

## Willow Flycatcher (WIFL) Survey and Detection Form (revised April, 2010)

Site Name: DL-08 State: New Mexico County: Socorro  
 USGS Quad Name: Paraje Well Elevation: 1,356 (meters)  
 Creek, River, or Lake Name: Rio Grande  
 Is copy of USGS map marked with survey area and WIFL sightings attached (as required)? Yes X No         
 Survey Coordinates: Start: E 306,009 N 3,715,506 UTM Datum: NAD 83 (See instructions)  
 Stop: E 304,339 N 3,711,922 UTM Zone: 13

If survey coordinates changed between visits, enter coordinates for each survey in comments section on back of this page.

**\*\*Fill in additional site information on back of this page\*\***

Survey # Observer(s) (Full Name)	Date (m/d/y) Survey Time	Number of Adult WIFLs	Estimated Number of Pairs	Estimated Number of Territories	Nest(s) Found? Y or N  If Yes, number of nests	Comments (e.g., bird behavior; evidence of pairs or breeding; potential threats [livestock, cowbirds, <i>Diorhabda</i> spp.]). If <i>Diorhabda</i> found, contact USFWS and State WIFL coordinator.	GPS Coordinates for WIFL Detections (this is an optional column for documenting individuals, pairs, or groups of birds found on each survey). Include additional sheets if necessary.			
							# Birds	Sex	UTM E	UTM N
Survey # 1 Observer(s): D. Savage	Date: 5/24/2009	5	0	5	N	Suitable breeding habitat dispersed throughout site. WIFLs were very vocal, and covering large areas. No obvious signs of pairing were observed. Approximately 10 head of cattle were found within this site.	# Birds	Sex	UTM E	UTM N
	Start: 5:45						1	M	305,276	3,714,926
	Stop: 10:15						1	M	305,131	3,714,628
	Total hrs: 4.5						1	M	305,191	3,714,778
							1	M	305,394	3,715,009
Survey # 2 Observer(s): S. Kennedy	Date: 6/10/2009	11	4	7	Y (3)	Portions of site are flooded, 1-2 ft deep. Two males found during 1st survey appear unpaired. Three pairs confirmed based on nesting, and another pair suspected based on vocal interactions and nonaggressive behavior with another flycatcher. Two additional territories (1 pair and 1 unpaired male) found during this survey.	# Birds	Sex	UTM E	UTM N
	Start: 6:00						1	M	305,276	3,714,926
	Stop: 10:15						1	M	305,131	3,714,628
	Total hrs: 4.3						2	M/F	305,191	714,778
							2	M/F	305,394	3,715,009
Survey # 3 Observer(s): S. Kennedy	Date: 6/21/2009	12	5	7	Y (4)	Portions of site still flooded. All territories found in Survey 2 are still active. The two males found during Surveys #1 and #2, still believed to be unpaired. All other territories are believed to be paired. Several cows observed in vicinity of active territories.	# Birds	Sex	UTM E	UTM N
	Start: 5:30						1	M	305,276	3,714,926
	Stop: 10:00						1	M	305,131	3,714,628
	Total hrs: 4.5						2	M/F	305,191	3,714,778
							2	M/F	305,394	3,715,009
Survey # 4 Observer(s): D. Moore	Date: 7/1/2009	12	5	7	Y (4)	Site is no longer flooded, but saturated soils persist throughout most of site. No change in territory numbers or status. All SWFL pairs very quiet - only a few whits and fitz-bews. Light rain over night, vegetation was saturated early in the morning. Lots of mosquitos!	# Birds	Sex	UTM E	UTM N
	Start: 6:00						1	M	305,276	3,714,926
	Stop: 10:00						1	M	305,131	3,714,628
	Total hrs: 4.0						2	M/F	305,191	3,714,778
							2	M/F	305,394	3,715,009
Survey # 5 Observer(s): D. Moore	Date: 7/10/2009	11	5	6	Y (4)	Site beginning to dry out, some portions still muddy. One of the unpaired males could not be detected. It was hard to hear SWFLs due to breezy conditions early in the morning.	# Birds	Sex	UTM E	UTM N
	Start: 5:30						1	M	305,131	3,714,628
	Stop: 10:00						2	M/F	305,191	3,714,778
	Total hrs: 4.5						2	M/F	305,394	3,715,009
							2	M/F	305,084	3,714,732
Overall Site Summary Totals do not equal the sum of each column. Include only resident adults. Do not include migrants, nestlings, and fledglings. Be careful not to double count individuals. Total survey hrs: 21.8		Total Adult Residents	Total Pairs	Total Territories	Total Nests	Were any WIFLs color-banded? Yes <u>      </u> No <u>X</u>	If yes, report color combination(s) in the comments section on back of form and report to USFWS.			
		12	5	7	4					

Reporting Individual: Darrell Ahlers Date Report Completed: 8/20/2009  
 US Fish & Wildlife Service Permit #: TE819475-2 State Wildlife Agency Permit #: N/A

**Submit form to USFWS and State Wildlife Agency by September 1st. Retain a copy for your records.**

Fill in the following information completely. Submit form by September 1<sup>st</sup>. Retain a copy for your records.

Reporting Individual Darrell Ahlers Phone # (303) 445-2233  
 Affiliation Bureau of Reclamation E-mail dahlers@usbr.gov  
 Site Name DL-08 Date report Completed 8/20/2009  
 Was this site surveyed in a previous year? Yes x No      Unknown       
 Did you verify that this site name is consistent with that used in previous yrs? Yes x No      Not Applicable       
 If name is different, what name(s) was used in the past? Not applicable  
 If site was surveyed last year, did you survey the same general area this year? Yes x No      If no, summarize below.  
 Did you survey the same general area during each visit to this site this year? Yes x No      If no, summarize below.

Management Authority for Survey Area: Federal X Municipal/County      State      Tribal      Private       
 Name of Management Entity or Owner (e.g., Tonto National Forest) Bureau of Reclamation

Length of area surveyed: 2.5 (km)

Vegetation Characteristics: Check (only one) category that best describes the predominant tree/shrub foliar layer at this site:

- Native broadleaf plants (entirely or almost entirely, > 90% native)
- X  Mixed native and exotic plants (mostly native, 50 - 90% native)
- Mixed native and exotic plants (mostly exotic, 50 - 90% exotic)
- Exotic/introduced plants (entirely or almost entirely, > 90% exotic)

Identify the 2-3 predominant tree/shrub species in order of dominance. Use scientific name.

Salix Gooddingii, Populus spp., Tamarix spp.

Average height of canopy (Do not include a range): 6 (meters)

- Attach the following: 1) copy of USGS quad/topographical map (REQUIRED) of survey area, outlining survey site and location of WIFL detections;  
 2) sketch or aerial photo showing site location, patch shape, survey route, location of any detected WIFLs or their nests;  
 3) photos of the interior of the patch, exterior of the patch, and overall site. Describe any unique habitat features in Comments.

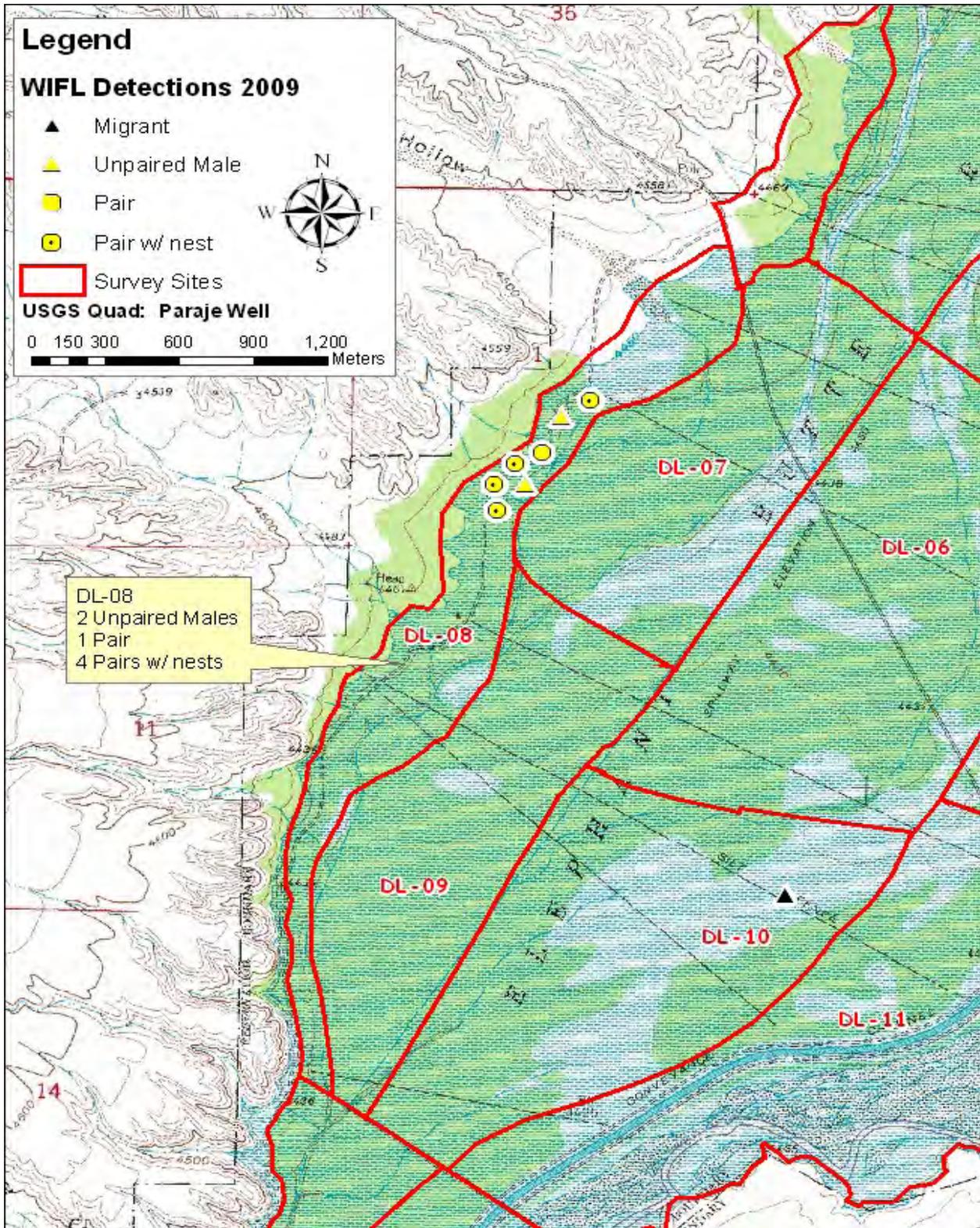
Comments (such as start and end coordinates of survey area if changed among surveys, supplemental visits to sites, unique habitat features).  
Attach additional sheets if necessary.

**Great habitat with saturated or flooded soils throughout most of the site on 1st survey. Site began to dry by the end of the breeding season. SWFL territories are dominated by Gooddings willow, however Tamarix spp. tends to be increasing in density compared to previous years. Site is supported by flows from the Low Flow Conveyance Channel.**

Territory Summary Table. Provide the following information for each verified territory at your site.

Territory Number	All Dates Detected	UTM E	UTM N	Pair Confirmed? Y or N	Nest Found? Y or N	Description of How You Confirmed Territory and Breeding Status (e.g., vocalization type, pair interactions, nesting attempts, behavior)
1 (Unpaired male)	5/24, 6/10,6/21,7/1	305,276	3,714,926	N	N	extended presence at site from 5/24 through 7/1, no evidence of pairing
2 (Unpaired male)	5/24, 6/10,6/21,7/1, 7/10	305,131	3,714,628	N	N	extended presence at site from 5/24 through 7/10, no evidence of pairing
3 (Pair)	5/24, 6/10,6/21,7/1, 7/10	305,191	3,714,778	Y	Y	Pair confirmed based on vocalizations and observation of unchallenged WIFL
4 (Pair w/nest)	5/24, 6/10,6/21,7/1, 7/10	305,394	3,715,009	Y	Y	Confirmed breeding status with nest
5 (Pair w/nest)	5/24, 6/10,6/21,7/1, 7/10	305,084	3,714,732	Y	Y	Confirmed breeding status with nest
6 (Pair w/nest)	6/10,6/21,7/1, 7/10	305,001	3,714,640	Y	Y	Confirmed breeding status with nest
7 (Pair w/nest)	6/10,6/21,7/1, 7/10	305,010	3,714,524	Y	N	Confirmed breeding status with nest

Attach additional sheets if necessary



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**Final Report - NCCP/MSCP Raptor Monitoring**  
**Project (January 1, 2001 – December 31, 2003)**

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*for*

**California Department Fish and Game**  
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**San Diego, CA 92123**

*by*

**Wildlife Research Institute, Inc.**  
**P.O. Box 2209**  
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**March 31, 2005**

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## **BACKGROUND**

The Natural Communities Conservation Planning (NCCP) Raptor Monitoring Project is part of the urgent implementation tasks associated with the Multiple Species Conservation Program (MSCP). The MSCP is the local representation of the State's NCCP Program of which the City of San Diego is a participating member and the lead agency. The County of San Diego is also an active participant (County of San Diego 1997). The city adopted the MSCP on March 18, 1997 and entered into a binding contract on July 16, 1997 with the State of California Department of Fish and Game and the United States Fish and Wildlife Service to implement the MSCP.

Each habitat conservation plan (HCP) requires a monitoring program to determine the efficacy of that plan. The "Biological Monitoring Plan for the Multiple Species Conservation Program" (Ogden 1996) recommended monitoring for certain plant species, coastal sage scrub (Coastal California Gnatcatcher and Cactus Wren), herpetofauna, and grasslands (specifically, using raptors).

## **THE PROJECT AND ITS OBJECTIVES**

Monitoring of raptors is a critical component of the MSCP. This project, specifically, addresses monitoring the raptor species identified as target species for MSCP monitoring with one exception--the Burrowing Owl (BO; *Athene cunicularia hypugaea*). In addition to the Burrowing Owl, the MSCP Biological Monitoring Plan (Ogden, 1996) identified the following raptor species (hereafter referred to as the "target" species) to be monitored: Golden Eagle (GE; *Aquila chrysaetos*), Bald Eagle (BE; *Haliaeetus leucocephalus*), Peregrine Falcon (PF; *Falco peregrinus*), Northern Harrier (NH; *Circus cyaneus*), Ferruginous Hawk (FH; *Buteo regalis*), Swainson's Hawk (SH; *Buteo swainsoni*), and Cooper's Hawk (CH; *Accipiter cooperii*). Prior to the subject work, no comprehensive study had been conducted for any of these species, within the geographical limits of the MSCP.

The Wildlife Research Institute, Inc. (WRI), a non-profit organization, has been working with all MSCP participants to identify appropriate long-term raptor monitoring locations (based on the results of the current WRI raptor surveys), develop a scientifically-based monitoring program (including survey locations and protocols), test the monitoring methods, and identify opportunities for population enhancements.

The original project objectives (taken from the contract's scope of work) are as follows:

- Determine where breeding and wintering individuals (of the target species) are located within the study areas.
- Wherever possible, document the breeding success of active pairs.
- Characterize situations of both successful and less successful or unsuccessful habitat.
- Identify, modify, or create, if necessary, survey raptor monitoring methods, based on scientific principles that would be appropriate to meet the objectives of the MSCP Monitoring Plan.
- Identify management, including research, needs and enhancement opportunities.

## **THIS REPORT**

**Constraints.** This report covers WRI's raptor surveying activity for the three years of this project (January 1, 2001 through December 31, 2003), focusing on the breeding and wintering seasons. For the record, our work did not, officially, include the BO. Therefore, with few exceptions, surveys were not conducted during what would normally have been the most productive time for this species (i.e., early morning and early evening). Fieldwork was conducted during the daylight hours to maximize chances for seeing the diurnal raptors that were the focus of the contracted scope. Although nocturnal owls can be expected to nest and winter in many of the study sites, they would be expected to often escape observation under this temporal survey regime. However, our methods required documenting any raptor, regardless of whether or not it was a target species and, when a BO or any other owl was observed, it was noted.

A natural phenomenon created a situation that could be considered a constraint. This was the extreme drought that the region experienced for several years (1999-2004). Therefore, 2001 through 2003 may not have been the best of raptor breeding years. Drought clearly plays a significant factor in the density and reproductive success of raptors. This study was conducted during the worst drought for San Diego in over 160 years. This fact should be noted for future researchers and resource managers/planners. This kind of extreme drought has the potential effect of reducing the available prey biomass, which, in turn, can have at least two effects. First, it likely reduces the "attractiveness" of a habitat complex, partly because of low prey densities, and may encourage raptors and other predators to look elsewhere. Second, for those individuals that choose to stay in a less-than-ideal environment, the lack of prey often results in lowered reproductive success or even total nest failure (see Discussion, below). If a nest site is not successful, the birds are more likely to disperse, which leaves the historically active territories apparently, or actually, vacant.

**Intent.** It is the intent that this, the Final Report, will not only serve to (1) provide data analysis and interpretation but, importantly, it strives to (2) provide an initial baseline of information on many of the breeding and wintering raptors within the MSCP and environs, (3) identify resource management challenges and opportunities, and (4) recommend needed research and management, including what areas should be considered for the MSCP Long-term Raptor Monitoring Program (LRMP).

## **METHODS**

### **LITERATURE REVIEW, INTERVIEWS, DATA SEARCHES, ETC.**

We first contacted other professional biologists, regarding available literature and monitoring programs already in place. We acquired relevant literature, which we did not already have, and met with and/or phone-interviewed members of the outdoor-oriented public as well as key professionals in the San Diego ornithologist community (including Mr. John Oakley, Mr. David Mayer, Mr. Phil Unitt, Dr. Jim Hannan, and others listed in the Acknowledgements section) to inquire about raptor sightings. Using existing published and gray literature, the Natural Communities Data Base, museum collections, raw data from the San Diego County Bird Atlas (then in prep.), MSCP vegetation and sensitive species GIS data, and discussions with knowledgeable experts, a project bibliography, relevant to the MSCP and the target species, was produced (Appendix A).

## STUDY SITES

The choice of *study sites* (i.e., those which would be the focus of the 2001-2003 field observations) began with the raptor monitoring locations proposed by the “Biological Monitoring Plan for the Multiple Species Conservation Program” (Ogden 1996). Through consultations with CDFG staff and other knowledgeable biologists, we initially identified 22 sites. After some consolidation and the addition of several sites, including control sites and five sites recently acquired by the state or federal government (numbers 34, and 39 through 43), this number was, ultimately, increased to 45 locations within, and juxtaposed to, the MSCP (hereafter referred to as “study sites”; Figure 1 and Table 1). These became the sites, which were surveyed and considered as *potential* sites, or components of sites, for the Long-term *Monitoring Plan*. The basis for choosing the study sites included that they (1) could be expected to support raptors, (2) were part of an area which was managed by a public or private organization or, alternatively, could serve as a control site over time, (3) were accessible by vehicle and could be safely surveyed with repeatability, (4) contained grassland and/or other relevant habitat which was representative of the MSCP area, and (5) were within or immediately juxtaposed to the MSCP area. We considered all ten sites recommended by the Ogden (1996) report. Of those ten sites, we believe all are covered by one or more of the above 45 locations unless they did not meet the above criteria.

## MONITORING SITES

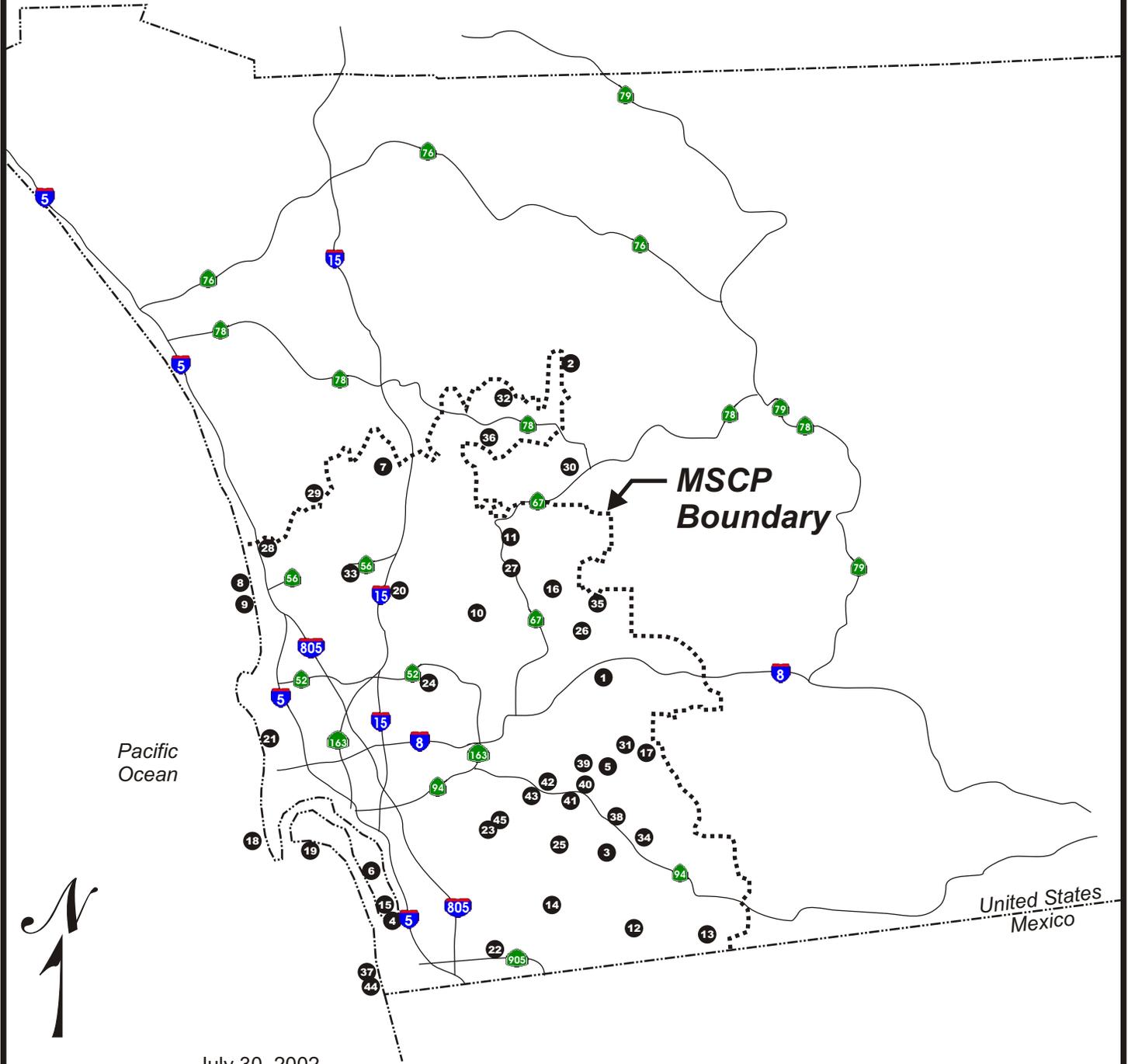
The parameters considered in order to make the recommendations for monitoring sites (i.e., those which would be used in the MSCP Long-term Monitoring Program; LRMP) were discussed at a meeting with representatives of CDFG, USFWS, the City of San Diego and the County of San Diego, on January 27, 2002, at the CDFG San Diego office. It was agreed that the following were important when reviewing each study site as a potential MSCP LRMP site:

- Number of individual raptors documented at a site
- Number of raptor species
- Number of target raptor species
- Diversity of raptors and/or target raptor species
- Number of raptor territories
- Number of crows and/or ravens
- Incidence and/or expectation of management/enforcement problems
- Likely changes in habitat and disturbance over time

In order to identify which sites are the most appropriate for the MSCP LRMP during the breeding season, each site was examined, based on two species diversity parameters (number of total raptors and number of target raptors, both of which were normalized by level of effort) and a third parameter for evenness (Probability of an Interspecific Encounter or PIE; Hurlburt, 1971). The analysis for evenness provided a logical break between the top 19<sup>th</sup> and 20<sup>th</sup> sites. All sites were then arranged in descending order for each of these three parameters. If any site came out in the top 19 for any two of the three parameters, it was considered a candidate for the MSCP LRMP. Seventeen sites met this requirement. Each site was reviewed, based on our biological knowledge of that site and how it fit into the geographic distribution of recommended monitoring sites. Finally, juxtaposed sites were combined and sites and site boundaries were adjusted based on historic raptor numbers and improved geographic coverage.

# LEGEND

- SITE LOCATIONS
- INTERSTATES
- STATE HIGHWAYS



Source: County of San Diego, DPLU GIS

**Table 1. Raptor Study Sites (2001-2003)**

NOTE TO READER: In order to facilitate the reader's access to the following topographic maps, they are listed below alphabetically and by site number.

<u>Number</u>	<u>Name</u>	<u>Name</u>	<u>Number</u>
1	Crestridge	Boden Canyon	2
2	Boden Canyon	Border Fields	44
3	Jamul Ranch	Brown Field Complex	22
4	SDNWR*/Salt Works/Egger Ghio	Crestridge	1
5	McGinty Mountain Complex	Grasslands/Route 67	30
6	San Diego Bay NWR (winter only)	Hollenbeck Canyon	34
7	Lake Hodges	Immenschuh	39
8	Penasquitos Lagoon	Iron Mountain	11
9	Torrey Pines	Jamul Ranch	3
10	Sycamore Canyon	Lake Hodges	7
11	Iron Mountain	Los Montanas (North)	40
12	Otay Mountain	Los Montanas (South)	41
13	Marron Valley	Marron Valley	13
14	Otay Lakes	McGinty Mountain Complex	5
15	SDNWR* Sweetwater Marsh	Miramar Reservoir	20
16	San Vicente	Mission Bay	21
17	Sycuan Peak	Mission Trails	24
18	Point Loma	North Island	19
19	North Island	Otay Lakes	14
20	Miramar Reservoir	Otay Mountain	12
21	Mission Bay	Penasquitos Canyon	33
22	Brown Field Complex	Penasquitos Lagoon	8
23	SDNWR*/San Miguel Mountain	Point Loma	18
24	Mission Trails	Proctor Valley	25
25	Proctor Valley	Rancho San Diego (East)	42
26	San Diego River	Rancho San Diego (West)	43
27	Route 67 South	Rock Mountain	35
28	San Dieguito Lagoon	Rockwood Canyon	32
29	Route S-6 (deleted/safety issue)	Route 67 South	27
30	Grasslands/Route 67	Route 94 (North and South)	38
31	Sloan Canyon	Route S-6	29
32	Rockwood Canyon	San Diego Bay NWR (winter only)	6
33	Penasquitos Canyon	San Diego River	26
34	Hollenbeck Canyon	San Dieguito Lagoon	28
35	Rock Mountain	San Pasqual	36
36	San Pasqual	San Vicente	16
37	SDNWR*Tijuana Slough	SDNWR* Sweetwater Marsh	15
38	Route 94 (North and South)	SDNWR*/Salt Works/Egger Ghio	4
39	Immenschuh	SDNWR*/San Miguel Mountain	23
40	Los Montanas (North)	SDNWR*Tijuana Slough	37
41	Los Montanas (South)	Sloan Canyon	31
42	Rancho San Diego (East)	Sweetwater Reservoir	45
43	Rancho San Diego (West)	Sycamore Canyon	10
44	Border Fields	Sycuan Peak	17
45	Sweetwater Reservoir	Torrey Pines	9

\*San Diego National Wildlife Refuge

After completing the above analysis, it became clear that the coastal portions of the MSCP were excluded from the proposed breeding season monitoring because the vast majority and greatest diversity of raptor species breed somewhat inland of the coast. In addition, our data showed that the MSCP area supported a sizable wintering PF population, most of which would be excluded without a coastal component to the MSCP LRMP. Therefore, a winter monitoring route was established that included a good sampling of the coastal wintering raptor habitat that could be driven safely and consistently.

## FIELD SURVEYS

By way of clarification, we will be discussing two kinds of raptor searching and documentation. The first is the *survey*—the approach we took to investigate each of the 45 study sites, some of which we are recommending for the MSCP LRMP. This approach utilized several techniques in order to capture a maximum amount of raptor data on sites of considerable environmental variation. The second kind of raptor searching and documentation is the *monitoring protocol*, which will be recommended for MSCP LRMP. This was based on which *survey* techniques were most useful, what has become standardized for raptors, and what will meet the objectives of a monitoring program (discussed below).

Based on a review of the MSCP Biological Monitoring Plan, discussions with the Contract Manager, and our knowledge of survey techniques that are widely accepted, we established guidelines for WRI biologists to follow for the breeding and wintering surveys (WRI 2004, Appendices A and B). As discussed in the Year 1 and 2 reports (WRI 2002, 2004), because of latitude, and the resulting mild climate of the MSCP area, raptor nesting activities can start as early as December and run into August. However, wintering raptors are commonly observed in this region December through February, with some remaining (or migrating through) into mid-March. Therefore, we have, somewhat arbitrarily, called field observations made December through February “winter” survey data. However, “breeding” season data are not limited to a specific timeframe, often overlap with the “winter” observation, and are based on observed behavior (e.g., copulation, nest building, incubation, bringing food to the nest, presence of young).

Table 1 provides a reminder of all the sites that were in the original list of those to be examined. One of the objectives of the 2003 fieldwork was to fill in some data gaps. We had difficulty gaining access to one site (San Diego National Wildlife Refuge/San Miguel Mountain, Site 23) because it involved the use of an access across private property. Table 1 does not reflect surveys that were conducted for the GE or numerous surveys conducted by WRI volunteers and cooperators. During this last year of study, we also continued our coordination with individuals responsible for managing the study sites to keep them apprised of project progress, maintain a point of contact, enlist their input, coordinate access, etc.

Although most of the fieldwork was conducted by vehicle and on foot, as described in WRI (2004, Appendices A and B), some observations, which were focused on the GE, were conducted by helicopter (WRI 2005).

## **RESULTS**

### **LITERATURE REVIEW**

The Project Bibliography has been completed (Appendix A); although, we would welcome any additions from those who review it. This bibliography is not intended to be comprehensive but is intended to provide the reader and local resource manager with important references that relate to: (1) relevant natural history of the target raptors; (2) the presence or distribution of the target raptors within the MSCP, and/or (3) survey or monitoring techniques that could be applied to the target raptor resources by land and wildlife managers within the MSCP. It is arranged by sections for each raptor target species, followed by a section on general raptor literature, with a focus on raptor management.

### **FIELD SURVEYS**

The GE and the PF are addressed separately below because they are unique in both their biological status and their potential for being disturbed. The PF was only recently removed from the listing category and the GE has shown a marked (approximately 50 percent), and well-documented, decline in San Diego County.

#### **Golden Eagle**

The GE has been reported on separately (WRI 2005) for a number of reasons relating to resource protection. The detailed site-specific maps are provided in that document so that CDFG has the option of distributing those data separate from the other, less sensitive, raptor data depending on the recipient's need to know.

As an overview, however, after 16 years of consistent monitoring, we estimate that thirty one (31) pairs formerly occupied the San Diego MSCP. Today, fifteen (15) pairs are still active and sixteen (16) pairs have been extirpated. Most of these extirpations occurred in the last 35 years. The fifteen (15) breeding pairs of Golden Eagles remaining in the SD MSCP represent 30 percent of all the breeding Golden Eagles in San Diego County. Seven (7) of the fifteen (15) remaining active pairs within the SD MSCP are in serious jeopardy of being extirpated in the next 5-10 years. Three (3) of the seven (7) pairs predicted to become extirpated may, in fact, already be lost.

The first changes of significance that affected the SD MSCP Golden Eagle population were from intensive agriculture such as avocado and citrus groves. This agriculture replaced cattle grazing and grasslands. Some extirpations were documented to occur in San Diego County in the 1950s and 1960s, after the build-up of military personnel post-WWII, but most disappeared after the 1970s, when major freeways opened land for development that was formerly cattle ranches. Interstate and local freeways made access easy and allowed development to proceed.

Extirpated Golden Eagle territories were primarily located on private land (56 percent). Currently only three (20 percent) of the remaining pairs of Golden Eagles core nesting areas remain on private lands. Twelve (80 percent) of the currently active Golden Eagles within the SD MSCP nest on public land. *This is a significant and valuable opportunity for the future management and survival of Golden Eagles within the SD MSCP.*

In order to properly manage this far-ranging species, specific information about their ecological needs is required, including the limits of the core area around the nest, the primary foraging areas, and the limits of the defendable territory. These are provided in the Golden Eagle report (WRI 2005).

## **Peregrine Falcon**

### **Breeding Season Results**

Of the 12 current and/or historic PF territories known for the county, nine were (and, in five cases, are) located within the MSCP boundaries. Of the five territories located within the MSCP, only one territory is located at one of the study sites (Point Loma, Site 18; see Table 2). The status of that territory and others that we are aware of, within the MSCP, is as follows: Point Loma—active (likely produced young, 2002; was active, 2003); downtown San Diego—active (nest success not known, 2001-2003); La Jolla Cove—active (thought to have produced young, 2002); La Jolla Cliffs—active (nest success not known, 2001-2003); Downtown El Cajon—active (2002) but nest success not known.

### **Winter Results**

A total of 14 PFs were documented during the winter months of 2002 and we believe this was typical for the study period (2001-2003). These were observed at ten study sites (Table 3). One individual was observed at each of nine sites, 2 at one site, and 3 were noted at, or near, another site (Point Loma; site 18). Most birds were observed along the coast or associated with large bodies of water, where shorebirds and other water-associated birds were abundant. Based on other observations, and input from knowledgeable raptor biologists, it is likely that there were roughly 20 PFs wintering in San Diego County during each of the period 2001-2003.

## **Other Raptors**

### **Breeding Raptors**

The raptor breeding season data, by study site, presented in Table 2 and Appendix B provides a picture of what each of the study sites can be expected to support under conditions of average-to-poor precipitation. Maps of all 45 study sites are provided. In cases where no data were collected, or data were combined between two sites, a note on the map provides that explanation. During the period 2001-2003, we examined 44 out of 45 sites (land access was not possible at SDNWR/San Miguel Mountain, Site 23 although we were able to survey a nearby GE nest by helicopter). We documented a total of 15 raptor species and 539 raptor breeding territories (excluding the CR but including 78 stick nests, which we could not positively identify as to raptor species). Of the 539 raptor breeding territories, 96 were target species (all but the BE, SH, and FH, which do not, currently, breed in the MSCP area). Sites varied greatly in their ability to support breeding raptors. Some sites didn't support more than one or two territories, while, others, like the Ramona Grasslands, supported almost 90 territories. Four sites supported no breeding raptors (see those with note "NBR"), while one site (Ramona Grasslands) supported 9 raptor species, including three target species.

The RT was the most commonly documented nesting raptor species, with a total of 177 nests and/or territories located on 34 sites. The next most commonly documented raptor

TABLE 2. Number of Raptor Nests and/or Territories by Site (2001-2003)

	SITE	SPECIES**																	Stick Nest	Target Spp.	Total Spp.	Notes	Site No.				
		AK	BE	BR	BO	CH	CR	FH	GE	GO	LO	NH	OS	PF	RS	RT	SO	SH						TV	WK		
1	Crestridge	1				1	2								3	2						1	9			1	
2	Boden Canyon					2									2	2							2	6			2
3	Jamul Ranch					2	2		1						1	13					2	15	2	36		3	
4	SDNWR*/Salt Works/Egger Ghio																						0	0			4
5	McCinty Mountain Complex					1									1	5							1	7			5
6	San Diego Bay NWR		1			1							1		1						2	0	5			6	
7	Lake Hodges	1		2		2	1		1	2					5	8				1		3	23			7	
8	Penasquitos Lagoon																						0	0			8
9	Torrey Pines						6								1								0	7			9
10	Sycamore Canyon			1							3				1	1	1						0	7			10
11	Iron Mountain			2		4	1		1	1					11	13				1	2		5	37			11
12	Otay Mountain					2		2							1	5						1	2	11			12
13	Marron Valley						2		1						6							10	1	19			13
14	Otay Lakes	1				2	2		1	1	2				4						1	4	4	17			14
15	SDNWR* Sweetwater Marsh										2				1								2	3			15
16	San Vicente								1						2								1	8			16
17	Sycuan Peak																						0	0			17
18	Point Loma																						1	2			18
19	North Island				6										1							1	6	9			19
20	Miramar Reservoir					1									1								1	3			20
21	Mission Bay																						0	0			21
22	Brown Field Complex	1				4		1			1				5							1	5	13			22
23	SDNWR*/San Miguel Mountain																						1	1			23
24	Mission Trails						1								1	2						1	1	6			24
25	Proctor Valley	3													3							1	1	8			25
26	San Diego River	1					3	1		1					3	9							4	19			26
27	Route 67 South/Iron Mtn #11																						0	0			27
28	San Dieguito Lagoon										1												1	6			28
29	Route S-6																						0	0			29
30	Grasslands/Route 67	10			1	1	1		1	6					25	41						3	90			30	
31	Sloan Canyon						7		1						2	4						2	17			31	
32	Rockwood Canyon					1	1		1						1	4							2	8			32
33	Penasquitos Canyon	3		2		7	1		1	2	2				9	4						9	37			33	
34	Hollenbeck Canyon	4				1	4				2				2	4						1	22			34	
35	Rock Mountain						1		1						1	2						1	5			35	
36	San Pascual	1		4		2	2			3					9	16						2	47			36	
37	SDNWR*Tijuana Slough	1									2											2	3			37	
38	Route 94 (North and South)																						0	0			38
39	Immenschuh					1																	1	2			39
40	Los Montanas (North)														1	1						1	0	3			40

**TABLE 2. Number of Raptor Nests and/or Territories by Site (2001-2003)**

SITE	SPECIES**																			Stick Nest	Target Spp.	Total Spp.	Notes	Site No.		
	AK	BE	BR	BO	CH	CR	FH	GE	GO	LO	NH	OS	PF	RS	RT	SO	SH	TV	WK							
41															2								0	2		41
42	1				1										3				1				1	11		42
43					2								1										2	11		43
44	1	2			6			1		13					2	1			2				19	40		44
45					5	3		2						1	5				1				5	19		45
<b>Total</b>	<b>29</b>	<b>0</b>	<b>14</b>	<b>11</b>	<b>47</b>	<b>41</b>	<b>0</b>	<b>12</b>	<b>20</b>	<b>3</b>	<b>25</b>	<b>6</b>	<b>1</b>	<b>83</b>	<b>177</b>	<b>1</b>	<b>0</b>	<b>6</b>	<b>25</b>	<b>78</b>	<b>96</b>	<b>579</b>				

\* San Diego National Wildlife Refuge.

NBR No breeding raptors observed.

NSC No formal raptor surveys conducted (see notes on topo report maps).

(1) Breeding raptors and ravens observed in residential areas to east of study area.

(2) Data for Route 67 South (# 27) and Iron Mountain (#11) were combined. See Iron Mountain (#11).

(3) The Route 94 transect overlaps other study sites. Data from this transect were assigned to other appropriate sites.

(4) No data collected due to safety and access issues.

(5) Data for Penasquitos Canyon (#8) combined with Torrey Pines (#9). See Torrey Pines (#9).

\*\*Species:

AC	American Crow	CR	Common Raven	NH	Northern Harrier	SO	Screech Owl
AK	American Kestrel	FH	Ferruginous Hawk	OS	Osprey	SS	Sharp-shinned Hawk
BE	Bald Eagle	GE	Golden Eagle	PF	Peregrine Falcon	SH	Swainson's Hawk
BH	Black Hawk	GO	Great-horned Owl	PR	Prairie Falcon	TV	Turkey Vulture
BR	Barn Owl	HH	Harris' Hawk	RS	Red-shouldered Hawk	WK	White-tailed Kite
BO	Burrowing Owl	LO	Long-eared Owl	RT	Red-tailed Hawk		
CH	Cooper's Hawk	MR	Merlin				

Table 3. Number\* of raptors observed during the winter (primarily January, February, and December) surveys--2001-2003.

SITE	SPECIES***																			Total Target Spp.	Total Raptors	Notes	Site No.				
	AK	BE	BR	BO	CH	CR	FH	GE	GO	LO	MR	NH	OS	PF	PR	RS	RT	SO	SS					SH	TV	WK	
1					1	19										3	4					1		1	28		1
2					2			2								2	6					3			15		2
3	5					6					1					7								19		3	
4	2				1	2	1			1	4	3	1			4						1		20		4	
5						2										2	5							9		5	
6	3					1	1			1	1	1	1										3	8		6	
7	5	4			3	2	2	2	2	1	2	1	1			8	36				2	3	7	71		7	
8																							0	0		Note 1	8
9						12							2			2							16			Note 1	9
10			2						6						2	2	2						14				10
11			4		8	2	1	1	2		2				22	18					2	4	9	65		Note 2	11
12	2					18	1				1					5							2	27			12
13	1				1	14									1	6					1		1	24			13
14	5				3	10					2	2	1		1	5					1		6	30			14
15	2				1	1			1	1	3	1				5					1	1	4	15			15
16																4						2	0	6			16
17																							0	0		Note 3	17
18	1				1	3										3							4	11		Note 4	18
19	2			3		6					2				3	3						3	16			Notes 3 & 5	19
20					2										2	2						2	8				20
21	2					2										2							6				21
22				3	1	8					4					7						2	8	29			22
23																							0	0		NWC	23
24	1				2	6										3	3				1	2	2	18			24
25	3				1	132									1	8							2	145			25
26	5				6	2			2		1	1			7	22					2	7	48				26
27																							0	0		Note 2	27
28											2					8						2	2	12			28
29	2															2							4			Note 4	29
30	7				2	1	3	9	3	6	1		1	1	4	12	1				40		16	91			30
31						5		1							2	1							1	9		Note 3	31
32					2	2		2							6								4	12			32
33	6		4		14	2	4	4			4	2			18	8					2	12	22	76			33
34					1	13		2			3				1	3	5						6	35			34
35								3															3	3			35
36	11		7		2	6	2	6	2	6	1			1	16	57	1				3	8	6	121			36
37	3				1	4		1			1	2	1	1		4							5	18			37
38																							0	0		Note 6	38
39					1																		1	1			39
40															3								0	3			40
41						4									3								0	7			41
42	2				3	6									4						1	1	3	16			42
43						3										1							0	4			43
44	8										6				1	13						3	6	31			44



nests/territories were those of the RS with 83 and the CH with 47. The CR (a non-raptor, but a species that can have an impact on raptors) was fourth in frequency with 41 nests/territories. The next level of frequency was shared by AK (29), NH (25), WK (25), and GO (20). To a great extent, this frequency distribution is a function of site size, amount of appropriate habitat, and sometimes local conditions on the respective sites.

Of the eight project target species, nesting was documented for five—CH, NH, GE, BO, and PF. CH nesting was observed at the highest number of study sites, with nests and/or territories documented at 21 sites (48 percent of the 44 sites surveyed). GE was observed nesting at 11 sites (25 percent); while NH was documented at only 8 sites (18 percent) with 13 of the 25 territories found at Border Fields. BO were found nesting at only 3 (7 percent) of the sites and PF at only 1 (0.23 percent) of the sites.

The CH nested, primarily, at those sites that contain healthy riparian habitat; however, this species has become somewhat of a generalist and also nests elsewhere (see Discussion). GEs limited their nesting to sites with sheer cliffs away from human activity and close to nearby grasslands for hunting (see below). The NH and the PF were concentrated primarily along the coast. However, one PF pair attempted nesting in downtown El Cajon and a few scattered NHs were observed nesting at more inland sites. NHs nested in mostly coastal marsh and open field habitat; although we have observed NHs nesting in ruderal areas (J. Oakley, pers. comm.). PFs utilized mostly man-made structures, along the coast, with nearby sources of shorebirds and other prey. Most of BOs, located on the study sites, were found in sandy soil with low grass and open areas (see also WRI 2003, Lincer and Bloom 2003, in prep.). BE and FH winter within the MSCP but are not known to breed there. SHs only pass through during migration, are infrequently documented, and when they are, they are usually not within the MSCP. Some of the SH migrants seen are in the Ramona area and large numbers (over 5,200) have been recently documented migrating along the desert front to the east of the MSCP during the spring (Unitt 2004).

Based on the number of *all* nesting raptor species (plus the CR) and all the sites surveyed during the 2001-2003 breeding seasons, Site 30 (Ramona Grasslands/Route 67) contained the most nests/territories of all sites surveyed. Eighty-nine nests/territories were documented, representing nine raptor species (and 1 CR). The site to show the next highest number of territories was San Pasqual (Site 36) with 47 territories (including two CR and 7 unidentified stick nests that were not duplications of known territories). Border Fields State Park (Site 44) showed the next highest number of territories with 40 territories (including 12 non-duplicative unidentified stick nests).

Site 44 (Border Fields) contained the highest number of *target* species nests/territories of all sites surveyed (19). Penasquitos Canyon (Site 33) supported 9 target species territories while North Island (Site 19) supported 6 and Brown Field Complex (Site 22) and Iron Mountain (Site 11) tied, with both supporting 5 nests of the target raptor species.

## **Wintering Raptors**

A total of 20 raptor species were documented on our study sites during the winter months (January, February, and December) of 2001-2003 (Table 3). Of course, at San Diego's latitude, a number of the resident breeders are actively nesting while many of the wintering birds are still on site. All target raptors, but the SH, were documented during the winter observation period (December-February). Numbers ranged from 0 to 22 individual target raptors per site for a total of 154 individuals for all study sites. Comparable numbers for all raptors (plus the Common Raven) were 0 to 145 as a range. A total of 1,153 wintering individuals were documented (or 819, without the ravens).

The CR was, clearly, the most common wintering bird of those surveyed for. The three most commonly documented wintering raptors were the RT, AK, and RS, with totals of 291, 98, and 95, respectively. Of those sites surveyed in this study, the following held the highest number of wintering individuals (raptors and ravens): Site 25 (Proctor Valley) – 145, Site 36 (San Pasqual) – 121, Site 30 (Ramona Grasslands) – 91 (which included 9-16 FHs; with 20 documented in 2005), Site 33 (Penasquitos Canyon) – 76, and Site 7 (Lake Hodges) – 71.

## **DISCUSSION**

### **Weather as a Factor**

In reviewing any body of data, it is important to consider how typical the sampling period was. So just how “typical” were 2001 through 2003? Drought plays a significant factor in the density and reproductive success of raptors and other predators. During the El Nino of 1998/99, NHs were breeding in areas where they have not bred since and in lower numbers in other locations. The demonstrable impacts of drought on GEs and Prairie Falcons, throughout southern California, were presented by Bittner et al. (2003). This study was conducted during the worst drought for San Diego in 160 years. This should be noted for future researchers.

### **Management and Enforcement Issues**

Table 4 is a summary of management and enforcement issues by site. Clearly, some study sites are substantially impacted, either directly or indirectly, by human activities. Some sites are currently without major impacts. Unfortunately, many of the more diverse and potentially productive sites are the same ones that are experiencing multiple management and enforcement challenges. Of those that are obviously impacted, the following activities are the most common: humans walking or hiking (36 out of 45 sites or 80%) and pets, primarily dogs being allowed to run free, (26 out of 45 sites or 57 %).

Table 4. Management Enforcement Issues Identified by Raptor Study Site

Site No.	Name	Humans Walking/Hiking	Rock Climbing	Off-road Vehicle Use	Pets	Disking, etc. Agricultural Activities	Rodent/Ground Squirrel Poisoning	Construction/Development	Newly-developed Access Road(s)	Other
1	Crestridge	X								
2	Boden Canyon	X		X	X				X	6
3	Jamul Ranch									6?
4	SDNWR*/Salt Works	X								
5	McGinty Mountain Complex			X	X					
6	San Diego Bay NWR	X			X					
7	Lake Hodges	X	X	X	X			X	X	6
8	Penasquitos Lagoon	X			X					
9	Torrey Pines	X			X					7
10	Sycamore Canyon	X		X	X			X		
11	Iron Mountain	X	X	X	X			X		
12	Otay Mountain	?	X	X						1
13	Marron Valley	X	X	X	X					1
14	Otay Lakes	X			?			X		8
15	SDNWR* Sweetwater Marsh	X		X	X					
16	San Vicente	X	X		X			X		
17	Sycuan Peak									
18	Point Loma	X								
19	North Island	X								2
20	Miramar Reservoir	X						X		
21	Mission Bay	X		X	X			X		
22	Brown Field Complex	X		X	X			X		1,3,4
23	SDNWR*/San Miguel Mountain	X		X	X			X		
24	Mission Trails	X	X		X					
25	Proctor Valley	X		X	X		X	X		
26	San Diego River	X	X		X		X			7
27	Route 67 South	X		X				X	X	
28	San Dieguito Lagoon	X				X		X		
29	Route S-6	X						X		
30	Grasslands/Route 67	X	X		X	X	X	X	X	
31	Sloan Canyon	X			X					
32	Rockwood Canyon	X	X					X		
33	Penasquitos Canyon	X		X	X				X	
34	Hollenbeck Canyon									6
35	Rock Mountain	X	X							5
36	San Pasqual	X		X	X	X	X	X		5
37	SDNWR*Tijuana Slough	X		X	X	X	?			

Table 4. Management Enforcement Issues Identified by Raptor Study Site

38	Route 94 (North and South)									
39	Immenschuh									
40	Los Montanas (North)									
41	Los Montanas (South)									
42	Rancho San Diego (East)	X			X					
43	Rancho San Diego (West)	X			X					
44	Border Fields	X			X					1
45	Sweetwater Reservoir									

\*San Diego National Wildlife Refuge

- (1) Border Patrol and illegal alien activities.
- (2) Conflicts with Navy goals and endangered species recovery program.
- (3) Potential conflict with future Navy goals at Satellite Surveillance Station.
- (4) Heavy predation by Coyotes and Barn owls.
- (5) Future threats from proposed trail construction and associated access to rock climbers, ORVs, etc. activities.
- (6) Shooting (legal and illegal).
- (7) Paragliding.
- (8) Cattle grazing.

## **Management Conflicts**

The following are observed management conflicts, which lead to our recommended management and research (see Recommendations):

- As indicated above, human uses [rock-climbing, hiking, jogging, walking dogs (often without leashes), vehicular use, etc.] impact the normal behavior of raptors (and other wildlife).
- In many cases, the size of protected parcels is substantially smaller than that required by a raptor's functional territory, including foraging areas.
- The public/political pressure to create new trails into MSCP preserve lands provides a path for, and encourages, increased disturbance to raptors (and other wildlife).
- The public/political perception that MSCP preserve lands have been created primarily for active, and in some cases, consumptive, recreation, sets up an obvious conflict for managing raptors (and other wildlife).
- The constraint of using fire as a management tool in proximity to human habitation limits habitat management tools.
- Inadequate funding to both acquire important lands and properly manage MSCP lands which are acquired.

## **Raptor Monitoring**

The following is a reiteration of considerations, regarding the MSCP Long-term Raptor Monitoring Program, that were presented previously (WRI 2004) and discussed elsewhere (Lincer and Bittner 2002; Lincer et al. 2003). For further reading, relevant issues are proposed and discussed by Oakley, Thomas, and Fancy (2003).

### **Sample Design**

The ideal sample design should be:

1. Representative of the study area and the issues at hand. (e.g., habitat loss, disturbance, etc.) ;
2. Representative of the habitats of interest and the seasons during which those habitat support the monitored species (e.g., the MSCP not only provides important breeding habitat for numerous raptor but it is also a significant habitat for several wintering raptors, including some that are considered target raptors, like the PF, BE, FH, and BO);
3. Inclusive of all focus species or represent them in some functional way;
4. Sensitive to the objectives of the MSCP monitoring requirements;
5. Sensitive to logistics;
6. Statistically appropriate (which may be compromised by above logistics);
7. Able to predict, and take into consideration, *detectability* (i.e., how counts relate to the actual number of raptors in the sampled area; one approach is to use a "double count" approach). This objective may also be compromised by above logistics.

## Questions to be Answered and Objectives to be Met

How will the data be used by the various management entities? When do they need what? An example of a clear monitoring objective would be, "Be able to detect a 25% change in population (individual species or overall raptor group?), in each chosen habitat, in 10 years." This is the approach that is being attempted by NARMS (North American Monitoring Strategy) but some of the best raptor monitoring minds are having a serious challenge addressing these objectives. It is entirely possible that we won't have enough observations for some species to detect a significant change in a timely manner.

## Possible Monitoring Approaches

*Levels of effort* and *agency commitment* are, integrally tied. For instance, the MSCP program could adopt a:

1. Highly rigorous, scientific approach that would be costly but could withstand the most challenging statistical/legal tests, or
2. More practical, less expensive approach that would be more likely to be funded, and therefore carried out, but would stand the chance of being successfully, challenged at some time in the future.

As to *which, and how many, species* should be involved, the program could use a:

1. Multiple species approach, using selective target species only,
2. Multiple species approach, using selective target species, but recording all raptors (and ravens) observed,
3. Single species approach, using a keystone species, like the Golden Eagle or
4. Combination of the above.

## Target Species and Other Multiple Species Approaches

A monitoring approach that focuses on one or more so-called "target" species has the appeal of apparent simplicity and the implication that these target species will, somehow, reflect a broader suite of species and be sensitive to whatever perturbations are experienced. Having surveyed raptors for many years, it is apparent that each species often responds to similar impacts differently. Although GOs and RTs might show similar population changes in response to small mammal population changes, and most raptors will show some response to a record-breaking drought, such as we have just experienced, there are likely more differences than similarities between species. Those differences are not only in *degree* but also in *direction*. For instance, GEs and PRs responded to the recent drought to different degrees (Bittner et al. 2003), with the PR being less impacted by presumed small mammal population decreases because it takes a wider range of prey species than the GE, which is heavily dependent on jackrabbit and ground squirrel populations. In addition, some raptors (e.g., GE) are far more negatively responsive to human activity than others (e.g., AKs, RTs, RSs, and some CHs). There are also differences in response, both within and between species, depending on the time of year (e.g., during the

breeding season vs. the wintering season) and where a disturbance occurs (e.g., on the hunting grounds or within the nest territory).

Regarding raptors responding in a different direction, one only needs to recognize that many different raptors require different habitats and, although not many species will persist if usable habitat is replaced with a development (although some CHs and RSs may defy this simplification), a conversion from one habitat/land use to another will often affect different species in different ways. For instance, if an extensive riparian habitat were to be replaced by an agricultural land use, and some hedge rows were to be left/created, we could expect that there would be a decrease in RSs, CHs, and several owl species. But, at the same time, there would likely be an increase in AKs, RTs, and perhaps Wks.

The point to the above exercise is that, if an arbitrary few species are chosen as “target” species, and the other raptors are not monitored, there will be a good chance that only some kinds of impacts will be reflected in the population trends of those raptors monitored. In our opinion, the MSCP Long-term Monitoring Program should include a broad-based approach, which documents all raptors observed and uses observed changes/trends to identify appropriate adaptive management strategies.

### **Single Species Monitoring Approach**

Having sung the praises of a multiple raptor species approach (above), there is at least one raptor species in the western United States that has the ability to reflect regional trends in environmental health. This is the Golden Eagle. The attraction of using the GE, as a regional “miner’s canary,” is that (1) it requires a reasonably large and intact territory, and (2) there exists, in San Diego County, a unique and relevant historical regional database for this species. The Wildlife Research Institute has a long history of investigating the historical presence of GE in southern California, which includes the MSCP and environs (Bittner and Oakley 1999; WRI 2005). This collection of records has been compiled to reflect past documentation of GE pairs, their nesting success, hunting territories, and numbers of egg and /or young. The WRI database includes both active and extirpated territories beginning with records as early as 1864. WRI became involved in 1987 with the start of the San Diego GE Project (see Discussion in WRI 2005). *This project, in total, represents the longest such study of any eagle population in the Western Hemisphere, and is the second to longest in the world, next to one study in Switzerland.*

Providing this historical information, in conjunction with current trend data, is critical to managing the GE into the future. Only if we understand the extant population (within the context of the historical variation) can we properly evaluate the population and meet the needs of the species under current and future changing environmental and land-use conditions. If this is accomplished, it will reflect the success of the MSCP program.

## **RECOMMENDATIONS**

### **Long-term MSCP Raptor Monitoring**

Long-term monitoring is recommended under three categories: (1) Breeding Season, (2) Winter Season, and (3) Single Species Monitoring Program.

## **Breeding Season Monitoring Program**

Twelve areas are recommended for breeding season portion of a Long-term Raptor Monitoring Program (Figure 2 and Table 5). Each Raptor Monitoring Area (RMA) consists of one to four of the individual raptor study sites that were surveyed during the period 2001-2003, the analysis of which led up to these recommendations. The choices of RMAs were based on a number of biological parameters (e.g., raptor diversity and population parameters, known history of raptor use), logistical considerations (how a monitor would move efficiently through a monitoring area), and a reasonable geographic coverage of the MSCP study area (see Methods). The Breeding Season Monitoring Program should, initially, be conducted every two years and encompass all 12 RMAs each time (i.e., don't conduct different portions of the total every other year). After a maximum of 5 monitoring events (i.e., 10 years), a statistical trend analysis should be conducted to determine if the frequency of every two years is adequate or, perhaps, unnecessarily frequent. Depending on the data, it may make sense to conduct this analysis earlier.

Raptor monitoring for the Breeding Season Monitoring Program should follow the protocol provided in Appendix C. This monitoring should be conducted by qualified raptor biologists with several years of relevant regional experience with the raptors found in the MSCP and proper training in the specific techniques necessary to conduct this monitoring.

Thanks to a grant from the San Diego Foundation, for post- (2003) fire studies, WRI was able to test this monitoring program on seven RMAs, representing varying degrees of being burned:

- B. Ramona Grasslands (Control Area)
- D. Iron Mountain (Burned)
- E. San Diego River (Burned)
- F. Sloan Canyon (Burned)
- H. Proctor Valley (Partially Burned)
- I. Rancho Jamul (Partially Burned)
- L. Otay Mountain (Burned)

The results of this monitoring effort were reported to the San Diego Natural History Museum (Lincer 2005).

## **Winter Season Monitoring Program**

Because (1) the MSCP provides important wintering grounds for many raptors (some of which are *only* here during the winter), (2) coastal portions of the MSCP are not captured by the above breeding season monitoring approach, and (3) it is important to track at least three raptor species, that are primarily coastal in the MSCP, which have proven to be ideal bioindicators (PF, NH, and Osprey), we recommend conducting a winter monitoring program that focuses on the coastal portions of the MSCP (Figure 3). This, like the Breeding Season Monitoring program, should be conducted every two years (alternating years with the breeding season monitoring would be acceptable). After a maximum of 5 monitoring events (i.e., 10 years), a statistical trend analysis

should be conducted to determine if the frequency of every two years is adequate or, perhaps, unnecessarily frequent. Depending on the data, it may make sense to conduct this analysis earlier.

**TABLE 5. Proposed MSCP Areas for Long-term Raptor Monitoring (Breeding Season)**

<u>Area</u>	<u>Name</u>	<u>Study Sites* (original number(s))</u>
A	San Pasqual	San Pasqual (36), Lk. Hodges (7), Boden Cyn. (2), Rockwood (32)
B	Ramona Grasslands	Ramona Grasslands (30)
C	Penasquitos Canyon	Penasquitos Canyon (33)
D	Iron Mountain Complex	Iron Mountain**(11), San Vicente (16), Route 67 (27)
E	San Diego River	San Diego River (26)
F	Sloan Canyon	Sloan Canyon (31), McGinty Mtn. North (5), Sycuan Mtn. North (17)
G	Sweetwater River	Sweetwater Reservoir (45), Rcho. S.D. East (42), Rcho. S.D. West (43), San Miguel Mtn. North (23)
H	Proctor Valley	Proctor Valley (25), San Miguel Mtn. South (23), Upper Otay Lk.(14)
I	Rancho Jamul	Jamul Ranch (3), Hollenbeck Canyon (34)
J	Border Fields	Border Fields (44), Tijuana River (part)
K	Brown Field Complex	Brown Field (22), Otay River, Spring Cyn. (part), Dennery Cyn. (part)
L	Otay Mountain	Otay Mountain (12), Marron Valley (13), Lower Otay Lake (14)

\* In some cases, only a portion of a study site is included because of access, visibility, or some other reason (see detailed maps, Appendix C, for details).

\*\* Including Monte Vista Ranch.

Raptor monitoring for the Winter Season Monitoring Program should follow the protocol provided in Appendix C. This monitoring should be conducted from a vehicle, following the route depicted by Figure 3, and be conducted by qualified raptor biologists with several years of relevant regional experience with the raptors found in the MSCP.

### Single Species Program

For the reasons covered in the Discussion section, we recommend that the GE (breeding season only) be used for the Single Species Program. Because of the dynamic nature of the GE pairs and the use of their territory, including their primary foraging area, these surveys should be conducted *every year* as they have been by WRI's biologists for the last 16 years. GE monitoring should follow the protocol that has been used for the San Diego GE Study for the last 16 years (Bittner and Oakley 1999, WRI 2005). WRI (2005) provides the details of both the breeding history of the GEs in the MSCP and recommendations on monitoring and future research. WRI (2005) is provided as a separate report for the protection and proper management of the GE. As an overview, observations must begin in December and go through June of each year. GEs begin courtship and nest building in December and January. They lay eggs in February and early March, hatch young in late March and April and fledge young in May and June. Therefore, it is essential that monitoring biologists be in the field for critical portions of the entire season (six months) to obtain all the data needed to monitor the GE population properly.

Aerial surveys have been a crucial part of the current study providing new insight into once-difficult areas to investigate potential territories. Patagial tags (and soon radio transmitters) placed on the GE's wings are now also an integral part of the eagle tracking process. Territory

Fig. 2. Prop'd RMAs (breeding)

Contact WRI for maps

integrity is fairly well documented in the San Diego MSCP and is being refined. See MSCP (2005) for more details.

### **Consistency in Monitoring**

If data to be collected for this, or *any* monitoring program, are to have any utility in showing trends, they must be collected in a consistent fashion. As discussed above, the areas and routes to be monitored should be monitored frequently enough to reveal a complete picture of what is breeding and wintering on those respective areas and routes but these data are only a *sampling* of the entire MSCP. Therefore, it is extremely important that monitoring protocol is consistent both between sites/areas and over time (i.e., between years). To do this, a significant effort will have to go into selecting qualified raptor biologists, making sure that they are familiar with the required protocol, geography and species, and ensuring consistency between sites and years.

### **Other Recommendations**

#### **Management Needs and Enhancement Opportunities**

- Restriction of inappropriate human activities where they are in conflict with, especially nesting, raptors.
- Apply the lessons learned in the development of the MSCP to the North and East County MSCPs and other HCPs.
- Develop a comprehensive management plan for the dwindling Burrowing Owl population within the MSCP.
- Selectively install artificial burrows, for BOs, and nest boxes for AKs, BRs, and Screech Owls (SOs). Keep in mind that BRs are an effective predator on not only small mammals but also medium size raptors, like the BO.
- Consider the use of grazing and/or fire as appropriate management tools to maintain grasslands, maintain/improve biological diversity, and manage fire fuel loading.

#### **Recommended Research**

- Transmitter study to better define the use of MSCP lands by GEs (initial studies in progress).
- Investigate the feasibility of reintroducing SHs into historical sites within the MSCP.
- Investigate the most efficient approaches to captive rearing and hacking BOs into appropriate habitat (either as is or as it can be modified and managed) within the MSCP.
- In order to prioritize the management of raptors that winter within the MSCP, but breed elsewhere (e.g., FH, MR, OS, BE, and some of the WK), determine the natal areas for these birds. If the natal areas have substantial threats, then no amount of MSCP management will have substantial positive impact.
- Document the growing OS population and determine emigration and immigration.
- Document the presence of, and habitat use by, crepuscular (BO) and nocturnal raptors (e.g., BR, SO, GO, Long-eared Owl).
- Document the recovery of raptors after the November 2003 fires and apply findings to future management strategies.

Fig. 3. Prop'd Winter Monit. Areas.

Contact WRI for Maps

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# APPENDIX A

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# APPENDIX B

## BREEDING SEASON RAPTOR NESTS AND TERRITORIES BY SITE (2001-2003)

The following pages reflect raptor breeding territories which were typical of the below study sites for the period 2001-2003. To facilitate the reader's access to the following topographic maps, they are listed below alphabetically and by site number.

<u>Number</u>	<u>Name</u>	<u>Name</u>	<u>Number</u>
1	Crestridge	Boden Canyon	2
2	Boden Canyon	Border Fields	44
3	Jamul Ranch	Brown Field Complex	22
4	SDNWR*/Salt Works/Egger Ghio	Crestridge	1
5	McGinty Mountain Complex	Grasslands/Route 67	30
6	San Diego Bay NWR (winter only)	Hollenbeck Canyon	34
7	Lake Hodges	Immenschuh	39
8	Penasquitos Lagoon	Iron Mountain	11
9	Torrey Pines	Jamul Ranch	3
10	Sycamore Canyon	Lake Hodges	7
11	Iron Mountain	Los Montanas (North)	40
12	Otay Mountain	Los Montanas (South)	41
13	Marron Valley	Marron Valley	13
14	Otay Lakes	McGinty Mountain Complex	5
15	SDNWR* Sweetwater Marsh	Miramar Reservoir	20
16	San Vicente	Mission Bay	21
17	Sycuan Peak	Mission Trails	24
18	Point Loma	North Island	19
19	North Island	Otay Lakes	14
20	Miramar Reservoir	Otay Mountain	12
21	Mission Bay	Penasquitos Canyon	33
22	Brown Field Complex	Penasquitos Lagoon	8
23	SDNWR*/San Miguel Mountain	Point Loma	18
24	Mission Trails	Proctor Valley	25
25	Proctor Valley	Rancho San Diego (East)	42
26	San Diego River	Rancho San Diego (West)	43
27	Route 67 South	Rock Mountain	35
28	San Dieguito Lagoon	Rockwood Canyon	32
29	Route S-6 (deleted/safety issue)	Route 67 South	27
30	Grasslands/Route 67	Route 94 (North and South)	38
31	Sloan Canyon	Route S-6 (deleted/safety issue)	29
32	Rockwood Canyon	San Diego Bay NWR (winter only)	6
33	Penasquitos Canyon	San Diego River	26
34	Hollenbeck Canyon	San Dieguito Lagoon	28
35	Rock Mountain	San Pasqual	36
36	San Pasqual	San Vicente	16
37	SDNWR*Tijuana Slough	SDNWR* Sweetwater Marsh	15
38	Route 94 (North and South)	SDNWR*/Salt Works/Egger Ghio	4
39	Immenschuh	SDNWR*/San Miguel Mountain	23
40	Los Montanas (North)	SDNWR*Tijuana Slough	37
41	Los Montanas (South)	Sloan Canyon	31
42	Rancho San Diego (East)	Sweetwater Reservoir	45
43	Rancho San Diego (West)	Sycamore Canyon	10
44	Border Fields	Sycuan Peak	17
45	Sweetwater Reservoir	Torrey Pines	9

\*San Diego National Wildlife Refuge

# LEGEND

## Symbols

Center of raptor/corvid territory or assumed or documented nest site.

**Note:** Above symbol without an acronym following it indicates that a stick nest was documented but species was not determinable. If species was known for the nest or territory, the above symbol is followed by the appropriate acronym (see below).

## Acronyms for Raptor and Corvid Species

AC	American crow
AK	American kestrel
<b>BE*</b>	<b>BALD EAGLE</b>
BH	Black hawk
BR	Barn owl
<b>BO*</b>	<b>BURROWING OWL</b>
<b>CH*</b>	<b>COOPER'S HAWK</b>
CR	Common raven
<b>FH*</b>	<b>FERRUGINOUS HAWK</b>
<b>GE*</b>	<b>GOLDEN EAGLE</b>
GO	Great-horned owl
HH	Harris' hawk
LO	Long-eared owl
MR	Merlin
<b>NH*</b>	<b>NORTHERN HARRIER</b>
OS	Osprey
<b>PF*</b>	<b>PEREGRINE FALCON</b>
PR	Prairie falcon
RS	Red-shouldered hawk
RT	Red-tailed hawk
SE	Short-eared owl
SO	Screech owl
SS	Sharp-shinned hawk
<b>SH*</b>	<b>SWAINSON'S HAWK</b>
TV	Turkey vulture
UA	Unidentifiable accipiter
UB	Unidentifiable buteo
UF	Unidentifiable falcon
UR	Unidentifiable raptor
WK	White-tailed kite
WH	White-tailed hawk
ZH	Zone-tailed hawk

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\* MSCP target species.

# APPENDIX C

## LONG -TERM RAPTOR MONITORING PROTOCOL

## **BACKGROUND**

The Multiple Species Conservation Program (MSCP) is a comprehensive, long-term habitat conservation plan that addresses the needs of multiple species and the preservation of natural vegetation in San Diego County (County of San Diego 1997). The size and configuration of the preserve network is continually evolving but it may ultimately encompass approximately 172,000 acres. In order to determine if the MSCP or any management area, for that matter, is functioning correctly, a meaningful monitoring plan must be in place. A vast area, such as the MSCP, cannot be comprehensively monitored for any but a few species with very limited and specific habitat requirements. Raptor species will, therefore, be monitored using a reproducible sampling approach. Details of this approach are described below after reminding the reader of the ultimate monitoring objectives.

## **OBJECTIVES**

The overall goal of the MSCP monitoring is to detect changes in habitat quality and population trends in those habitats and species covered by the MSCP (Ogden 1996). Specific objectives, as they relate to raptors, are as follows:

1. Document the protection of target species as specified in subarea plans and implementing agreements.
2. Document changes in preserved populations of covered species.
3. Describe new biological data collected.
4. Evaluate impacts of land uses and construction activities in and adjacent to the preserve.
5. Evaluate management activities and identify enforcement difficulties.

The purpose of this document is to provide guidance for consistency in the approach to surveying for raptors *during the breeding season and during the wintering period*. The below protocol is generic in nature but site-specific details, as to route, viewshed locations, and other important site features, are provided for each Raptor Monitoring Area (RMA) in Appendix C-1.

## **APPROACH**

The following provides methodological details for the professional, with adequate raptor expertise, to conduct the breeding season and wintering period raptor monitoring in a consistent manner. The ability to detect trends (e.g., in raptor numbers, distribution, diversity, etc.) will be extremely important in order that adaptive management decisions be made in a timely manner. If trend analyses are to be interpretable, it is essential that the same locations within the preserve be monitored in a consistent manner. This would best be accomplished if the same individual or team monitored all locations, for all surveys.

## **ACRONYMS AND DEFINITIONS**

Acronyms and definitions are attached (Appendix C-2). Use them consistently in order that there be continuity and clarity in all observations and record keeping.

## **SPECIES**

Although all raptor species will be noted, there are eight MSCP, so-called “target,” raptor species: Bald Eagle (BE), Burrowing Owl (BO), Cooper’s Hawk (CH), Ferruginous Hawk (FH), Golden Eagle (GE), Northern Harrier (NH), American Peregrine Falcon (PF), and the Swainson’s Hawk (SH). Although you will not, necessarily, be searching for the BO at the most desirable time of day (early morning/early evening), any observations of BO or any other raptor species should be documented. Raptors will be the focus of the surveys but any observed sensitive species (regardless of taxa), interesting road kill, unusual biological observation, breeding colony, bird roost site, or other unique resource should also be noted on the WRI “Field Datasheet” (Appendix C-3).

## **TIMING AND FREQUENCY OF SURVEYS**

Although it is common for ornithologists to identify a specific time of year as the “breeding season,” it is not possible to specify a timeframe, for our local raptors, that does not overlap with what is considered the wintering period. Because of the latitude of the MSCP, raptors are not restricted to a brief portion of the spring within which to breed. Many of our local raptors start breeding while other wintering and migrating raptors are still in the MSCP study area and environs. Therefore, the time of year that we call the “breeding season” could span December through August but varies considerably by species. Some GEs, for instance, can start nest building as early as December and still have nestlings in that nest as late as June. BOs, on the other hand, can start laying eggs in early April but fledge some young as late as August.

## **EQUIPMENT/SUPPLIES**

Field vehicles should have 4WD capability if terrain requires. Binoculars, a camera, and a spotting scope of sufficient power for raptor observations are required. A magnification of 10X for binoculars and a range of approximately 20-60X for scopes are recommended. A cell phone may be very helpful in some locations, as could a set of “walkie-talkies” if more than one investigator will be in the field at the same time. Bring these survey guidelines, a copy of any authorization letters from resource agencies, any windshield placards (that indicates that you are under contract to conduct these surveys), local and project-generated site maps, and an adequate supply of “Transect Data Sheets” (Appendix C-3). To this, add your standard field equipment and supplies (field guides, hat, water, snacks, etc.). Although observers should be thoroughly familiar with all the local raptors, field guides that should be helpful include the Peterson guide, *Hawks* (Clark and Wheeler 1987) and the accompanying photographic guide (Wheeler and Clark 1999).

## **WEATHER**

Monitoring should be conducted only during certain desirable weather conditions to maximize chances of documenting raptors. Inclement weather (rain, fog, winds greater than 20 mph, etc.) should be avoided. Occasional drizzle and winds up to 20 mph will not normally affect most raptor behavior. Observation in cold or wet weather should be done very carefully or completely discouraged. If an incubating bird is accidentally flushed during surveys, total nest failure could result for that season.

## TIME OF DAY

The time of day, during which observations are made, is more important during the breeding season surveys than for the winter surveys (for most raptor species). Monitoring should take place from dawn through 1200, although professional experience may allow for some flexibility. Although BOs are not, necessarily, most active during this timeframe, you may note them and they should be documented as indicated below, as you would any raptor species. Since this is a crepuscular species, however, schedule sites that may support BOs for the early morning and/or early evening, whenever possible, to maximize chances of seeing this crepuscular species.

## TWO TYPES OF OBSERVATIONS

Observations will be made two ways: (1) in vehicles, along established routes, and (2) at designated viewshed (i.e., observation) points. In addition, all reliable reports provided by interested individuals and cooperators will be verified and included in the data set but noted as “personal communications” with the appropriate documentation.

### Vehicular Transects

Many of the breeding season raptor observations, and all those for the winter period, will be conducted from a vehicle. Therefore, vehicle speed will be an important variable. Speed will vary between road transects, depending on the road conditions, including traffic, and weather. That speed, however, should be consistent (year-to-year) for a particular transect in order that meaningful data comparisons can be made over time. Speed on a busy highway will have to be adequate to safely keep up with traffic. Some highway transects, that were deemed too dangerous, were removed from consideration. On a backcountry road, however, 10 mph may be the right speed. Safety should be the highest priority, and for that reason, an assistant to the driver is recommended to make observations and take notes, especially on busy roads.

### Point/View shed Observations

Observation points have been established along some vehicle routes and at other desirable view shed locations for breeding season monitoring (see Appendix C-1). These will be especially important for riparian areas and inaccessible mountainous, and other, areas, where limited vehicle access prevents a reasonable survey of a RMA. At observation points along vehicle routes, a minimum of 10 minutes of actual observation is required. This means allowing whatever time is necessary to stop the vehicle in a safe, repeatable location, get out of the vehicle, and set up equipment (spotting scope, etc.) before starting the formal ten-minute observation (i.e., watching *and* listening). In situations where the observer is driving *through* the relevant habitat, a 5-minute observation period may be adequate. At some viewshed locations (like the top of a mountain), the observation time will be longer (perhaps 30 minutes). The most important issue here is that, once a viewing time period has been established for a particular RMA, it is maintained for consistency each year.

## WHAT TO NOTE

All relevant data must be documented (see Transect Data Sheet, Appendix C-3). Sightings for *all* raptors will be documented. Note specific location of the raptor species *the first time it is observed* on each day of observation. Note age, sex, and any unusual plumage (if relevant) and

describe location(s) of any band(s) (metal right or metal left and sequence and numbers of any color bands), transmitter, or patagial wing markers. Avoid duplicate counts by noting unique characteristics of an individual and, when a bird is moving, its direction and relative speed. Record courtship and nesting behavior. If a nest is observed during the “winter” surveys, note its location on the topo map, what species of tree its in, height, size of nest, composition, and whether you consider it active. Indicate the basis for assumed activity (for instance, presence of an adult or pair near the nest, young, recent whitewash or greenery in /around nest).

## **CONTROL NUMBERING**

Each control number for a study site and day of observation will be alphanumeric. For each species observed, the control number will start with the acronym for that species (see Appendix C-2) and be followed by “01.” The following control numbers, for that species, will end with 02, 03, etc., in the sequence in which the observations take place. This number is entered on the field data sheet (with all of its associated observations) and on the topo survey map, on which is always placed the survey date and the name(s) of the biologist(s). For instance, if the first observation of the day, at Mission Trails Regional Park, is a RT (Red-tailed Hawk), the control number will be “RT01.” The second RT will receive the control number “RT02.” If the next observation were a Cooper’s Hawk, it would be “CH01.” It will simplify records if each Transect Data Sheet and topo map is only used for one day’s observation at each site. However, there may be situations (such as when it takes more than one day to adequately survey a site or when it may lead to duplication or confusion later) when it makes sense to enter more than one day’s information on the same data sheet/map. It may also be beneficial to have all the breeding data on one map which keeps the picture in front of the observer at all times. This allows the observer to see gaps for certain species and explore areas not previously covered. The most important objective is to make sure the record is clear as to the date of each observation/set of observations and the name of the investigator so that clarification can be sought, if necessary.

Raptor, and other, nests are often less visible later in the breeding season, when deciduous trees have regained their foliage. However, note any stick nests in the area as “SN” followed by the appropriate observation number. Indicate on the data sheet if you know or suspect what species it belongs to and why. When summarizing yearly data, it will be important to determine which nests are alternate nests of the same pair and which represent additional pairs/territories. Do not get close enough to potentially disturb any nests, without approval from the Project Manager (PM) and Management Unit administrator.

Keep careful track of miles driven and times spent during vehicle transects and point location observations. Deduct any miles/time not spent on monitoring. These details are very important in order to allow data to be normalized over both time and distance to properly analyze for trends. There may be situations when you will not be able to track mileage or the miles you track are complicated by circling back through a study area to recheck a nest to confirm nesting, etc. Just keep good records that can be interpreted by someone else.

## **ENFORCEMENT/MANAGEMENT ISSUES**

Note any enforcement or management problems or opportunities. Suggest corrective action or adaptive management, as appropriate, to the PM. Report any significant enforcement problems to the PM as soon as possible, but no later than within 24 hours of the observation.

## **RECORDS MANAGEMENT**

Management of records is extremely important. Two-hole punched field forms and computer-generated project topo maps must be kept in Study Site folders (in a hard plastic or other secure file box provided) unless being copied. Field forms and topo maps must be attached to the inside of the Study Site folders using the two-hole clips at the end of each field day. Unless other provisions are made, field record copying should be done no less frequently than once a week, during the active field season, with copies placed in the appropriate administration project file for security.

## **THE SURVEYS**

### **Breeding Season**

In some management units, where a fulltime knowledgeable biologist is on staff, daily observations may be made, thereby providing greater potential for trend detection. However, the objective of these guidelines is to conduct up to 6 surveys at each of 12 RMAs (Figure C-1) for the breeding season raptor monitoring, where the assemblage of species dictates the actual number of replicates. Many stick nests will be located during the winter when the deciduous trees have lost their leaves. The next best opportunity to survey will often be early in the breeding season (December through April) when the adult raptors are establishing their territories and courting. Note that each species has a chronology for these behaviors. Some (like the GE, RT, and RS) will start breeding-related behaviors in December or January, while others (like the CH) may not display until April. At this time, they are obvious and concentrating their activities around the likely, and alternative, nest sites. In order to adequately characterize the raptor species present throughout the breeding season, the initial surveys at each site should be separated by 10-14 days, if possible. Subsequent surveys should be scheduled based on the raptor species present and where they are in their reproductive cycle. There will be a period, during which one of the adults will be incubating eggs or sheltering young, while the other adult is off hunting. During this time, it will be difficult to document many raptors and fieldwork may not be the best use of your time for that RMA. The next logical time to concentrate on conducting breeding season surveys will be when the young have fledged but are still dependent on the adults for food. At this time, there is a lot of activity and an increased chance of spotting a family unit because of the increased number of individuals per territory and, in some cases, the young will call attention to themselves by begging and/or calling to the parents.

The following times are recommended for the (breeding season) Raptor Monitoring Program:

- Late-December
- Mid-January
- Mid-February
- March
- Mid-April
- Mid-May

There are 12 RMAs that will be surveyed (Table C-1).

**TABLE C-1. MSCP Raptor Monitoring Areas (Breeding Season)**

<u>Area</u>	<u>Name</u>	<u>Study Sites* (original number(s))</u>
A	San Pasqual	San Pasqual (36), Lk. Hodges (7), Boden Cyn. (2), Rockwood (32)
B	Ramona Grasslands	Ramona Grasslands (30)
C	Penasquitos Canyon	Penasquitos Canyon (33)
D	Iron Mountain Complex	Iron Mountain** (11), San Vicente ((16), Route 67 (27)
E	San Diego River	San Diego River (26)
F	Sloan Canyon	Sloan Canyon (31), McGinty Mtn. North (5), Sycuan Mtn. North (17)
G	Sweetwater River	Sweetwater Reservoir (45), Rcho. S.D. East (42), Rcho. S.D. West (43), San Miguel Mtn. North (23)
H	Proctor Valley	Proctor Valley (25), San Miguel Mtn. South (23), Upper Otay Lk.(14)
I	Rancho Jamul	Jamul Ranch (3), Hollenbeck Canyon (34)
J	Border Fields	Border Fields (44), Tijuana River (part)
K	Brown Field Complex	Brown Field (22), Otay River, Spring Cyn. (part), Dennery Cyn. (part)
L	Otay Mountain	Otay Mountain (12), Marron Valley (13), Lower Otay Lake (14)

\* In some cases, only a portion of a study site is included because of access, visibility, or some other reason (see detailed maps, Appendix C-1, for details).

\*\* Including Monte Vista Ranch.

Each study site is followed by a number, which corresponds to the original study site number that was assigned to it (WRI 2002, 2004).

### Winter Surveys

In keeping with the timing of many “winter” surveys (e.g., County Bird Atlas), the MSCP winter raptor surveys will occur primarily from *mid-December through February*, with possible changes in response to changes in weather conditions (i.e., global warming, cycles, etc.). This “winter” time period is somewhat arbitrary and we are not suggesting that raptors observed during this period are, necessarily, only birds that have migrated in and are wintering within the MSCP and environs. Similarly, the winter visit by some species may extend before and/or after this timeframe. The FH, for instance, can arrive on its MSCP wintering grounds by mid-September and not leave until mid-March. Many of the birds that you observe will be the same ones that you document during the “breeding season” surveys. The objective is to conduct three (3) vehicle-based surveys, along the coastal route depicted by Figure C-2. In order to adequately characterize the raptor species present throughout the winter season, the three surveys should be conducted according to the following schedule:

- Late December
- Mid-to-late January
- Mid-to-late February

Raptor, and other, nests are often more visible in the winter, when deciduous trees have lost their foliage. Knowledge about nest and breeding pair locations will help the monitor separate wintering birds from resident pairs. When summarizing yearly data, it will also be important to determine which nests are alternate nests of the same pair and which represent additional pairs/territories. Note any raptor nests in the area and/or if any nesting behavior is observed. Do not approach any nests, without approval from the PM and Management Unit administrator.

## **LITERATURE CITED**

- Clark, W.S. and B.K. Wheeler. 1987. Peterson Field Guides—Hawks. Houghton Mifflin Company. Boston.
- County of San Diego. 1997. “Multiple Species Conservation Program”, County of San Diego; Subarea Plan. Adopted by the Board of Supervisors October 22, 1997.
- Ogden. 1996. “Biological Monitoring for the Multiple Species Conservation Program.” Prepared for the City of San Diego, California Department of Fish and Game, and U.S. Fish and Wildlife Service. Revised April 25.
- Wheeler, B.K and W.S. Clark 1999. A Photographic Guide to North American Raptors. Academic Press. San Diego.

## APPENDIX C-2 ACRONYMS AND DEFINITIONS

### Raptor and Corvid Species

AC	American crow
AK	American kestrel
<b>BE*</b>	<b>BALD EAGLE</b>
BH	Black hawk
BR	Barn owl
<b>BO*</b>	<b>BURROWING OWL</b>
<b>CH*</b>	<b>COOPER'S HAWK</b>
CR	Common raven
<b>FH*</b>	<b>FERRUGINOUS HAWK</b>
<b>GE*</b>	<b>GOLDEN EAGLE</b>
GO	Great-horned owl
HH	Harris' hawk
LO	Long-eared owl
MR	Merlin
<b>NH*</b>	<b>NORTHERN HARRIER</b>
OS	Osprey
<b>PF*</b>	<b>PEREGRINE FALCON</b>
PR	Prairie falcon
RS	Red-shouldered hawk
RT	Red-tailed hawk
SE	Short-eared owl
SO	Screech owl
SS	Sharp-shinned hawk
<b>SH*</b>	<b>SWAINSON'S HAWK</b>
TV	Turkey vulture
UA	Unidentifiable accipiter
UB	Unidentifiable buteo
UF	Unidentifiable falcon
UR	Unidentifiable raptor
WK	White-tailed kite
WH	White-tailed hawk
ZH	Zone-tailed hawk

### Other Abbreviations

AB	Active burrow
Ad	Adult
CDFG	California Department of Fish and Game
CN	Cavity nest
F	Female
HY	Hatching year (when a bird is in its first year; i.e., the same calendar year as hatched).
Imm	Immature (a non-specific term that means "not adult").
M	Male
Mel	Melanistic (black/dark)
Ruf	Rufous/reddish
Sa	Sub adult (plumage that precedes adult plumage and appears much like it but with some characters that are not in adult plumage; used only for species, like the Golden Eagle, that can be distinguished at this age).
SN	Stick nest.
U	Unknown (e.g., unknown species, age, or sex).
USFWS	U.S. Fish and Wildlife Service

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\* MSCP target species.

# APPENDIX C-3

TRANSECT DATA SHEET												
<b>Wildlife Research Institute, Inc.</b>						BIOLOGIST(S):						
		TIME (24hr)		Start		Finish		(minus time out) = TOTAL TIME:				
		TEMP (F):						OTHER WEATHER INFO.:				
DATE:      PAGE ___ OF ___		CLOUD CVR (%):						TRANSECT MILEAGE BEGIN:				
TRANSECT NAME & NUMBER:		WIND (mph):						TRANSECT MILEAGE END:				
		VISIBILITY (mi):						SUBTRACT MILEAGE:				
#		PRECIP:						TRANSECT TOTAL MILEAGE:				
WAYPOINTS (Start/End Points of Transects, Road Names.etc.)	SPECIES	TIME DURATION	SEX	AGE	PAIR	PERCHING	HUNTING	FEEDING	COURTSHIP	SOARING	NESTING	COMMENTS, MILEAGE, TIME, ETC.
1												
2												
3												
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<b>COMMENTS:</b> (USE REVERSE FOR DRAWINGS OR ADDITIONAL NOTES)												

## Attachment C3

### LEAST BELL'S VIREO

*Vireo bellii pusillus*

**Author:** Michael A. Patten, Department of Biology, University of California, Riverside, California 92521

**Management Status:** Federal: Endangered  
California: Endangered (CDFG, 1998)

#### **General Distribution:**

The Least Bell's Vireo is a subspecies of the Bell's Vireo. The Bell's Vireo breeds in the southwestern United States and northwestern Mexico, northward through the Great Plains of the central United States to the southwestern fringe of the Great Lakes (Brown, 1993). This species winters in southern Baja California, on the Pacific slope of mainland Mexico from Sonora south through northern Nicaragua (Brown, 1993), and on the Atlantic slope from Veracruz south to Honduras (AOU, 1998).

#### **Distribution in the West Mojave Planning Area:**

The Least Bell's Vireo breeds in southwestern California and adjacent northwestern Baja California (Wilbur, 1980, Garrett and Dunn, 1981); it largely occurs in cismontane southern California, but it does extend into transmontane areas along the western flank of the Anza-Borrego Desert (San Diego County; Unitt, 1984), in the vicinity of Palm Springs (Riverside County; C. McGaugh pers. comm.), at Leona Valley (Los Angeles County; summering, breeding not proven; K.L. Garrett in litt.), and in San Bernardino County at Morongo Valley and along the Mojave River (Patten, 1995; S. J. Myers in litt.). There are breeding records for this subspecies just north of the WMPA in the southern Owens Valley of Inyo County and it regularly breeds just northwest of the WMPA at the South Fork of the Kern River Preserve (Kern County; M.T. Heindel pers. comm.). Elsewhere within the WMPA, the Bell's Vireo is an occasional migrant.

The eastern limit of the range of the Least Bell's Vireo in California is contentious, in that the ranges of the Least Bell's Vireo and the Arizona Bell's Vireo (*V. b. arizonae*) in California are based more on supposition than on direct evidence. It is generally believed that the Arizona Bell's Vireo is confined to the Lower Colorado River Valley, whereas the Least Bell's Vireo occurs in cismontane southern California and on the western edge of the deserts, extending north up the Mojave River into the Owens Valley, and eastward into Death Valley National Park, along the Amargosa River (Inyo County) and at Fort Piute in the East Mojave Desert (Goldwasser, 1978; Goldwasser et al., 1980; Garrett and Dunn, 1981; Regional Environmental Consultants, 1986; Franzreb, 1987a, 1987b, 1989; Brown, 1993; Small, 1994). Considering the biogeography of similarly-distributed cismontane and transmontane species pairs (Grinnell and Miller, 1944; Garrett and Dunn, 1981), such as California (*Callipepla californica*) and Gambel's quail (*C. gambelii*), Nuttall's (*Picoides nuttallii*) and Ladder-backed woodpeckers (*P. scalaris*), and California (*Toxostoma redivivum*) and Crissal thrashers (*T. crissale*), it is probable that Arizona Bell's Vireo is in fact the subspecies occurring in the East Mojave Desert (including Fort Piute and the Amargosa River) northward through Death Valley, and this subspecies may occasionally occur in the extreme eastern portion of the WMPA. Data to support this contention is provided

by the observations that spring birds in Death Valley and at Fort Piute are more brightly-colored (i.e., they have a greener back and yellower flanks), and thus more like *V. b. arizonae*, than are birds along the Mojave River or at Morongo Valley, which are grayer and thus more like *V. b. pusillus* (M.A. Patten pers. obs.). Also, there is a late February specimen of the Arizona Bell's Vireo taken in the Anza-Borrego Desert (Unitt, 1985; Phillips, 1991), showing that this subspecies can occur well west of its described range.

### **Natural History:**

The Bell's Vireo is a conspicuous member of riparian habitats where it occurs because of its lively, complex song. However, given its penchant for dense vegetation, it is far more often heard than seen. Its song belies its rather subtle, drab plumage: this small passerine is basically olive-gray (with emphasis on the latter in *V. b. pusillus*) above with a single faint wingbar, a thick bill, thin but distinct "spectacles," and a long tail that is flipped expressively from side-to-side. In overall plumage and behavior, this species most closely resembles a Gray Vireo (*V. vicinor*), a species with a very different song that occurs in pinyon-juniper and redshank-chaparral associations.

The Least Bell's Vireo and the Arizona Bell's Vireo differ slightly in size and subtlety of color, with the latter being slightly smaller and more brightly colored (Ridgway, 1904; Phillips, 1991). Specimens of Bell's Vireo from eastern California (e.g., Death Valley) were identified as Least Bell's Vireo (Ridgway, 1904; Grinnell, 1923). However, these specimens were taken in spring (Fisher, 1893; Grinnell, 1923), when the plumage of a Bell's Vireo can be quite worn (Unitt, 1985), thus confounding subspecific identification. An examination of specimens at the Natural History Museum of Los Angeles County, the Museum of Vertebrate Zoology, University of California, Berkeley, and elsewhere indicates that evidence for defining the eastern extent of the range of Least Bell's Vireo is weak (M.A. Patten unpubl. data; A.R. Phillips in litt.; N.K. Johnson in litt.). Seven external characters have proven useful in distinguishing these subspecies (Ridgway, 1904; Phillips, 1991): exposed culmen length, wing chord, tail length, rump color, flank color, mantle color, and undertail covert color. These subspecies may also have slight differences in song (L.R. Hays pers. comm.), and they apparently differ in habitat choice (see below).

The Least Bell's Vireo arrives on its breeding grounds in mid-March (Brown, 1993), with males arriving slightly before females (Nolan, 1960; Barlow, 1962). This vireo shows a high degree of nest site tenacity (Greaves, 1987). Most individuals depart by September (Brown, 1993), although some individuals remain on their breeding grounds into late November (Rosenberg et al., 1991). This subspecies winters primarily in Baja California, with occasional individuals remaining through the winter in cismontane southern California (there is also a record for the Sonoran Desert at this season, although the subspecies is not known). Nesting takes place from early April through the end of July, with two broods usually being attempted. Nests are suspended from forks in dense bushes or small trees; over 60 species of plants have been used by Bell's Vireos for nest sites (Brown, 1993), but the Least Bell's Vireo predominantly uses willows (*Salix* spp.). The Bell's Vireo feeds almost exclusively on arthropods, with insects and spiders comprising over 99% of their diet (Brown, 1993).

### **Habitat Requirements:**

The Bell's Vireo occurs in riparian habitats. The Least Bell's Vireo typically breeds in willow riparian forest supporting a dense, shrubby understory of mulefat (*Baccharis salicifolius*) and other mesic species (Goldwasser, 1981; Gray and Greaves, 1984; Franzreb, 1989). Oak woodland with a willow riparian understory is also used in some areas (Gray and Greaves, 1984), and individuals sometimes enter adjacent chaparral, coastal sage scrub, or desert scrub habitats to forage (Brown 1993; L.R. Hays pers. comm.). The Least Bell's Vireo and the Arizona Bell's Vireo probably have different habitat requirements. Least Bell's Vireos in cismontane California occur in riparian forest dominated by willows (Goldwasser, 1981; Gray and Greaves, 1984), whereas Arizona Bell's Vireos tend to occur in riparian woodland dominated by mesquite (*Prosopis* sp.; Rosenberg et al., 1991; Brown, 1993; L.R. Hays pers. comm.; M.A. Patten pers. obs.). Similar habitats are used during the winter months. Although the Arizona Bell's Vireo will use non-native salt cedar (*Tamarix* spp.) in parts of its range (Brown, 1993), the Least Bell's Vireo avoids riparian areas dominated by these plants.

### **Population Status:**

The most recent published population censuses for the Least Bell's Vireo indicated that this subspecies was critically endangered, with a total population estimated to be only a few hundred pairs (Goldwasser, 1978; Goldwasser et al., 1980; Wilbur 1980). Primarily as a result of extensive efforts to restore riparian habitat and to remove Brown-headed Cowbirds (*Molothrus ater*) from breeding areas, populations of the Least Bell's Vireo have increased dramatically at several locations in cismontane southern California (L.R. Hays pers. comm.; Brown, 1993), particularly at the two core population sites of the Santa Margarita River, San Diego County ( $\pm 400$  pairs) and the Prado Basin, Riverside County ( $\pm 150$  pairs). The total population breeding within the WMPA is much smaller, with only a 1-3 pairs at Morongo Valley and 1-2 pairs along the Mojave River (M.A. Patten pers. obs.; S.J. Myers in litt.).

### **Threats Analysis:**

Loss of habitat, combined with increased brood parasite pressure from Brown-headed Cowbirds (Goldwasser, 1978; Beezley and Rieger, 1987), has led to the two breeding subspecies in California, Least Bell's Vireo and Arizona Bell's Vireo, being listed as Endangered by the State of California and, for *V. b. pusillus*, by the federal government (Franzreb, 1989; Franzreb et al., 1992; Salata, 1992; U.S. Fish and Wildlife Service, 1992). Losses of habitat similarly have affected the Bell's Vireo throughout its range (Brown, 1993). Habitat loss within the WMPA probably most often results from flood control efforts (e.g., stream channelization or vegetation clearing along the Mojave River). Conversion of occupied habitat to parks or golf courses is generally less of a problem, if only because it occurs more rarely.

Although Brown-headed Cowbirds are perhaps less prevalent in transmontane sites occupied by this vireo, cowbirds nevertheless can have a huge negative impact on the breeding success of the Least Bell's Vireo (Goldwasser, 1978; Beezley and Rieger, 1987; Clark, 1988), and they have increased dramatically in California in the past century (Laymon, 1987; Rothstein, 1994). Populations of the Least Bell's Vireo have responded dramatically to efforts to remove cowbirds from breeding areas (see above), underscoring the severe impact of brood parasitism. The recent, albeit slow, northwesterly range expansion of the Bronzed Cowbird (*M. aeneus*), could present this vireo with yet another brood parasite (M.A. Patten unpubl. data).

### **Biological Standards:**

Much effort has been expended to maintain minimum viable populations of the Least Bell's Vireo at certain core population sites in cismontane southern California (e.g., the Santa Margarita River, the Prado Basin, and the Santa Ynez drainage in Santa Barbara County). Recovery efforts have generally been extremely successful; prospects for the long-term survival of the Least Bell's Vireo are much better now than they were 15-20 years ago when recovery was initiated (L.R. Hays pers. comm.). However, even historically this vireo has occurred only in low numbers within the WMPA, and in few locations, so management of vireo habitat within its boundary likely will not have a substantial effect on the subspecies as a whole. Nevertheless, conservation and sustainable management of the small breeding populations at Morongo Valley and along the Mojave River could be accomplished through (1) limiting the destruction of riparian habitat in these areas, including less invasive flood control management activities, (2) eradication of non-native salt cedar, giant reed (*Arundo donax*), and Russian olive (*Elaeagnus angustifolius*) from sites occupied by the vireo, with willows and mulefat planted in their place, (3) extensive trapping and removal of Brown-headed Cowbirds from breeding areas, and (4) restoration of riparian habitats, because cowbird parasitism is reduced woodland habitats with lower edge to area ratios (Laymon 1987). An additional measure could be the limiting access of both cattle and humans (hikers and off-highway vehicle users) to prime nesting areas.

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## Comment Letter 35 – Friends of Riverside's Hills

35

3 Oct 2016

To: Patricia Brenes, Principal Planner, City of Riverside  
From: Friends of Riverside's Hills  
Re: DEIR for Sycamore Canyon Business Park Buildings 1 and 2

Thank you for the opportunity for Friends of Riverside's Hills to raise some of the important points of concern regarding this DEIR.

35-A

The project is located in an environmentally sensitive location next to Sycamore Canyon Park, a core area of the Western Riverside County MSHCP. Thus the conformance of the project with all aspects of the "Guidelines Pertaining to the Urban/Wildlands Interface" (sec 6.1.4 of the MSHCP document) must be evaluated. This goal is codified in City Policy OS-5.2: Continue to participate in the MSHCP Program and ensure all projects comply with applicable requirements. Project compliance is summarized in Table 5.4-B of the DEIR. Points of serious concern relate to drainage, lighting, and noise.

(i) Drainage: the project run-off will be discharged into an existing water quality basin; however, the ability of the existing water quality basin to handle the additional storm run-off was not examined. Thus in Table 1-B it is stated with no justification that the potential impact of exceeding the capacity of existing or planned stormwater drainage systems is less than significant. It is noted that excess run-off will drain into "the marsh" (Basin A; see p5.9-7 to 5.9-8 of the DEIR) without any evaluation of the capacity of the marsh to retain and purify the additional run-off before it flows into Sycamore Canyon Park (the park). The analysis presented (5.9-15 to 5.9-16) considers the flow as far as the offsite storm drain but no further. The only reference is that the facilities have been "deemed sufficient by the City" (p5.9-27) but no data supporting this statement are provided.

(ii) Lighting. The MSHCP requires that there is no increase in ambient lighting in the conservation area. In the DEIR (Table 5.4-B) it is stated that MM BIO7 will minimize impacts. However MM BIO7 only requires that "any night lighting shall be directed away from natural open space areas and directed downward and towards the center of the development. Energy efficient LPS or HPS lamps shall be used exclusively to dampen glare." This will certainly reduce the light spreading into the Conservation Area (Sycamore Canyon Park) relative to what it could have been, but it does not, in and of itself, ensure that there is no increase in ambient light. As noted in Table 5.4-B, the height of some of the light poles will be 32-34 feet and given the application of the City's lighting standards (designed for general urban use throughout the City, and not specifically for light-sensitive areas) light pollution appears inevitable. In this context, it needs to be noted that many of the species within our area, such as Stephens' kangaroo rat, a Federally endangered species conserved within the park, are nocturnal. Feeding behavior of these nocturnal rodents and the behavior of their owl predators is altered by increased ambient light.

35-B

(iii) Noise. It is stated in Table 5.4-B that the truck yards and loading/docking areas will be surrounded by walls; however, it is repeatedly stated in the DEIR that while there will be a block wall adjacent to the residential areas to the N and NW, there will be an opaque 8ft high

35-C

tubular steel fence adjacent to the park (e.g. p5.1-8). Such a fence is an ineffective sound barrier relative to a block wall, resulting in better sound reduction in the residential area than in the conservation area, contrary to MSHCP requirements.

↑ 35-C  
cont'd

The project also proposes building over a blue-line stream, necessitating mitigation for approximately 2 acres of jurisdictional riparian habitat. This is to be achieved with a 2.96 acre stream-like depression planted with riparian vegetation. However, there is no analysis of how much water this depression would receive and whether this amount of water would be adequate to support the riparian vegetation. In the absence of such an analysis, and if the water supply is inadequate (as seems likely), then no amount of management will result in a stable area of riparian habitat, and the mitigation will fail.

35-D

The project is located next to a residential neighborhood. It will produce various forms of pollution (including light, sound, particulates) . Thus the necessity of siting such a development in this location needs to be considered in the light of alternative land uses. But no economically realistic alternatives are considered in the DEIR. This is a prime site for a set of office/high tech building overlooking the park. Such a project would buffer the park and the residential area from the other warehouses in the area, and provide a pleasant working environment. It would also allow conformance with policies that the current project ignores: City Policy LU-8.2: Avoid density increases or intrusion of non-residential uses that are incompatible with existing neighborhoods.

35-E

City Policy N-1.8: Continue to consider noise concerns in evaluating all proposed development decisions and roadway projects.

City Policy A Q-1.3: Separate, buffer and protect sensitive receptors from significant sources of pollution to the greatest extent possible.

City Policy A Q-1.1: Ensure that all land use decisions, including enforcement actions, are made in an equitable fashion to protect residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status or geographic location, from the health effects of air pollution.

The project is designed with roofs that are "solar ready". This is a good feature, but why will it not be built with solar included? City Policy A Q-8.6 states that development should "Promote Riverside as a Solar City through the implementation of programs for residential and commercial customers that will increase solar generation in the City to 1 MW by 2015 (enough for 1,000 homes), and 3 MW by 2020". For no good reason, the current project fails to conform to this policy.

35-F

Thanks for your attention to these issues.

Len Nunney, Secretary,  
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35-G

## **Response to Comment Letter 35 – Friends of Riverside's Hills**

### **Response to Comment 35-A:**

The City appreciates the Friends of Riverside's Hills review of the Draft Environmental Impact Report (DEIR).

Compliance with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Section 6.1.4: The City adopted the MSHCP on September 23, 2003 (Riverside Municipal Code, Chapter 16.72) and the federal and state Wildlife Agencies approved permits required to implement the MSHCP on June 22, 2004. Implementation of the MSHCP will conserve approximately 500,000 acres of habitat into a reserve system, including land already in public or quasi-public ownership (PQP Lands) and approximately 153,000 acres of land in private ownership that will be purchased or conserved through other means such as land acquisition and conservation easements. The money for purchasing private land comes from development mitigation fees imposed on new development within the boundaries of the MSHCP, as well as state and federal funds.

As a signatory to the MSHCP, the City adopted Ordinance No. 6709 (which is codified as Chapter 16.72 of the Riverside Municipal Code) and established a Local Development Mitigation Fee (LDMF) to be used by the Western Riverside County Regional Conservation Authority (RCA) to implement the MSHCP. The Project will participate in the MSHCP through the payment of the LDMF at the time building permits are issued pursuant to the provisions of Ordinance No. 6709.

As stated in the DEIR, the Project site is located within the MSHCP Plan Area. The site is not located in a Criteria Cell. The Project site is flanked PQP Lands within the Sycamore Canyon Wilderness Park, which is located directly west of the site. In addition to paying the appropriate LDMF, the MSHCP requires projects comply with Sections 6.1.2 (Protection of Species within Riparian/Riverine Areas and Vernal Pools), 6.1.3 (Protection of Narrow Endemic Plant Species), 6.1.4 (Urban and Wildlands Interface), 6.3.2 (Additional Survey Needs and Procedures), Appendix C (Standard Best Management Practices), and Section 7.5.3 (Construction Guidelines). (DEIR, p. 5.4-23.)

The MSHCP Urban/Wildland Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. The Project is adjacent to the Sycamore Canyon Wilderness Park, identified in the MSHCP as Existing Core D. To minimize Edge Effects MSHCP Section 6.1.4 identifies guidelines applicable to Projects adjacent to Conservation Areas. The City, as MSHCP Permittee, is to consider these guidelines in reviewing the Project. The MSHCP Urban/Wildland Interface Guidelines address: drainage, toxics, lighting, noise, invasives, barriers, and grading and are discussed in DEIR **Table 5.4-B – Project Compliance with MSHCP Urban/Wildlands Interface Guidelines**.

**DEIR Table 5.4-B – Project Compliance with MSHCP Urban/Wildlands Interface Guidelines** incorrectly indicates there will be a wall surrounding the truck yards and loading/docking areas and will be revised in the Final Environmental Impact Report as follows:<sup>1</sup>

MSHCP Guidelines	Project Features
<b>Noise</b>	
Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards.	As discussed in Section 5.13 – Noise, the Project will install a temporary construction noise barrier along its western boundary to minimize the effect of noise on the Sycamore Canyon Wilderness Park. <u>Once the Project is operational, noise at the boundary between the Park and the Project site will not exceed the City’s “Normally Acceptable” compatibility criteria for neighborhood parks land uses.</u> <del>Once completed, the Project will include walls surrounding the truck yards and loading/docking areas.</del> Therefore, the Project is consistent with the MSHCP Urban/Wildlands Interface Noise Guidelines.

The Project’s consistency with City Policy OS-5.2, “Continue to participate in the MSHCP program,” is described in DEIR Appendix M and a discussion of the Project’s consistency with the MSHCP is included in DEIR Section 5.4 – Biological Resources. The Project has complied with the MSHCP by completing the requisite biological surveys and preparing a *Determination of Biologically Equivalent or Superior Preservation (DBESP)*. As required by the MSHCP the DBESP was reviewed by the Wildlife Agencies was provided to the Wildlife Agencies for a 30-day review and response period from May 20, 2016 through June 20, 2016. CDFW had the following comments on the Project’s DBESP: (i) that the Project applicant provide all relevant burrowing owl survey information and reports to show compliance with Section 6.3.2 of the MSHCP, and (ii) that additional copies of the Habitat Mitigation Management Plan be submitted to the wildlife agencies, USFWS and CDFW, for their records. The burrowing owl survey (DEIR Appendix C.6) was reviewed by the CDFW and USFWS and the City received confirmation that agencies have not further questions or comments regarding the DBESP. (DEIR, pp. 5.4-23–5.4-30.)

The Project will implement mitigation measures **MM BIO 6** through **MM BIO 8** to further ensure compliance with a variety of best management practices to reduce impacts to biological resources during construction and operation of the Project. (DEIR, p. 5.4-33.)

**MM BIO 6:** The Project shall be required to comply with the following standard best management practices (BMPs) outlined in Volume I, Appendix C of the MSHCP:

<sup>1</sup> Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

- A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be completed.
- Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian species identified in MSHCP Global Species Objective No. 7.
- The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.
- Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.
- The Permittee, City of Riverside, shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions including these BMPs. (DEIR, p. 5.4-30–5.4-31.)

**MM BIO 7:** The Project shall also comply with the following BMPs, not outlined in Volume I, Appendix C of the MSHCP:

- Any night lighting shall be directed away from natural open space areas and directed downward and towards the center of the development. Energy-efficient LPS or HPS lamps shall be used exclusively to dampen glare.
- During construction, equipment storage, fueling, and staging areas will be located on areas of the site with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas will be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions will be taken to prevent the release of cement or other toxic

substances into surface waters. Project related spills of hazardous materials will be reported to appropriate entities including but not limited to applicable jurisdictional City, UFWS, and CDFW, RWQCB regulated areas and will be cleaned up immediately and contaminated soils removed to approved disposal areas.

- To avoid attracting predators of the species of concern during site grading and construction activities, the Project site will be kept clean of debris. All food related trash items will be enclosed in sealed containers and regularly removed from the site(s). This requirement will be addressed by the biologist conducting the training session prior to site grading. (DEIR, p. 5.4-31.)

**MM BIO 8:** To avoid impacts to the Sycamore Canyon Wilderness Park resulting from construction activity such as compaction and erosion. The Project developer shall provide a temporary barrier along the western portion of the Project site. Prior to issuance of a grading permit, the developer shall identify the type and location of this barrier to the City of Riverside Parks, Recreation, and Community Development Department for review and approval. (DEIR, p. 5.4-31.)

Responses to the commenter's concerns related to drainage are addressed below. Responses to comments regarding lighting, and noise are Response to Comments 35-B and 35-C.

Drainage: The proposed Project is located within the watershed tributary to the Storm Water Runoff Treatment Basin ("the marsh"). This marsh was constructed in accordance with the design document prepared by Pacific Southwest Biological Service, Inc. entitled "Storm Water Runoff Treatment Basins at the Sycamore Canyon Business Park and Sycamore Canyon Business and Wilderness Park, Riverside, California" dated May 19, 1992, as well as the "Hydrology & Hydraulic Study for the Storm Water Runoff Treatment Basin for CFD No. 92-1 Sycamore Canyon" dated October, 1993 prepared by Albert A. Webb Associates, Inc. (These studies can be made available upon request to the City of Riverside, Public Works Department.) This basin has the storage capacity to retain the 2-year rainfall event (treatment volume) of the Sycamore Canyon Business Park water shed tributary to this area as well as a spillway designed to handle the 100-year rainfall event for the same area. In addition to the marsh, the Project will be required to provide 10% of the developed area on-site for implementation of Low Impact Development principles.

A Preliminary Hydrology Calculations Report was prepared for the Project. (Thienes Engineering, Appendix H of DEIR) Information from the Preliminary Hydrology Calculations Report was summarized in Section 5.9 – Hydrology and Water Quality, of the DEIR.

A large portion of the storm water drainage system for the Sycamore Canyon Business Park Specific Plan (SCBPSP), which includes the Project site, is designed to drain to the 120-inch diameter storm drain in Eastridge Avenue that outlets to the marsh (aka Basin A or Northern Basin). The "As-Built" plans in Appendix A of the Preliminary Hydrology Calculations report (Thienes Engineering, DEIR Appendix H.1) show a future 69-inch diameter storm drain

connecting to the 120-inch diameter storm drain at Lance Drive and Eastridge Avenue (Sheet 3, Drawing D-615). This future 69-inch storm drain was sized to convey the estimated 500 cubic feet per second (cfs) of stormwater (100-year storm event) from the tributary area immediately surrounding and including the project (Sheet 3, Drawing D-615). However, in 2006, a 48-inch storm drain was constructed, as part of the Parcel Map 33246 development, not the 69-inch storm drain that was planned. The 48-inch storm drain that was installed, only has the capacity of approximately 100 cfs from the tributary area immediately surrounding and including the project site, and cannot accommodate the projected stormwater volumes during a 100-year storm event. Therefore, the Project includes the construction of an additional new offsite 60-inch diameter storm drain in Lance Drive, which is sized to convey the 175 cfs (100-year storm event) from the tributary area immediately surrounding and including the project site.

As discussed in Section 5.9.4 (Project Design Features) of the DEIR, Building 2, its southerly truck yard and adjacent parking lots would drain to catch basins in the truck yard and parking lots (16.3 acres). Runoff would then be conveyed easterly, via the proposed onsite storm drain, then southerly via the proposed public storm drain in Lance Drive to the existing 120-inch offsite storm drain in Eastridge Avenue. The 100-year peak flow rate for the Building 2 area is estimated at 36.7 cfs. (DEIR, p. 5.9-15.)

Vehicle parking lots located north of Building 1 (3.65 acres) would drain to catch basins in the parking lots. Runoff would then be conveyed easterly via another proposed onsite storm drain to Lance Drive and then conveyed southerly via the same proposed public storm drain to the existing 120-inch offsite storm drain in Eastridge Avenue. The 100-year peak flow rate for Building 1 parking lots is estimated at 10.4 cfs. (DEIR, p. 5.9-15.)

A vehicle parking lot to the southeast corner of Building 1 would drain to a catch basin in the parking lot. This runoff would then be conveyed easterly via a private storm drain to the back of a proposed street catch basin, which accepts runoff from the west half of Lance Drive and adjacent onsite side slope. From the street catch basin, runoff would then be conveyed southerly via a lateral to the proposed public storm drain in Lance Drive, which drains to the existing 120-inch offsite storm drain in Eastridge Avenue. The 100-year peak flow rate for these areas is estimated at 9.4 cfs. (DEIR, p. 5.9-15.)

The existing residential development located northwest of the Project site and several small offsite dirt areas along the westerly property line would drain to a proposed onsite vegetated swale adjacent to the westerly property line, the Mitigation Area. Runoff would be conveyed southerly in the vegetated swale, then easterly landscaped area, as well as Building 1 and the small parking lot at the southeast corner of the proposed site. Runoff from these areas is conveyed easterly to the same proposed public storm drain in Lance Drive, then southerly to the existing 120-inch offsite storm drain in Eastridge Avenue. The 100-year peak flow rate for these onsite and offsite areas is estimated at 125.3 cfs. (DEIR, pp. 5.9-15–5.9-16.)

The landscaped area east of Building 2 and adjacent to the easterly property line would surface drain to Dan Kipper Drive. Likewise, the southerly entry driveway to Building 1 and the adjacent landscape fronting Lance Drive would surface drain easterly to Lance Drive.

The proposed condition 100-year peak flow rate for the proposed Project to the existing 120-inch offsite storm drain in Eastridge Avenue is estimated at 175 cfs. This includes the Project site, the offsite residential area to the northwest and the dirt lots to the west that are tributary to the Project site. (DEIR, p. 5.9-16; DEIR **Figure 5.9-4 – Proposed Condition Hydrology Map.**)

As mentioned above, based on the Preliminary Hydrology Calculations (DEIR Appendix H) and discussed in Section 5.9 – Hydrology and Water Quality, of the DEIR, the existing public storm drain located in Lance Drive is not adequately sized to carry discharge from the Project site. Therefore, the Project proposes a 60-inch storm drain in Lance Drive that is sized to handle the estimated 175 cfs during a 100-year storm event, which will be adequate to capture Project runoff and the offsite residential area to the northwest. The proposed 60-inch storm drain would continue southerly past Sierra Ridge Drive and through the western parking lot of the warehouse located at 1680 Eastridge Avenue to connect to the existing 120-inch storm drain in Eastridge Avenue. This existing storm drain pipe drains to the west and outlets into the marsh, which captures the volume and slowly releases into Sycamore Canyon. (DEIR, p. 5.9-18; DEIR **Figure 5.9-5 – Proposed Offsite Storm Drain and Marsh.**)

Additionally, site design stormwater best management practices (BMPs) are included to protect downstream water quality by minimizing the amount of urban runoff, minimizing the impervious footprint of the Project, and minimizing directly-connected impervious areas. The Project will include 10.69 acres of “self-treating” areas (i.e., natural areas that do not drain to stormwater BMPs, but rather drain directly offsite or to the MS4 facility, rather than having the runoff comingle with runoff from the Project’s impervious surfaces) and 7.07 acres of ornamental landscaping. (DEIR, p. 5.9-20.)

Operational source BMPs for the Project will include on-site storm drain inlet maintenance and stormwater pollution prevention information to new occupants; annual inspections of interior floor drains and elevator shaft sump pumps; landscape maintenance with minimal pesticide use and providing Integrated Pest Management information to new occupants; daily maintenance or repair of waste receptacles; moving loaded and unloaded items indoors as soon as possible; monthly parking sweeping and inspection, and maintenance of the on-site drainage system. (DEIR, p. 5.9-21.)

The Project will include treatment control BMPs which are engineered systems designed and constructed to remove pollutants from urban runoff. The SCBPSP includes three “drainage-siltation basins” identified as Basin “A” (“the marsh”), “B”, and “C”. The marsh will receive runoff from the Project site. The marsh was designed as a stormwater runoff treatment basin per the design guidelines of the time, and constructed in the mid-1990s. The marsh is not considered a Low-Impact Development (LID) BMP; however, the City has accepted that the marsh will handle both the “Design Capture Volume (DCV)” from Project development, and

mitigate the “Hydrologic Condition of Concern (HCOC).” The DCV is the volume of runoff generated by the area tributary to the marsh during a “design storm” event (i.e., the 85<sup>th</sup> percentile, 24-hour storm). A HCOC exists when a site’s hydrologic regime is altered and there are significant impacts on downstream channels and habitats, alone or in conjunction with impacts of other projects. This typically occurs when the post-construction runoff rates are greater than the pre-development runoff rates. The storm drain pipe feeding into the basin is sized for a 100-year storm event. The marsh is one of three basins that have been designed to capture the volume of runoff from build-out of the Sycamore Canyon Business Park, including the Project site, in order to slow runoff velocities and treat for pollutants using a sand filter mechanism.

Thus, based on the above discussion, the proposed Project will comply with Section 6.1.4 of the MSHCP related to drainage features as Project design features incorporate several measures to reduce the release of toxins and mimicked existing drainage conditions onsite. (DEIR, p. 5.4-25.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 35-B:**

The MSHCP guidelines for lighting state: “Night lighting shall be directed away from the conservation area...” and “Shielding shall be incorporated to ensure ambient lighting in the conservation area is not increased.” The Project does not propose any direct lighting into the Sycamore Canyon Wilderness Park. All Project lighting will be directed away from the park and shall incorporate shielding as required by Chapter 19.556 of the City’s Municipal Code and the City’s standard lighting conditions.

To ensure that light spill will not take place, **MM AES 10** will be revised in the FEIR as follows:

**MM AES 10:** To ~~eliminate~~ reduce light spill and glow into the residential backyards to the north, lighting mounted on the north wall of Building 2 shall be placed on this wall as low as feasible to provide the required security lighting.

With regard to lighting and the height of any light poles adjacent to the residences to the north, the third paragraph under the subheading “Lighting” on DEIR page 5.1-10 will be modified as follows in the FEIR:

The City will require the following: An exterior lighting plan shall be submitted for ~~Planning Division~~ Design Review staff for review and approval. A photometric study with and manufacturer’s cut sheets of all exterior lighting on the buildings, in the landscaped areas, and in the parking lot shall be submitted with the ~~study~~ exterior lighting plan. All on-site lighting shall provide a minimum intensity of one foot-candle and a maximum of ten foot-candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). Light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward and shall be directed away from adjacent properties, and public rights-of-ways. No light

shall be permitted on the MSHCP Conservation Area (Sycamore Canyon Wilderness Park). If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed ~~twenty feet (20)~~fourteen (14) feet in height in height, including the height of any concrete or other base material within the 100-foot setback between Building 2 and the residential properties to the north and shall not exceed 20 feet in height, including the height of any concrete or other base material elsewhere on the property.

Implementation of mitigation measure **MM AES 10** as revised, **MM BIO 7** (listed above) in conjunction with the modified Condition of Approval will ensure that site lighting is designed to prevent impacts on the Sycamore Canyon Wilderness Park. Additionally, a photometric study with manufacturer's cut sheets of all exterior lighting on buildings, in landscaped areas, and in parking lots will be submitted to City staff for review and approval to ensure no light spillage onto adjacent properties, including the Sycamore Canyon Wilderness Park. Based on the above discussion, the Project is consistent with Section 6.1.4 of the MSHCP related to lighting. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 35-C:**

According to page 5.12-26 and as shown on **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation** of the DEIR, the operational noise level at the property line between the Project site and the Sycamore Canyon Wilderness Park is 55 dBA  $L_{eq}$ , which is below the Municipal Code noise standard for public recreational facilities (65 dBA  $L_{eq}$ ). Consequently, as such, a wall (instead of a fence) is not necessary because this noise level is less than the City Municipal Code noise standard for public recreational facilities.

With regard to the use of a fence instead of a wall adjacent to the Sycamore Canyon Wilderness Park, the Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan and Updated Conceptual Development Plan (the SKR Management Plan) calls for installation of *either* a 7-foot high masonry wall or fence constructed per City of Riverside Parks, Recreation, and Community Services Department Standard Detail No. 5520 and specifications with a 100-foot wide stubble management zone, or firebreak, on the park side of the fence to be maintained by the City. (DEIR, p. 5.15-6.) The SKR Management Plan indicates that the masonry wall acts as a heat deflector from wildfires and eliminates any need for fuel management along the boundary of the Park. The wall also serves to screen the adjacent industrial/commercial service areas. The SKR Management Plan also allows for the possible substitution of the wall with a 6-foot high open iron fence. If the City permits an open iron fence, a 100-foot wide stubble management zone shall be maintained in between the industrial property and wilderness park. The City elected to condition the alternative iron fence for the following reasons: (i) the development includes a Mitigation Area in between the park and development which will provide an effective screen and buffer, (ii) the fence is not subject to constant graffiti, and (iii) as a whole the City's Parks, Recreation, and Community Services Department felt it would be more visually pleasing than the block wall. Also, the City already maintains a large stubble management area which would meet the 100-foot wide zone.

The revision to mitigation measure MM AES 10 the Condition of Approval does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 35-D:**

Prior to ground disturbance, a Habitat Mitigation Management Plan (HMMP) for the Mitigation Area will be prepared by the applicant which will be reviewed by the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife. The HMMP will describe the habitat creation and establish long-term success criteria, including irrigation along the Mitigation Area. Maintenance of the Mitigation Area will be funded from a non-wasting endowment in perpetuity. (DEIR, p. 5.4-18.) Additionally, implementation of **MM BIO 4** will ensure that prior to issuance of any occupancy permit, the Project Applicant will provide evidence to the City Planning Division that the Mitigation Area has been placed under a conservation easement and dedicated to an approved mitigation entity to be managed in perpetuity. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**MM BIO 4:** Prior to the issuance of any occupancy permit, the Project proponent shall provide evidence to the City Planning Division that the Mitigation Area has been placed under a conservation easement and dedicated to an approved mitigation entity to be managed in perpetuity. (DEIR, pp. 5.4-30–5.4-31.)

**Response to Comment 35-E:**

A number of different issues are raised in this comment. Subheadings have been used in this response for the ease of the reader.

Light

Refer to Response to Comment 35-B. All building and parking lot lighting is required to conform to the SCBPSP guidelines, the City Municipal Code, the standards and specifications of the City's Park, Recreation, and Community Service Department, and the Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan, and Updated Conceptual Development Plan. Project lighting will comply with the City's Zoning Code, Riverside County Airport Land Use Commission' conditions of approval and all other applicable lighting requirements and regulations applicable to the proposed Project. (DEIR, p. 5.1-10.) Since the northern wall of Building 2 will be the closest building wall to the residences north of the site, wall lights along this side will be lowered to a level to provide safety while not producing glow into the neighboring yards to the maximum extent feasible. Parking lot lighting adjacent to residential uses are limited to 14 feet in height which is six feet lower than the City's 20 foot height limit. The Project also proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area for a total 100 foot setback between Building 2 and the northern property line of the Project site which will provide further minimize light and glare impacts onto residential properties. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) A

photometric study with manufacturer's cut sheets of all exterior lighting on buildings, in landscaped areas, and in parking lots will be submitted to City staff for review and approval to ensure no light spillage onto adjacent properties, including residential neighborhoods. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### Noise

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) It should be noted that on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration

sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the

machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam

core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate. (DEIR, pp. 1-48-1-49, 5.12-47.)

With the installation of a ten-foot tall noise barrier at the two locations where the property owners will permit the noise barrier wall per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the two-individual property owner authorizing the installation, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### Air Quality

The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (DEIR, p. 5.3-27). (DEIR, pp. 5.3-26, 5.3-30, 5.3-35-5.3-40.) Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards.

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measures **MM AQ 13** will be revised in the FEIR as shown below.<sup>2</sup>

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less ~~in excess of pursuant to~~ Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an

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<sup>2</sup> . Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measures **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer's specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support "clean" truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD's Carl Moyer Program, or other such programs that promote truck retrofits or "clean" vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment. (DEIR, pp. 5.3-35–5.3-39.)

Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) The amount of pollution that would be released from the outside of the walls would be negligible.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### Alternatives

The City has determined the alternatives presented in the EIR are adequate and suitable. Proposing an office building as the commenter suggested would not meet the Project objectives. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### Land Use

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City's SCBPSP, which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The distribution center Project currently proposed at the site is consistent with the planned use at the site in both the GP 2025 and SCBPSP and would not be in conflict with these plans. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### Buffer

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. The Project proposes a 100-foot setback (64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area) between Building 2 and the northern property line. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan**, **DEIR Figure 3-11 – Conceptual Landscape Plan**.) This

comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Consistency with City's GP 2025 Policies:

- *City Policy LU-8.2: Avoid density increases or intrusion of non-residential uses that are incompatible with existing neighborhoods.*

The Project would be consistent with the land use designations in the GP 2025 and the SCBPSP, and would not increase planned densities beyond what was considered and approved in those plans. The convergence of a Wilderness Area, Industrial Specific Plan, and a Residential Specific Plan in the Project area is the result of thirty years of complex circumstances and City planning efforts since the early 1980s. As discussed in DEIR Section 3.1.1 (Economic Revitalization Studies and Specific Plans in the Project Area), these factors and planning efforts include: the 1979 Amendment to the Air Installation Compatible Use Zones (AICUZ) report for March Air Force Base, the Southeast Study Report (adopted 1980), a conditional use permit for surface mining (CU-013-812, approved in 1982 and amended several times between 1982 and 1987, the SCBPSP (adopted April 1984), the Sycamore Highlands Specific Plan (adopted 1990), The Sycamore Canyon Wilderness Park Stephen's Kangaroo Rat Management Plan and Updated Conceptual Development Plan (March 1999), and the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (adopted November 2014. (DEIR, pp. 3-1-3-8.) Please also refer to the discussion under the subheadings "Land Use" and "Buffers" in Response to Comment 35-E. The compatibility of non-residential uses with residential neighborhoods can be achieved with correct design features, including the City's Good Neighbor Guidelines, of which the Project is consistent, as shown in Appendix M of the EIR. As such, the Project would be consistent with Policy LU-8.2.

- *City Policy N-1.8: Continue to consider noise concerns in evaluating all proposed development decisions and roadway projects.*

A noise impact analysis entitled, *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (the NIA), was prepared for the proposed Project and is included in DEIR Appendix I. The information in the DEIR Section 5.12 – Noise and the NIA provides the information needed by the City's decision makers to consider noise concerns in evaluating the proposed Project. (DEIR Appendix M, p. M-54.) Please also refer to the discussion under the subheading "Noise" in Response to Comment 35-E.. As such, the Project would be consistent with Policy N-1.8.

- *City Policy AQ-1.3: Separate, buffer, and protect sensitive receptors from significant sources of pollution to the greatest extent possible.*

As stated in DEIR Appendix M, this is a municipal measure that is not directly applicable to the Project. (DEIR Appendix M, p. M-59.) In accordance with the City's Good Neighbor Guidelines, because since residences will be located within 1,000 feet from the proposed Project, a Health Risk Assessment (HRA) was prepared in June 2016

(included in Appendix B of the DEIR) and a refined HRA was prepared in November 2016 (included as Attachment A.1 of the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. The November HRA was prepared in response to comments received from SCAQMD on the DEIR regarding the June HRA, and is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for either workers or residents within the Project site and vicinity. (DEIR, p. 5.3-34, FEIR Attachment A.1, FEIR Attachment B.2.) As such, the Project would be consistent with Policy AQ-1.3. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis.

- *City Policy AQ-1.1: Ensure that all land use decisions, including enforcement actions, are made in an equitable fashion to protect residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status or geographic location, from the health effects of air pollution.*

As stated in DEIR Appendix M, this is a municipal measure that is not directly applicable to the Project. (DEIR Appendix M, p. M-58.) Nevertheless, the Project site is designated for Light Industrial in the GP 2025 and the proposed Project is consistent with this designation. (DEIR Appendix M, p. M-28; Refer to Response to Comment 35-E for a discussion regarding air quality and HRA. In accordance with State CEQA Guidelines Section 15093, if the agency determines that significant impacts cannot be reduced to less than significant, the lead agency must assess whether the benefits of the proposed Project outweigh unmitigated significant environmental effects, and the agency will be required to adopt a statement of overriding considerations stating the reasons supporting their action notwithstanding the proposed Project’s significant environmental effects.

The public will have an opportunity to comment on the merits of the Project itself at a Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for Planning Commission and City Council hearings can be found

at: <http://riversideca.legistar.com/Calendar.aspx>. As such, the Project would be consistent with Policy AQ-1.1.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 35-F:**

GP 2025 Policy AQ-8.6 states:

*Promote Riverside as a Solar City through the implementation of programs for residential and commercial customers that will increase solar generation in the City to 1 MW by 2015 (enough for 1,000 homes) and 3 MW by 2020. (GP 2025, p. AQ-38.)*

The City's Public Utilities Department has exceeded the 3 MW goal set forth in Policy AQ 8-6. In addition to a 20.70 kilowatt (kW) system at the City's wastewater treatment facility on Acorn Street and a 19.20 kW facility at the Marcy Branch Library,<sup>3</sup> Riverside Public Utilities recently completed a 7.5 MW solar facility on the Tequesquite landfill. (DEIR, p. 7-1.) Thus, the proposed Project does not need to include a rooftop solar panel energy system in order for the City to achieve the goals set for in policy AQ-8.6. Nonetheless, the Project includes a design feature to provide "solar-ready" roofs to accommodate installation of rooftop solar panels by future building tenants. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy. (DEIR, pp. 1-23, 3-41, 5.3-21, 5.3-36, 5.7-32, 6-37, 7-13.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 35-G:**

Your comments and these responses have been incorporated into the Final EIR. In addition, your contact information has been included in the distribution list for further information. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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<sup>3</sup> Source: City of Riverside Public Utilities, News Release, *Riverside Solar Projects Now Generating Over 3 Megawatts*, May 3, 2011. (Available at <http://www.riversidepublicutilities.com/news-display.asp?newsid=274>, accessed June 22, 2016.)

## Comment Letter 36 – South Coast Air Quality Management District

36



South Coast  
Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL AND USPS:  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

October 5, 2016

Ms. Patricia Brenes, Principal Planner  
City of Riverside – Planning Division  
3900 Main St., 3<sup>rd</sup> Floor  
Riverside, CA 92522

**Draft Environmental Impact Report (DEIR) for the Proposed  
Sycamore Canyon Business Park Buildings 1 and 2 Project**

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

36-A

In the project description, the Lead Agency proposes the construction of two buildings for warehouse distribution and office space uses totaling approximately 1,433,599 square feet on an 80 acre site. Based on the Project's traffic study, the Project will result in 917 daily trucks operating at the site. In the Air Quality Section, the Lead Agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. Based on its analyses, the Lead Agency has determined that operational air quality impacts will exceed the recommended regional daily significance threshold for NOx.

On August 28, 2015, SCAQMD staff provided comments to the Lead Agency on the Notice of Preparation, which included guidance and recommendations on performing a Health Risk Assessment (HRA). However, in the DEIR, the HRA did not follow the SCAQMD's recommended methodology and SCAQMD staff has concerns that the HRA underestimated emissions and health risks to the surrounding residents. Additionally, since the proposed project will result in significant NOx impacts, all feasible mitigation measures should be included in the Final EIR to further reduce the significant impacts. Details are included in the attachment.

36-B

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the Lead Agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. The SCAQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist CEQA Section, at (909) 396-3302, if you have any questions regarding the enclosed comments.

36-C

Sincerely,

*Jillian Wong*

Jillian Wong, Ph.D.  
Planning and Rules Manager  
Planning, Rule Development & Area Sources

Attachment  
JW:GM:JC  
RVC160811-02  
Control Number

Patricia Brenes

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**Attachment**

**Health Risk Assessment (HRA) and Localized Significance Threshold (LST) Analysis**

1. As indicated in our comment letter on the Notice of Preparation/Initial Study dated August 28, 2015, SCAQMD recommends the Lead Agency revise the HRA by using the guidance provided in the *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*:  
<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. 36-D
2. The Lead Agency used AERSCREEN (version 15181) to conduct a screening level health risk assessment and stated that the assessment is conservative. However, a screening level assessment is inappropriate here and likely not conservative due to the modeling complexity of the proposed project (idling at loading bays, on-site travel, and truck routes) and the location of sensitive receptors. AERSCREEN is intended for a single emission source and not for multiple emission sources. The proposed project has several non-uniform emissions throughout the site that should not be generalized as a single volume source. SCAQMD staff recommends using AERMOD to properly model individual emission sources, discrete receptor locations, wind data, and terrain data. 36-E
3. The Lead Agency used a single 8.92 acre volume source placed in the center of the site to represent all project emissions. However, truck idling, on-site travel, and truck route emissions should be modeled as separate emission sources with individual emission rates to accurately reflect the emission profile of the proposed project. The SCAQMD staff recommends using multiple line sources or smaller volume sources as well as specific emission rates to represent loading docks and travel routes. Receptors should also be placed along the fence line to estimate risks to the adjacent sensitive receptors. Due to the proximity of adjacent sensitive receptors, care should be taken to ensure that no receptors are placed within the volume source exclusion zone. 36-F
4. The Lead Agency used an average composite distance (450 meters) to determine emission concentrations at receptor locations. The average composite distance was derived by averaging the distances from the centroid of each volume source (eight zones) to the closest sensitive receptor of each zone. The composite distance is not conservative and underestimates impacts to receptors closest to the proposed project (residential receptors immediately adjacent to the north and west). The proposed site plan indicates that truck loading docks are located along the western edge of the project site and closer to receptors than the average composite distance. Furthermore, the average composite distance and methodology used is inconsistent with the *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* and does not accurately represent the proposed project. SCAQMD staff recommends that the Lead Agency revise the model and health risks using the recommended guidelines. 36-G
5. On-site Heavy Duty Truck emissions were based on CalEEMod's operational emission calculations. CalEEMod uses emissions data from aggregated vehicle speeds typically found on highway travel. The HRA does not account for vehicles idling or traveling at low speeds, which generate greater emissions and therefore underestimates health risks. SCAQMD staff recommends incorporating 15 minutes idling and on-site travel (low speed travel – 5-10 mph) emissions into the revised HRA and recalculate the health risks. 36-H
6. The Lead Agency failed to include emissions from truck routes along local roads in the HRA, which underestimates health risk impacts. Roadways used by project-generated trucks should be modeled from the project site to where the trucks enter the freeway. SCAQMD staff recommends revising the HRA to include roadways used for truck travel. 36-I

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**Mobile Source Operational Mitigation Measures**

7. Because the Lead Agency has determined that operational emissions exceed the SCAQMD recommended level of significance for Oxides of Nitrogen (NOx), mainly from truck operations, SCAQMD staff recommends the following mitigation measures in addition to the measures included in the Draft EIR starting on page 5.3-35 in order to reduce these significant operational impacts:

36-J

**Recommended additions – Truck Activities**

- Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2012 and 2016 Regional Transportation Plan. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the Lead Agency require the proposed warehouse and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in.
- Consistent with the advisory recommendations from the California Air Resources Board's Land Use Handbook<sup>[1]</sup> provide minimum buffer zone of 1,000 feet between truck traffic and sensitive receptors if significant health risk impacts are determined by a project specific HRA.
- Limit the daily number of trucks allowed at each facility to levels analyzed in the Final SEIR. 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.
- Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations<sup>[2]</sup>.
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas or restricted routes.

36-K

<sup>[1]</sup> CARB Air Quality and Land Use Handbook, April 2005, Page 4. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf>

<sup>[2]</sup> [http://ladbs.org/LADBSWeb/LADBS\\_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf](http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf).

## **Response to Comment Letter 36 – SCAQMD (Jillian Wong)**

### **Response to Comment 36-A:**

The City appreciates the South Coast Air Quality Management District's (SCAQMD's) review of the Draft Environmental Impact Report (DEIR). The comment offers introductory remarks and describes the Project. Comment noted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 36-B:**

The comment expresses concern over the preparation of the Screening Health Risk Assessment (HRA) prepared in June 2016 and included as Appendix B to the DEIR. The comment suggests that since the June Screening HRA did not follow the SCAQMD's recommended methodology, SCAQMD staff has concerns that the June Screening HRA underestimated emissions and health risks to the surrounding residents. The comment also requests that all feasible mitigation measures should be included in the Final Environmental Impact Report to further reduce significant NO<sub>x</sub> impacts based on details included in the comment letter's attachment. Per SCAQMD's comments, a Refined HRA to evaluate cancer and non-cancer risks associated with the proposed Project was prepared in November 2016 (included as Attachment A.1 to the FEIR) and submitted to SCAQMD on November 9, 2016 for review. The November Refined HRA is consistent with the requested SCAQMD guidance and methodology. In both the June Screening HRA and the November Refined HRA, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project operation for either workers or residents within the Project site and vicinity. (DEIR, p. 5.3-34.) The comments are noted, and comments on the HRA methodology and the recommended mitigation, representing all feasible mitigation measures, will be addressed in the response to the attachment's comments below.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 36-C:**

Comment noted. Pursuant to Section 21092.5 of the California Public Resources Code, the City will provide a written response to the SCAQMD at least 10 days prior to certifying the Final EIR.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 36-D:**

Pursuant to SCAQMD's comments, a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) and is consistent with the requested SCAQMD guidance and methodology. The November Refined HRA was submitted to SCAQMD on November 9, 2016, for review. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 36-E:**

Pursuant to SCAQMD's comments, a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) and is consistent with the requested SCAQMD guidance and methodology. This November Refined HRA was submitted to SCAQMD on November 9, 2016, for review. The November Refined HRA was prepared using AERMOD, as recommended by SCAQMD staff to properly model individual emission sources, discrete receptor locations, wind data, and terrain data. Vehicle diesel particulate matter (DPM) emissions were estimated using emission factors for PM-10 generated with the 2014 version of the Emission Factor model (EMFAC) developed by the Air Resources Board (FEIR Attachment A.1, p. 12). The EMFAC model was run for speeds traveled near the Project, which represent conservative assumptions because lower speeds result in higher emission rates. Each roadway was modeled as a line source (made up of multiple adjacent volume sources) and the DPM emission rate for each volume source was calculated by multiplying the emission factor by the number of trips and the distance traveled along each roadway segment and dividing the result by the number of volume sources along that roadway. (FEIR Attachment A.1, p. 14.)

This comment does not identify any significant new environmental issues or impacts that were not already discussed in the DEIR.

**Response to Comment 36-F:**

Pursuant to SCAQMD's comments, a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) and is consistent with the requested SCAQMD guidance and methodology. The November Refined HRA was submitted to SCAQMD on November 9, 2016, for review.

**Response to Comment 36-G:**

Pursuant to SCAQMD's comments, a refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) and is consistent with the requested SCAQMD guidance and methodology. The November Refined HRA was submitted to SCAQMD on November 9, 2016, for review.

**Response to Comment 36-H:**

Pursuant to SCAQMD's comments, a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) and is consistent with the requested SCAQMD guidance and methodology. The November Refined HRA was submitted to SCAQMD on November 9, 2016, for review.

**Response to Comment 36-I:**

Pursuant to SCAQMD's comments, a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) and is consistent with the requested SCAQMD guidance and methodology. The November Refined HRA was submitted to SCAQMD on November 9, 2016, for review.

**Response to Comment 36-J:**

Comment noted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 36-K:**

The comment recommends additional mitigation to reduce significant operational impacts. Each of the recommended mitigation is listed and discussed below:

**Recommended Mitigation No. 1.:** Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2012 and 2016 Regional Transportation Plan. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the Lead Agency require the proposed warehouse and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in.

This recommendation suggests allowing truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks that run at least partially on electricity to plug-in. Although the Project involves a spec building, there is a possibility that the future logistics center tenant will require refrigeration/freezing capability and storage use. If so, Project compliance with mitigation measure **MM AQ 14** will ensure that electrical infrastructure will be in place.

As outlined in Section 5.3 of the DEIR, per **MM AQ 14**, (listed below) electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. (DEIR, p. 5.3-37.) Therefore, electrical infrastructure will be in place at the loading docks.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**Recommended Mitigation No. 2.:** Consistent with the advisory recommendations from the California Air Resources Board's Land Use Handbook<sup>[1]</sup> provide minimum buffer zone of 1,000 feet between truck traffic and sensitive receptors if significant health risk impacts are determined by a project specific HRA.

This recommendation suggests providing a minimum buffer zone of 1,000 feet between truck traffic and sensitive receptors if significant health risk impacts are determined by a project specific HRA. According to CARB's *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.) Since the Project involves the construction of a logistics center approximately 100 feet (30 meters) from the nearest sensitive receptor, a more detailed Screening HRA was prepared in 2016 for the Project (included in Appendix B of the DEIR) and a refined HRA was prepared in November 2016 to address the SCAQMD comments ([included as Attachment A.1](#) to the FEIR). The refined HRA is consistent with the requested SCAQMD guidance and methodology. According to both the June Screening HRA and Refined November HRA, none of the cancer or non-cancer thresholds will be exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. (DEIR, p. 5.3-34.)

CARB's guidance, on page 5 of the handbook, acknowledges that the recommendations are in fact advisory, and "to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in." The handbook further goes on to state that "these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists." Therefore, the FEIR and underlying technical study is actually consistent with the CARB handbook. The FEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the FEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity.

As stated previously, the CARB recommends, but does not mandate, that new sensitive land uses should not be placed within 1,000 feet of a distribution center. As discussed in Section 5.10 – Land Use and Planning of the DEIR, the Project is consistent with both the existing land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable City of Riverside General Plan 2025 objectives and policies and the Project's consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

**Recommended Mitigation No. 3:** Limit the daily number of trucks allowed at each facility to levels analyzed in the Final SEIR. If higher daily truck volumes are anticipated

to visit the site, the Lead Agency should commit to reevaluating the project through CEQA prior to allowing this higher activity level.

This recommendation suggests limiting the daily number of trucks allowed at each facility to levels analyzed in the Final EIR. According to Section 5.16 of the DEIR, approximately 917 daily truck trips are anticipated. (DEIR, p. 5.16-28.) It is not feasible to limit the number of trucks allowed at each facility since the Project is a “spec” building and does not have any known tenants. Future tenants are unknown, as are the vendors of future tenants, and it is also unknown if these future tenants would have any control over the number of trucks servicing the businesses.

**Recommended Mitigation No. 4:** Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations.

This recommendation suggests the requirement of at least 5 percent of all vehicle parking spaces (including for trucks) to include EV charging stations, similar to the City of Los Angeles requirements for all new projects. Per **MM AQ 11** (listed below), up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Additionally, per **MM AQ 14** (listed previously) electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. (DEIR, p. 5.3-37) Therefore, electrical infrastructure will be in place at the loading docks and in parking lots.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

The City of Los Angeles and the City of Riverside have differing requirements for new projects based on their respective municipal codes and conditions within the cities. It is not reasonable to assume that the need and conditions requiring 5 percent of all vehicle parking spaces (including for trucks) to include EV charging stations in Los Angeles applies to the City of Riverside. The City of Los Angeles and City of Riverside differ greatly in their parking availability. Additionally, unlike the City of Riverside, the City of Los Angeles does not have the land availability to build a project of this size. Therefore, requiring 5 percent of all vehicle parking spaces (including for trucks) to include EV charging stations is not a feasible mitigation measure.

**Recommended Mitigation No. 5:** Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas or restricted routes.

This last recommendation suggests having truck routes clearly marked with trailblazer signs so trucks will not enter residential areas or restricted routes. The City does not have designated truck routes, and the Project Applicant is not responsible for establishing these routes. Nonetheless, Chapter 10.56 of the Riverside Municipal Code prohibits commercial vehicles

over 10,000 pounds from traveling on Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard, between El Cerrito Drive and University Drive.

The Project has an established connection between the Project site and the freeways in that the Project site is accessed from Sycamore Canyon Boulevard, a 4-lane divided major arterial. Further, the “urban intersect” as described in the Sycamore Canyon Business Park Specific Plan at the Interstate 215 and Eastridge Avenue has since been constructed, allowing for a direct connection to Interstate 215. (DEIR Appendix M, p. M-70.)

Additionally, as discussed in Section 5.16.4 of the DEIR, the Project will limit passenger car and truck egress onto Dan Kipper Drive by posting signs at all Project driveways that state “right-turn only” onto Lance Drive. In addition to signage, traffic delineators (pork chops) will be placed at the all three driveways which will direct only right-turns onto Lance Drive. This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard. (DEIR, p. 5.16-26.)

The City has imposed all feasible mitigation measures that would substantially reduce the proposed Project’s potentially significant impacts. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Response to Comment Letter 37 – Johnson & Sedlack

Note: The two exhibits attached to this letter follow the responses.

37

Johnson & Sedlack  
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*VIA E-MAIL and U.S. MAIL*

October 7, 2016

City of Riverside  
Community & Economic Development Dept., Planning Division  
Attn: Patricia Brenes, Principal Planner  
3900 Main Street, 3<sup>rd</sup> Floor  
Riverside, CA 92522  
Email: pbrenes@riversideca.gov

To the City of Riverside:

On behalf of the Sycamore Highlands Community Action Group, a group of local residents, I submit these comments regarding the Draft Environmental Impact Report (“DEIR”) for the Sycamore Canyon Business Park Buildings 1 and 2 Project (“the Project”).

37-A

The Project proposes the construction of two industrial warehouse buildings within the Sycamore Canyon Business Park: Building 1 will be approximately 1,002,995 square feet in size; Building 2 will be approximately 362,174 square feet in size. Combined, the buildings propose up to 1,355,169 square feet of logistics space, approximately 20,000 square feet of office space, 589 parking stalls and 342 trailer stalls. The Project site is immediately adjacent to existing single-family homes in Riverside’s established Sycamore Highlands community, and it is adjacent to the Sycamore Canyon Wilderness Park, which is also a habitat area under the Western Riverside County Multiple Species Habitat Conservation Plan (“MSHCP”). In fact, the wall of Building 2 will be located 100 feet from the property line of residences to the north of the Project site. As a result of siting a large industrial-type building that will generate substantial truck traffic immediately adjacent to sensitive receptors, residents are deeply concerned that this Project will bring permanent air quality, noise, and other adverse impacts to their community, and that the Project will compound the adverse effects of existing warehouse projects in the immediate area.

Regarding the DEIR, for the reasons set forth below, additional analysis and further mitigation is required in accordance with the California Environmental Quality Act (“CEQA”).

Page 2

### 1) Project Description

CEQA requires that an EIR contain a description of the proposed project, and that the description be accurate and complete. The DEIR fails to accurately and completely define the Project including with respect to Building 2. The Project Objectives state that Building 2 will be for the “operation of a use consistent with those uses permitted in the Business Manufacturing Park Zone.” The DEIR’s Project Description states that Building 2 will be built for “logistics/industrial” use. The lack of certainty as to the intended use or purpose of Building 2 prevents meaningful analysis and evaluation of Project impacts. 37-B

Also, the Project Description and Executive Summary state that 917 daily truck trips are anticipated (p. 3-43, p.1-7). The Project Description and Executive Summary should be revised to include that the *total* number of daily trips is anticipated to be 2,409 (2,686 pce) (DEIR, p. 5.16-27–29). 37-C

### 2) Aesthetic Impacts

The Project site is currently vacant and contains hilly land that is primarily undisturbed. A USGS blue line stream with dense riparian vegetation runs through the central areas of the site. The site is immediately adjacent to the Sycamore Canyon Wilderness Park to the west. The site photos indicate that current views across the Project site from adjacent residences are unobstructed. The Project proposes to cover the site with buildings, parking areas and infrastructure, while reserving a very narrow portion for a biological “Mitigation Area” and a separate area for a public trail/Fire Access area. Contrary to the DEIR’s conclusions, the radical and irreversible changes to the physical landscape due the Project represent significant aesthetic impacts. 37-D

More specifically, Building 1 will be located 256 feet from the Sycamore Canyon Wilderness Park. Despite on-site landscaping, Building 1 will be visible from users of the Wilderness Park (p. 3-35). The impact is also significant because the Wilderness Park is considered one of the City’s “notable scenic vistas.” In total, the Project replaces a vacant and natural area with two large industrial buildings, thus fundamentally altering the visual setting. The DEIR also indicates that Building 1 will be visible from westerly residences (“Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residential area *to the north*” p. 5.1-8 [emphasis added]). There is the claim that views of Building 1 from westerly residences will be “softened” by landscaping but this does not provide assurance that views of Building 1 will be lessened below significance thresholds (*id.*). 37-E

With respect to Building 2, the DEIR describes that the northern *wall* will be located just 100 feet south of the residential lots north of the Project site. The DEIR states there will 37-F

Page 3

be 64 feet of landscaping, a 30-foot wide drive aisle and an additional 6-foot wide landscape area between the drive aisle and the building. Nevertheless, the monolithic, 40-foot wall of Building 2 will be visible from northern residences, thus representing a significant adverse change to the existing visual environment. The rendering of the "North Elevation" (Figure 3-12b) evidences significant visual impacts insofar as the view from northern residences will be of a long, flat, high wall *where none presently exists*. The attached photos (Exhibit "A") show recently constructed warehouses located approximately 100 feet from existing homes. ↑ 37-F

With respect to westerly residences, the DEIR acknowledges that these homes have a "direct view of the Project site from backyards." (Figure 5.1-1) The DEIR speculates that "at maturity" landscaping will block views of Buildings 1 and 2 from westerly homes (pp. 3-35 – 36)<sup>1</sup>. However, given the size of Building 2, this cannot be accurate. At a minimum, impacts are significant in the *short-term* until such time that landscaping reaches maturity. 37-G

The DEIR's visual simulations confirm significant visual impacts. Figures 5.1-2a, - 2b, - 2c show that views of a rolling field are replaced with that of expansive, high wall(s). Also the visual simulations depict mature landscaping, meaning that visual impacts will be much greater unless and until the landscaping reaches maturity (approximately 15 years for many species). Also, while Table 5.1-A refers to a number of cross sections these do not appear in the DEIR (*i.e.*, E-E, F-F, H-H, J-J and K-K). Also, Figures 3-13a and 3-13b are difficult to read, and in fact, it appears the DEIR mistakenly references 3-14a and 3-14b at p. 3-35, when the document intends to refer to Figures 3-13a and 3-13b. 37-H

Furthermore, the extent of Project impacts is not even known at this time. The DEIR notes that landscape plans will have to be *redesigned* to address the fact that trees are proposed within the trail and the Fire Access/Parks Maintenance Road. The DEIR discloses that further changes to Project plans are necessary to address aesthetic impacts insofar as it states that the west elevation of Building 1 "will be readily visible from the residences to the northwest and as such warrants more articulation." (p. 5.1-9) Similarly with respect to Building 2, the EIR states "the north elevation is immediately adjacent to residences to the north needs to be articulated in the same manner as the front elevation." *Id.* All together, there is a need for further analysis and mitigation. 37-I

In fact, proposed mitigation is uncertain and ineffective. MM AES -1 does not mitigate impacts where, logically, an 8-foot tall wall along the Project's northern property line ↓ 37-J

<sup>1</sup> It is difficult from the DEIR to determine from which homes the "views" are supposed to be depicting; it is safe to assume that this was a best case scenario (from a westernmost home on Sutherland Drive) rather than depicting views from a home on the eastern side of Sutherland Drive, since Sutherland drops in elevation from west to east while the warehouse building would retain the same elevation.

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will not shield or even screen the view of Building 2's nearly 40-foot wall(s). MM AES-2 indicates that fencing of some sort may be constructed but this does nothing to minimize views of buildings and largely seems irrelevant. MM AES-3 relates to the developer's option to build a fence along the edge of the trail on the north side of the property, which does nothing to address impacts as to views from neighboring residences. MM AES 4, 5, 6 and 7 represent deferred mitigation and do not appear to be related to addressing the Project's visual impacts relative to adjacent residences. Also, MM AES-7 may affect whether Project landscaping can adequately screen Project buildings. MM AES 9 also represents uncertain and deferred mitigation. Thus, apart from the (ineffective) 8-foot wall, there are no measures designed to lessen impacts to views from northerly and westerly residences. The alleged fact that the wall will create a "better visual appearance" is not adequate mitigation for fundamental changes to the visual landscape.

37-J  
cont'd

Changes to the site's topography are proposed through the Project's grading plan. In westerly areas, the slopes on the Project site are quite steep yet substantial grading is proposed in this area (see Figure 3-9). Impacts due to landform alteration have not been evaluated.

37-K

Finally, lighting should be limited to 1-foot candle unless there is a specific need for more intense lighting, such as security lighting in specific areas. The DEIR states that lighting is limited to a "maximum of ten-foot candles." Also, light poles should be limited to 15 feet.

37-L

### 3) Air Quality Impacts

The Project sites industrial warehouse distribution facilities in close proximity to homes, and in particular Building 2 is within 100 feet of homes. There is no justification for locating a major source of pollution practically in the backyards of residences. It is widely accepted that exposure to significant concentrations of air pollution can cause a host of health problems including respiratory diseases and cancer, and that children are particularly susceptible to the harmful effects of air pollution. This is why the California Air Resources Board's "Air Quality and Land Use Handbook: A Community Health Perspective (2005)" recommends that distribution centers like the proposed Project should not be within 1000 feet of residences. How can this Project be reconciled with the recommendation from the State's authority on air quality? The DEIR lists that one "Project Objective" is to "enable trucks servicing the site to achieve a minimum of two roundtrips per day." Thus it is an actual *objective to maximize* truck trips. Unfortunately, because of the Project's *location*, the community will pay the price for the Project's alleged efficiency.

37-M

Page 5

According to the DEIR, the Project will exceed the threshold for NOx. Specifically, the Project will generate 338 lbs/per day of NOx which is roughly *six times* the SCAQMD threshold of 55 lbs/day. Astoundingly, the DEIR proposes virtually no mitigation aimed at reducing operational air quality impacts relating to diesel emissions, a significant source of NOx. The air quality study (DEIR, Appendix B) confirms that the Project's operational NOx emissions are unchanged between the mitigated and unmitigated scenario. However, since the exposure to diesel can increase the incidence of diseases and deteriorate the quality of life additional mitigation is warranted.

37-N

Additional mitigation would include a lease requirement *requiring* owners/tenants to mandate the use of cleaner trucks by operators. The City as the lead agency for CEQA compliance should investigate such a measure. As written, MM AQ 23 states that if trucks older than 2007 model year will be used that future tenants shall apply in good-faith for funding for diesel truck replacement/retrofit through grant programs. This measure falls well short of guaranteeing that cleaner trucks will be used. Moreover, because the Project will involve the operation of drayage trucks (*i.e.*, trucks transporting goods to or from the Ports of Los Angeles and Long Beach), MM AQ 23 may be largely irrelevant<sup>2</sup>. Feasible mitigation would include *requiring* that (a) all trucks accessing the Project must meet *2010 standards or better at opening*; or (b) if the above mitigation is not fully feasible, the tenant(s) shall be required to phase-in trucks beginning with 30% 2010 standards or better at opening and continually improving, to introduce newer trucks *faster than regulatory standards*. 2010 truck models reduce NOx emissions to a greater extent than even the 2007 models.<sup>3</sup> Requiring the use of 2010 model engines is consistent with regulations aimed at drayage trucks and therefore should be a feasible mitigation measure.<sup>4</sup>

37-O

Other feasible mitigation includes revising MM AQ 7 to require the *use* of solar energy not merely providing "solar ready" roofs. MM AQ 14 should be revised to require that the electrical hookups shall be used - not merely that they be provided. Additional mitigation would also include establishing and enforcing a specified truck route as part of the CEQA mitigation program, in order to ensure that diesel trucks are not using residential streets. Traffic patterns modeled do not match the neighborhood's experience for truck travel. The DEIR claims that trucks will follow a truck route to the south of the facility to access the I-215 interchange, *to then travel north*. Common sense and the personal observation of residents is that trucks will actually bypass the interchange. ✓

37-P

<sup>2</sup> <https://www.arb.ca.gov/msprog/onroad/porttruck/regfactsheet.pdf> (This hyperlink and all hyperlinks in this letter are incorporated herein by reference.)

<sup>3</sup> Under the Environmental Protection Agency's 2007/2010 heavy-duty engine and highway diesel fuel sulfur control requirements, beginning with the 2007 model year, 100 percent of the new on-road diesel trucks were required to meet the near zero particulate emissions standards and 50 percent were required to meet the lower NOx exhaust standards. Beginning with the 2010 model year, 100 percent of the new on-road heavy-duty diesel engines were required to meet the NOx exhaust standards.

<sup>4</sup> <https://www.arb.ca.gov/msprog/onrdiesel/documents/multirule.pdf>

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taking the shortest route to I-215 by heading north instead of south out of the Project site. Residents already observe major truck traffic on streets to the north of the Project site, and they expect truck traffic to increase with the proposed Project.

↑ 37-P  
cont'd

The air quality analysis has flaws as well.

37-Q

First, air quality modeling assumes clean fleets coming to the warehouse over the next few years. A short-term analysis should be performed for *short-term* exposure (*i.e.*, high emitting trucks that are 10 years old prior to significant NOx controls). In other words, the analysis should assume that pre-2007 vehicles will access the facility; in fact, the mitigation program assumes this is the case.

Second, the analysis does not account for the “canyon” or hillside effect created by having emission sources immediately below the elevation of homes. This can have a major effect on the accurate estimation of emission impacts and health effects.

37-R

Third, the analysis must accurately account for all development within the Sycamore Canyon Business Park, the currently operating facilities and future anticipated facilities. The DEIR’s assumption is that the totality of development will cause significant impacts. The EIR must provide more concrete information as to cumulative air quality effects.

37-S

Fourth, the DEIR states that the grading plan has been “designed so that all earthwork will be balanced” on-site (p. 3-36). The air quality study (DEIR, Appendix B) assumes *zero* haul trips. Therefore, the Project must be conditioned to prohibit import or export of soils. Additionally, the air quality study (Appendix B) assumes that the warehouse uses will be non-refrigerated. As such the Project must be conditioned to restrict use to non-cold storage operations. The South Coast AQMD has found that the typical approach to calculating truck traffic at warehouse projects usually underestimates the actual amount of traffic generated, because the typical approach assumes that the warehouses will store non-refrigerated goods.

37-T

Fifth, the air quality study (Appendix B) is confusing to the reader, specifically regarding “trip type information.” For instance, Section 4.3 assumes 16.60 “miles” for “H-W” or “C-W” and states that the associated “trip %” is 61.93 for unrefrigerated uses. It is difficult to understand this information. Again for instance, the analysis indicates that 76.30 miles are assumed for the “H-O” and “C-NW” categories and that these comprise 38.07% of Project-related trips. Is this realistic or appropriate?<sup>5</sup> The DEIR’s air quality section states that, “CalEEMod truck trip length defaults were increased and it was conservatively assumed that all truck trips are traveling to and from the ports of Los Angeles and Long Beach” (p. 5.3-26). But there is no citation for this information. And, do the air quality study’s inputs reflect that truck trips to and from the Ports of Los

37-U  
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<sup>5</sup> See, <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>

Page 7

Angeles and Long Beach are the majority (or all) of the truck trips and that the miles traveled is roughly 70-80 miles to/from the Ports? In other words are the trip types and corresponding percentage of Project trips accurate or realistic in view of this Project as an industrial warehouse distribution center which will service the Ports? Without more information or certainty in this area, the DEIR does not serve its informational purpose.

37-U  
cont'd

Also, the conclusions regarding mobile emissions are based on the traffic study (Appendix J). This, too, is confusing to the reader. The DEIR, Table 5.26-F, breaks down the Project's trip generation rates and includes a certain "fleet mix", namely the analysis assumes a certain percentage of (a) passenger cars; (b) 2 axle trucks; (c) 3 axle trucks; and (d) 4 axle trucks. Is this fleet mix accurate in view of the Project's purpose as a logistics center where (heavy duty) trucks will primary travel to and from the Ports? Appendix J, Table 4-1 also breaks down the trip-generation rate by fleet mix. It notes that the "split" is from the 2003 City of Fontana *Truck Trip Generation Study*. This study has "limited applicability" according to the South Coast AQMD. (Exhibit "B" hereto.) The AQMD found that the "Fontana Study, by itself, is not characteristic of high cube warehouses." (*Id.*)

37-V

Finally, it does not appear that NO2 exposures were evaluated for vehicles in close proximity to receptors. Exposure to NO2 causes acute health impacts.

37-W

#### 4) Biological Impacts

The DEIR finds that biological impacts are potentially significant with respect to the fact that the Project will eliminate the existing blue line stream and associated 1.91-acre riparian area that traverses the Project site. The riparian area is not only habitat for several plant species but also the area provides drainage benefits for the adjacent Sycamore Canyon Wilderness Park, which is also a MSHCP Conservation Area. As mitigation, the Project proposes the establishment of a 2.96-acre Mitigation Area along the western edge of the Project site adjacent to the Sycamore Canyon Wilderness Park "to replace the existing blueline stream that runs diagonally across the property from northwest to southeast." The DEIR states that the Mitigation Area will be planted with native riparian and riparian scrub habitat and will meander like a naturally occurring drainage. The Mitigation Area will vary from 52 to 72 feet wide with a length of 2008 linear feet, totaling 2.96 acres. It will contain a 10-25 foot wide low-flow drainage feature.

37-X

First with respect to the Mitigation Area, the DEIR represents that the Mitigation Area has been determined to be superior to the existing riparian area as described in the applicant's Determination of Biologically Equivalent or Superior Preservation ("DBESP"). In support, the DEIR apparently relies on the response by the Wildlife Agencies/California Department of Fish & Wildlife to the DBESP. The Wildlife Agencies' letter response does not appear with the DEIR. To the extent that the DBESP

37-Y

Page 8

has not been “determined” by the resource agencies to be “superior,” biological impacts remain potentially significant.

↑ 37-Y  
cont'd

Second, the Project’s landscape area, which is meant to screen Buildings 1 and 2 from the Sycamore Canyon Park as well as westerly residences, “doubles” as the Mitigation Area. Is landscaping that is intended to minimize noise, lighting, and visual impacts consistent with the purposes and nature of the replacement riparian area? And, functionally, can the area be *both* a Mitigation Area and a landscape area? That is, are the species needed for biological mitigation consistent with those needed to address views? Also, as designed, the Project involves a wall of truck docks along the westerly side of Building 1 directly adjacent to the Mitigation Area. How does the Mitigation Area itself function when it is in close proximity to areas where substantial noise, nighttime lighting and human activity will be present 24 hours per day seven days a week? Can the Mitigation Area adequately function to provide habitat for plant and animal species as well as maintain its riparian drainage functions when it will be continually subjected to the lighting, noise and human activity of the Project? The present, on-site riparian area is physically separated from such intrusions. Moreover, due to the intervening proposed fence, the Mitigation Area is “cut-off” from the adjacent Sycamore Canyon Wilderness Park.

37-Z

Third, the “edge effects” associated with the Project have not been adequately considered or mitigated. There is only 50 feet between the truck yard and Sycamore Canyon Wilderness Park. The Park is also a Western Riverside County MSHCP conservation area. For instance, the noise study discloses that Project noise impacts to the Wilderness Park will be significant in that Project noise as to the Park will be increased by 10 dBA, which is considered a “substantial increase,” and, therefore, significant. (Table 5.12-J) And this noise exposure may compromise the Park’s integrity for species and users. The proposed “open” wall on the western side of the building adjacent to the Wilderness Park will likely not alleviate the significant noise impacts.

37-AA

Next, the Mitigation Area represents uncertain or deferred mitigation in the following respects:

37-BB

First, the DEIR asserts that a Habitat Management Plan (HMMP) “will be prepared by the applicant” to ensure the long-term success of the Mitigation Area, and that the HMMP will be submitted to the resource agencies for review prior to ground disturbance. This constitutes uncertain mitigation because there is no guarantee that the HMMP will be approved, despite the fact that certain criteria are set forth. Furthermore, why cannot the HMMP be prepared and circulated to the resource agencies concurrently with the preparation and circulation of the DEIR? This would enable the public to review and comment on it. Additionally, MM BIO 3 states that the Mitigation Area shall be monitored by a qualified biologist for a minimum of five (5) years and monitoring reports shall be provided to resource agencies and the City, but there is no *action* required on the basis of the reports. That is, if a report indicates that the Mitigation Area is not

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functioning as intended, there is no action-forcing mechanism to ensure that the issue is remedied.

↑ 37-BB

Second, the DEIR repeatedly asserts that the “Conservation Area will be managed in perpetuity by a non-wasting endowment and protected from future development by a conservation easement.” The DBESP (May 2016) repeats this statement (p. 5-7). But this is misleading where MM BIO 4 does not require or even propose any funding for the “approved mitigation entity” in order to manage or monitor the Mitigation Area.

37-CC

### 5) Land Use Impacts and Inconsistency

The Project requires a Minor Conditional Use Permit (“MCUP”) because it proposes industrial warehouse distribution buildings greater than 400,000 square feet. Thus, the Project is not an *outright* permitted use in the underlying zone. In order to approve a MCUP, the City must make certain findings.<sup>6</sup> These findings cannot be made, where, among other things, the Project is demonstrably not “compatible with other uses in the area,” to wit, the immediately adjacent residential properties.

37-DD

Additionally, the Project has significant CEQA land use impacts. First, the Project conflicts with a number of City of Riverside General Plan policies that are described in Appendix M, including but not limited to: LU-7.1, LU-7.1 and 7.2, LU-9.7, LU-79.2, LU-80.3, CCM-12.1, CCM-12.2, CCM 12.4, OS-5.4, OS-6.3, OS-6.4, N-1.2, N-1.3, AQ-1.3, AQ-3.7. Many of these conflicts could be avoided by the adoption of a Project alternative that moves development away from northerly and westerly residences. The fact that the applicants(s) desire a particular development(s) does not justify the significant impacts stemming from incompatible uses. For instance, Policy LU-80.3 states that the City shall “**minimize any adverse land use conflicts between industrial uses and the residential and open space properties that abut specific plan areas.**” Other specific policies are discussed below.

37-EE  
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<sup>6</sup> City of Riverside, Municipal Code, Title 19, Section 19.730.040 “Required Findings” states, “The Development Review Committee may grant a minor conditional use permit, in whole or in part, and including appropriate conditions of approval if, from the facts available in the application and determined by investigation, all of the following written findings can be made: (1) The proposed use is **substantially compatible with other uses in the area**, including factors relating to the nature of its **location, operation, building design, site design, traffic characteristics and environmental impacts.** (2) The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area. (3) The proposed use will be consistent with the purposes of the Zoning Code. (4) The proposed use is in conformance with specific site location, development and operation standards as may be established in the Zoning Code for the particular use.” (emphasis added)

- LU-7.1 and LU-7.2. Are noise levels (+10 db) in MSHCP areas acceptable and therefore “consistent” as stated in DEIR Appendix M? MSHCP section 6.1.4 states, “Proposed noise generating land uses affecting the MSHCP Conservation Area shall incorporate setbacks, berms or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations and guidelines related to land use noise standards. For planning purposes, wildlife within the MSHCP Conservation Area should not be subject to noise that would exceed residential noise standards.”

↑ 37-EE  
cont'd

- LU-9.7. “Protect residentially designated areas from encroachment of incompatible land-uses....” The DEIR claims this is consistent, yet building mega-warehouses within 100 feet of residential areas is clearly incompatible due to noise, traffic, air quality, and aesthetics. Riverside Good Neighbor Policies (City of Riverside, City of Riverside Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities, October 14, 2008 <sup>7</sup> and the California Air Resource Board’s “Air Quality and Land Use Handbook: A Community Health Perspective,” April 2005 designate distribution centers of this size as incompatible with residential neighborhoods. The logic provided in DEIR is that mitigation is being used; however, MM-NOI 16 is not reasonable because it places the mitigation burden on homeowners, yet is required for the industrial project to be compatible in such close proximity to the residential neighborhood.

37-FF

- LU-30.3. “Ensure that the distinct character of each of Riverside’s neighborhoods is respected and reflected in all new development, especially infill development”. This is infill development and the presence of such large buildings in close proximity to residential neighborhoods destroys the aesthetics of the neighborhood as witnessed with the CP buildings directly to the east of the currently proposed project. Further, high sound walls at the property line will unduly enclose the residential neighborhood (the height of the wall exceeds that typically allowed in residential areas). Finally, the addition of noise to neighborhood, especially at nighttime, will destroy the livability of the area and its distinct character.

37-GG

- LU-79.2. Impacts of noise will be significant based on MSCHP section 6.1.4. Noise is already higher than residential nighttime standards and +10 db expected based on noise modeling.

37-HH

- LU-80.3. “Minimize any adverse land use conflicts between industrial uses and the residential and open space properties that abut specific plan areas.” The Project

37-II  
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<sup>7</sup> <https://www.riversideca.gov/planning/pdf/good-neighbor-guidelines.pdf>, accessed October 23, 2015

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is not consistent. The analysis only discusses abutment of northern residences and ignores residences to the west of the property, which are the ones most impacted by noise. Further, claims consistency with MSCHP section 6.1.4 are false.

37-II

- LU-80.6. "Promote the development of Sycamore Canyon to achieve economic success defined by a diverse and compatible industrial base that provides economic opportunities for all its citizens. The City preferred outcome is to promote light industrial/flex space to maximize employment opportunities and utilization of the limited land supply. To achieve this goal, the City must first overcome complex infrastructure issues that limit development in the area. *Large "big box" distribution or warehouse facilities will be necessary on a limited basis* to create the critical mass required to solve some of these infrastructure issues." There are numerous (nearly entirety of build-out), not limited, "Large "big box" distribution or warehouse facilities" already built in Sycamore Canyon Business Park. Addition of yet another such facility is not consistent with "limited basis".

37-JJ

- CCM-2.2-2.4. The DEIR states, "[t]he majority of passenger cars and truck traffic is expected to use Sierra Ridge Drive to Sycamore Canyon Drive to Eastridge Avenue which will provide on/off-ramp access to I-215." This is not consistent with expectations of residences based on observed behaviors. For access to I-215 North, travel on Sycamore Canyon Drive in the opposite direction to Fair Isle is expected as it is shorter, takes less time, and allows the cars and trucks to bypass congested interchange.

37-KK

- CCM-2.7-2.8. There is no mention or evaluation of the likely left turn onto Sycamore Canyon heading toward Fair Isle. Heavy truck traffic already impacts this roadway from build-out of warehouses further away.

37-LL

CCM-12.2. The neighborhood and public streets are already experiencing heavy parking on public streets. Therefore, simply stating that it is not permitted means very little. It is reasonable to expect trucks accessing this new facility will act like other trucks accessing the Sycamore Canyon Business Park – which to mean that they will park (and idle) on public streets.

37-MM

- CCM-12.4. It is unreasonable to expect that trucks leaving this facility will make right turns on Sycamore Canyon to enter I-215 at Eastridge, as left turns on Sycamore Canyon will take trucks to the Fair Isle onramp to enter I-215, allowing trucks to not backtrack and also bypass major congested intersection.

37-NN

- OS-6.4. "Continue with efforts to establish a wildlife movement corridor between Sycamore Canyon Wilderness Park and the Box Springs Mountain Regional Park as shown on the MSHCP. New developments in this area shall be

37-OO

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conditioned to provide for the corridor and Caltrans shall be encouraged to provide an underpass at the 60/215 Freeway.” This Project further impedes the establishment of a wildlife movement corridor between the Parks. ↑ 37-OO cont'd

- N-1.1 “Continue to enforce noise abatement and control measures particularly within residential neighborhoods.” However, this is only arguably possible with implementation of Mitigation Measure (MM) NOI-16, which is highly impracticable and unreasonable. *Without* MM NOI-16, significant noise impacts are expected (though they have not measured, as discussed further below). 37-PP

- N-1.2. “Require the inclusion of noise-reducing design features in development consistent with standards in Figure N-10 (Noise/Land Use Compatibility Criteria), Title 24 California Code of Regulations and Title 7 of the Municipal Code.” MM-AES-1 requires the building of a very high boundary wall (8 foot) typically not allowed in residential areas due to aesthetics. Noise/Land use compatibility criteria may not be met once CNEL estimates are provided without reference to MM NOI-16. 37-QQ

- N-1.3. “Enforce the City of Riverside Noise Control Code to ensure that stationary noise and noise emanating from construction activities, private developments/residences and special events are minimized.” For impacts to be “consistent”, MM NOI-16 is required, which does not appear to be reasonable given impacts to property. 37-RR

- N-1.4. “Incorporate noise considerations into the site plan review process, particularly with regard to parking and loading areas, ingress/egress points and refuse collection areas.” The residential neighborhood to the west is not properly considered unless unreasonable MM NOI-16 is implemented. 37-SS

- N-1.5. “Avoid locating noise sensitive land uses in existing and anticipated noise-impacted areas.” However, there are already sensitive land-uses (residential) areas adjacent to the Project and these areas are already noise-impacted. The addition of significant noise (unless unreasonable MM NOI-16 is employed) is projected. 37-TT

- N-1.8. “Continue to consider noise concerns in evaluating all proposed development decisions and roadway projects.” The DEIR states that MM NOI-16 will be implemented to achieve this, yet there is no guarantee that homeowners will allow for such intrusive measures to be placed on their private properties. Therefore, operational noises expected to be significant. 37-UU

Second, the DEIR does not demonstrate conformance with the City of Riverside’s “*Good Neighbor Guidelines for Siting New and/or Modified Warehouse Distribution Facilities.*” ↓ 37-VV

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The Good Neighbor Guidelines apply to any industrial-type building which is over 400,000 square feet. The Project does not conform to even Goal 1, which states, “Minimize exposure to diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center” (emphasis added). The Project will generate significant and unmitigated levels of NOx emissions. Where impacts are *significant*, and given the proximity of the Project site to existing homes, the Project is not in conformance with Goal 1. Other Goals are not met such as Goal 2a, which is to “require warehouse/distribution centers to establish a specific truck route between the warehouse/distribution center and the SR-60 and I-215 freeways.” The Project allegedly contains design controls to direct trucks to streets away from residences; but there is nothing prescribing or requiring the use of a particular truck route. And, as discussed below, residents believe it is likely that trucks will utilize residential streets for access to I-215 North. The DEIR’s discussion also ignores the proximity of the Sycamore Canyon Wilderness Park which is arguably covered by the guidelines as a “public place[] where residents are most likely to spend time.” Building 1 sites more than 70 loading docks within 250 feet of the Wilderness Park. The noise and light from the truck docks will impact the users of the Park.

37-VV

Third, the Project has significant land use impacts due to the Project’s proposed grading exceptions and variance. While the DEIR asserts that three grading exceptions “are needed to implement the Project’s proposed grading plan,” the Project deviates from the Hillside/Arroyo grading standards, which represents a conflict with an adopted land use plan – the City’s Municipal Code, Title 17. Likewise, the variance related to parking standards represents a conflict with an adopted land use plan, the City’s Zoning Code, Title 19. The variance will allow a substantial reduction in on-site parking, presumably because of the proposed use and building(s) size. The result of the variance from the Zoning Code is larger buildings with more truck loading docks, and accordingly greater CEQA impacts.

37-WW

Finally, the Project may conflict with MSHCP Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools) because it is not shown that the Mitigation Area is an adequate substitute for the existing riparian area.

37-XX

#### 6) Noise Impacts

The noise analysis is flawed and further analysis and mitigation is required for at least the following reasons.

37-YY

The noise measurement locations are not adequate to fully assess Project impacts (Figure 5.12-1). In fact, significant concerns arise about the location of the two sound measurement sites. The increase in noise (especially at nighttime) from the Sycamore Canyon Business Park can be best understood by walking down the northwestern/western property lines in a southerly direction. However, the sound receptors were placed in the

Page 14

most northerly location of the Project property. ST1 and ST2 are not near the site for the anticipated greatest impacts for noise and are therefore not representative of actual noise impacts. Indeed the greatest Project impacts are shown at westerly residences, but these sites were not modeled for existing noise levels. Further, sound impacts as modeled are expected to be largest at the northern locations (Bannoch and further North Cannich residences) yet these locations were not evaluated for impacts.

↑ 37-YY  
cont'd

The noise study must also be expanded. The DEIR states that short-term monitoring consisted of *three, 10-minute* ambient noise measurements while long-term monitoring consisted of *two, 24-hour* periods. Also, long-term monitoring was conducted on December 29 and 30, thus over winter holidays, which is not representative of actual noise conditions when surrounding industrial operations are at their peak. Two days in December cannot possibly account for typical measurements given variability in noise transmission. Why are the worst case scenarios not accounted for in this study as opposed to a single day (*i.e.*, longer term noise analysis is needed, especially at most relevant locations)?

37-ZZ

In order to fully disclose Project impacts, the noise analysis should be conducted without reference to MM AES-1—the eight-foot wall.

37-AAA

The analysis does not appear to account for the amphitheater effect that should be anticipated by building the proposed distribution center below the neighborhood. It is not reasonable to assume the *standard 6 dbA* decrease per doubling of distance for noise is realistic for this Project, when noise will emanate between two large concrete walls and subsequently travel up an amphitheater-like area. The DEIR needs to more robustly account for the acoustics of the actual geography of this area.

37-BBB

The DEIR states that impacts are significant at nighttime as to receptor Nos. 3 and 4 as shown on Figure 5.12-5. However, it appears that receptor 5 may also exceed the 45 dBA nighttime threshold. And at least two other receptors appear to be *at* the 45 dBA nighttime threshold based on Figure 5.12-5.

37-CCC

Figure 5.12-9 refers to “Leq” noise levels but p. 5.12-34 refers to measurement of “Lmax.” Are these the same noise standards? That is, Figure 5.12-5 states that it depicts “Operational Noise Levels [Leq] No Mitigation” and it contains certain noise conclusions; yet Figure 5.12-8 “Dock Areas Operational Noise Levels [Leq] With No Mitigation” also purports to depict Leq from operational activities. Can these figures be reconciled? Figure 5.12-8 shows much louder noise conditions with the Project. In this regard also, do the operational conditions which are reflected in Figure 5.12-5 reflect “dock activities”? Residents expect loading dock activities to be very loud and disruptive.

37-DDD

Shockingly, the DEIR proposes that individual homeowners mitigate the impacts of the Project by allowing the installation of a 10-foot wall *in their backyards*, thereby reducing

37-EEE  
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the size of and fundamentally altering their properties *in order to accommodate the Project*. (MM NOI 16) The Project's applicant— not individual homeowners – should be required to adopt all feasible mitigation *and evaluate alternatives* to the Project which lessen significant noise impacts below significance thresholds. Putting the burden on homeowners is completely unacceptable. Also, the construction of the block wall itself will create impacts that must be evaluated. The DEIR notes there are steep slopes along the northern boundary of the Project site, adjacent to the residential area. Placing a 10-foot wall at the top of the slope will obscure the views from homes of the Box Spring Mountains, Sycamore Canyon Wilderness Park, and Moreno Valley. The Riverside Municipal Code restricts boundary walls to six feet in residential areas. The 10-foot noise wall is not mentioned in the DEIR's aesthetics section yet it has the potential for significant aesthetic impacts due to view obstruction.

↑ 37-EEE

The need for accurate noise assessment is particularly alarming given the alleged 360-foot mitigation setback for use of loading docks between the hours of 11 pm and 7 am. The model must account for the real decrease of noise that will occur within the tunnel created by being between two very large building walls. Therefore, it would seem more reasonable to model the source as a line source, as the soundwave energy will only dissipate between the two large building walls, by assuming the noise will travel parallel to the walls directly toward the homes to the northwest/western property line, similar to the expected perpendicular propagation of energy from a line source. Given that the drop-off in noise is logarithmic as stated in the DEIR, and a line source has a 3 dBA versus 6 dBA decrease per doubling of distance, this appears to have a monumental impact of noise impacts at the residential property line and nearest residences. Therefore, the decrease modeled by the 360-foot mitigation far underestimates the real distance necessary to mitigate noise.

37-FFF

Noise modeling should also look at maximum noise expected from the proposed development. This is expected to be between the residences and their property line (on the line, the model shows benefit of wall, but what about a short distance from the wall above the height of the wall (remember, there is a slope in the yard). Impacts at the residential (property) line as city noise ordinances/violations are measured at the property line (Title 7 of Riverside Municipal Code). Using DEIR statements of 6 dBA decrease per doubling of distance, the residential property line should be at least 6 dBA higher. Noise model should include worst-case scenario of back-up beepers as vehicles from outside the facility will likely have no "noise mitigation" ambient sensors installed.

37-GGG

Following basic engineering scaling analysis provided in the DEIR of reductions of 6 dBA per doubling of distances, it seems reasonable to assume that a development that is 9 times closer than a project that had significant impacts on residences (the Big 5 distribution center) should have far greater impacts at the property lines and at the residences. Even taking an extremely conservative estimate of 5 times closer, the loudness of this proposed development should be  $2^5$  or at least 32 times louder. Or, using rough engineering estimates of 10 dB reduction of sound via the distribution sound wall,

37-HHH  
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the expected increase should be on the order of 5\*6dBA – 10 dBA, or approximately 20 dBA. For an area already above Riverside Municipal Code levels of 45 dBA nighttime noise, as measured in the likely quietest location of the neighborhood, this means that the impacts should be far greater than stated in the noise analysis.

↑ 37-HHH

The description of background does not fairly represent the short-term noises of even existing noises. These include the loud “beeping”, crashes and bangs associated with loading and unloading, hitching and unhitching, and short-term noises associated with the vehicles (e.g., horns). These are the loud, very brief sounds that are associated with sudden waking/sleep disturbance and prevention of sleep as opposed to the general, loud, white noise from other operations that is represented by “average” noise measurements. The statement that the noise associated with the operations of the proposed site will not interfere with sleep is fallacious when existing noise already interferes with sleep. The noise analysis appears to assume that single-event noise activities will exist in isolation and does not consider that, for instance, multiple back-up beepers will be used at the same time. At the least the disruption factor is very high when there are multiple trucks moving around the site at the same time and multiple loading and unloading activities occurring simultaneously. Also, what noise impacts do “cross docking” activities have relative to Building 1? Are these activities appropriately modeled?

37-III

With respect to Threshold C, the DEIR states the impact is considered significant if the noise increase is considered “substantial”, which is defined as “a clearly perceptible increase (+5 dB) in noise of exposure of sensitive receptors” (p. 5.12-38). First, impacts are significant as to the Sycamore Canyon Wilderness Park, where the Project results in a 10 dBA noise level increase (Table 5.12-J). Second, the Project skews the analysis and masks impacts by measuring Project noise levels on other receptors *with mitigation* (Table 5.12-J). Table 5.12-J must be revised to include noise levels without mitigation, particularly as “with mitigation” presumably refers to the construction of the 10-foot wall, which the DEIR acknowledges elsewhere is entirely dependent on whether homeowners would permit the construction of such a wall. When compared with *non-mitigated* Project impacts (which is a reasonable assumption), the “difference” in dBA between the Project and existing conditions may be a “substantial increase.” At the least, *both* unmitigated and non-mitigated conditions must be disclosed. Also, the existing CNEL of 60 CNEL dBA and 52 CNEL dBA (Table 5.12-J) are not adequately explained so it is difficult to assess the Project’s contribution to noise conditions. That is, Table 5.12-J refers in a footnote to Table 5.12-C, but Table 5.12-C and the supporting discussion do not explain how the 60 CNEL dBA and 52 CNEL dBA levels were determined.

37-JJJ

Impacts are also significant as to roadway noise as to Dan Kipper Drive west of Sycamore Canyon Boulevard. The DEIR states there will be an approximate 7.2 dBA increase in noise along this segment. The DEIR dismisses this impact because noise

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levels will not exceed the 70 dBA GP 2025 “Normally Acceptable” compatibility criteria for Industrial and Manufacturing land uses. However, impacts are significant per the adopted threshold of significance (Threshold C).

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The noise impact of the proposed distribution center is performed piecemeal and does not take into account the total impacts of the developments within the Sycamore Canyon Business Park. A significant amount of development has occurred within the Sycamore Canyon Business Park, which should be expected to further increase noises within the residential zones. By looking at the Project in isolation with respect to noise the DEIR fails to acknowledge and properly account for additional cumulative noise impacts. Residents have noted significant and measurable impacts from the nearby Big 5 distribution center and the Krogers and Pepsi distribution centers. Residents have experienced substantial increases in noise levels (loading/unloading of trucks, truck noise, backup beeper noise) in the last couple of years, especially at night, as activities in area have increased. Further, the build-out and full operational capacity of Sycamore Canyon Business Park is not complete. Further noise impacts should be anticipated as the recent build-out comes to full operation conditions. Indeed where existing noise conditions exceed applicable thresholds (Table 5.12-C), the impact of the Project in combination with these cumulative projects/conditions must be deemed a *significant* cumulative impact.

37-LLL

In addition, noise mitigation is ineffective and impermissibly vague. MM NOI-1 is vague to the extent that the word “equipment” is not defined. Does “equipment” include the heavy duty trucks that visit the site? It must be assumed that only on-site equipment will be equipped with the particular sound-reducing measures. As to MM NOI-15, the DEIR does not contain evidence to show that the 360-foot separation is sufficient to reduce impacts to less-than-significant levels. Figure 5.12-8 indicates significant impacts without mitigation. MM NOI-15 also states that nighttime “use” shall be restricted between the hours of 10 p.m. to 7:00 a.m. “for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on Figure 5.12-6.” Thus, NOI 15 refers the reader to Figure 5.12-6 of the DEIR, which is not included within the mitigation program. Figure 5.12-6 indicates a “restricted area” in red, and presumably this is the area to which NOI-15 refers. Even so, there is nothing in the mitigation program explaining the location of the “restricted area.” At the very least, further description of the restricted area within the mitigation program is required.

37-MMM

### 7) Transportation Impacts

The DEIR does not accurately reflect truck travel already occurring in the area using Sycamore Canyon to Fair Aisle. The DEIR states that the design of the streets will have large trucks exiting at a light at Sierra Ridge; however, mitigation strategies do not really prevent left turns onto Sycamore Canyon with access at Fair Aisle. Trucks planning to

37-NNN  
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go north cannot be reasonably anticipated to turn right on Sycamore Canyon to enter I-215 at Eastridge. The current analysis assumes only 5% of truck traffic will turn left onto Sycamore Canyon to enter the I-215 at Fair Isle. Why is this assumption made when it is a shorter distance to enter I-215 North/60 West from Fair Isle, which also lets trucks avoid the largely impacted interchange located between Eastridge and Fair Isle? It is the experience of the homeowners that vehicles originating from locations from Eastridge do enjoy the shortcut, impacting the Fair Isle intersection (and even the Central Intersection) with Sycamore Canyon Blvd. Without far greater mitigation, it is unreasonable to expect that drivers will take the long (distance and time) route to Eastridge and head through a freeway interchange rather than bypass the interchange and access at Fair Isle when heading north back toward the Los Angeles and Long Beach Port areas. More appropriately estimating the likely truck traffic will then show even greater impacts than stated and may further influence noise and air quality impacts.

37-NNN  
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### 8) Project Alternatives

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the proposed project that are designed to meet basic project objectives and lessen significant project impacts. (State CEQA Guidelines, § 15126.6.) The DEIR fails this mandate.

37-000

First, the "Project Objectives" are tailored in such a manner to prohibit the meaningful consideration of true alternatives to the proposed Project. Virtually all of the Project Objectives relate to the development of a "logistics center," meaning that no alternative to the proposed *use* would satisfy the Project Objectives. CEQA mandates an impartial review of Project alternatives, and the Project Objectives cannot be designed in such a way as to make the proposed Project the only viable option. In fact, there are a number of uses (smaller and less intense) which are consistent with underlying zoning and land use designations which should be evaluated as Project alternatives. For example, a business office use is an allowable use within the Sycamore Canyon Business Park Specific Plan. Besides reducing significant Project impacts, this type of development could provide more high quality jobs for the surrounding community and be more consistent with "smart growth" principles.

Also, CEQA dictates that alternatives must be evaluated which are designed to minimize the Project's environmental impacts, regardless of the desire of the applicant to develop its property to obtain a certain financial return. An alternative that eliminates or vastly reduces the size of Building 2 would eliminate many of the adverse effects of the proposed Project. This should be considered irrespective of the applicant's interests in a particular use for the site. Moreover, here, the alternatives analysis is complicated by the fact that the "Project site" is owned by two unrelated owners, meaning that *each* owner wants to maximize their respective property's value. This fact undermines the purpose of the alternatives analysis which to *meaningfully* explore options to the Project which reduce impacts. Also, as mentioned, the analysis of alternatives is based on the fact that

37-PPP

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the applicant(s) desire a “logistics center.” Yet currently the site consists of 17 existing parcels (the Project includes a request for a tentative parcel map to combine these parcels to two parcels and three lettered lots). Thus, the Project *could* be developed with other types of uses, consistent with applicable land use designations and zoning. In other words, the site need not necessarily be developed with two enormous industrial warehouse buildings on just two parcels. In fact, the need for this Project is questionable when over 20 million square feet of major distribution centers have been recently built in the nearby area. The DEIR notes that “there is a high availability of buildings in the 700,000 SF and 300,000 SF range” (p. 8-32). Thus there is no demonstrated need for the Project - particularly Building 2 which is in the 300,000-400,000 square foot range.

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Alternative 2 - “the Specific Plan Build Alternative” - assumes a manufacturing use which is an allowable use under the Sycamore Canyon Business Park Specific Plan. While Alternative 2 represents a different use for the site, Alternative 2 would develop the site with 1.3 million square feet of manufacturing uses and cover the site much like the Project. There is no rendering of Alternative 2, or descriptive information as to how Alternative 2 would compare to the Project in terms of building site design, but the DEIR indicates that Alternative 2’s building footprint would be the same or similar to the Project, and it is noted that the Project site would be developed with two manufacturing buildings and supporting infrastructure. Thus, Alternative 2 would be similar to the Project in terms of site coverage and building footprint. Also, Alternative 2 would result in a more than *doubling* of the total vehicle trips per day including a massive increase in the number of trucks. Clearly this alternative is not designed to reduce or eliminate significant project impacts – namely NOx impacts. Moreover, the DEIR states that Alternative 2 would fail to meet Project Objectives, which are largely to develop a “logistics center,” thus meaning that Alternative 2 is not designed to meet even “basic” Project objectives as required by CEQA.

37-QQQ

Alternative 3 - “the Reduced Density Alternative” – also fails CEQA’s requirements for analysis of Project alternatives where it fails to meet basic Project objectives. The DEIR finds that Alternative 3 is not consistent with the majority of Project Objectives because the DEIR states that *any* logistics center must be greater than 1 million square feet to be marketable (p. 8-31 – 32). (This claim undercuts the viability of Building 2 as a separate “logistics center” when that building is far less than one million square feet.) Again, an alternative must be evaluated which eliminates or greatly reduces the size of Building 2. Such an alternative would presumably meet basic Project Objectives, which are to develop a logistics center. And again, alternatives should be evaluated which develop *less intensive* uses for the Project site, such as a business and professional office park.

37-RRR

Finally, the DEIR rejects Alternative 3 as “infeasible.” It is the job of the lead agency to independently review the EIR and to make conclusions as to the infeasibility of Project alternatives and mitigation measures. (State CEQA Guidelines, § 15091 (a)(3), (b).) It is

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not the role of the applicant (and/or its consultant) to declare that an alternative is infeasible within the meaning of CEQA.

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### 9) Cumulative Impacts

The Project's cumulative impacts on sensitive receptors have not been reasonably estimated but rather the analysis takes a piecemeal approach (this single Project only raises impacts below threshold values, yet the entire baseline is already raised to unreasonable levels). First, only a small fraction of existing distribution centers/warehousing impacts are accounted for; rather, impacts of banks and donut shops further away appear to be the focus (Table 6-A). Noise from the CP facility (not operating yet) is not discussed or evaluated (number 10 on Figure 6-1) despite its close proximity. There has been over 20,000,000 feet of distribution centers/warehouse construction built into the Sycamore Canyon Business Park and their cumulative impacts on noise appear to be glossed over. A simple look at Figure 6-1 in the DEIR shows how few of the distribution centers and other operations were even considered for noise (including Big 5, Ralphs, and Pepsi) next to the sensitive receptors. Instead, the focus was on properties much further from the receptor sites. As noted in the DEIR, distance is important when assessing noise. The noise of the existing and projected projects must be fairly considered. Even existing measures of traffic and noise cannot adequately reflect their impact as many properties remain vacant or have not been brought up to full capacity. Cumulative impacts on noise and traffic of the Sycamore Canyon Business Park needs to be carefully and not anecdotally accounted for to accurately reflect impacts on sensitive neighboring properties. Cumulative impacts of both the adjacent Sycamore Canyon Business Park and the approved Moreno Valley logistics center must be accounted for with respect to cumulative air quality and traffic impacts.

37-TTT

The argument made in the DEIR demonstrates the lack of understanding of the general canyon effects by sampling stating the 0.5 mile is too far to have a cumulative impact on noise. Prior to build-out that has already occurred, significant noise, especially at nighttime was heard from the Kroger (1.0 miles to nearest residence) and Pepsi distribution centers (>1.0 miles). Noises, more noticeable at night, included horns in the middle of the night, bangs from loading and unloading, and incessant backup beeper noises. Therefore, all noise generating sources within a minimum of 1.0 miles should be considered in this analysis and not simply discounted including the Pepsi distribution center, the Kroger distribution center, the Big 5 distribution center complex, and other major properties between marker 5 and the residential neighborhoods. The DEIR needs to account for the largest warehouses already present or planned in the area. *As noted in discussion on noise, the noise abatement proposed on the private property is unreasonable and should be assumed to not occur.* Simple statements that single projects have minimal sound impacts are insufficient and misleading as the entirety of this build-out (cumulative effects) must be considered when evaluating the new project.

37-UUU

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In conclusion, the EIR must be revised, re-circulated, and additional mitigation proposed.  
Thank you for the consideration of these comments.

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cont

Sincerely,

*Abigail Smith*

Abigail Smith  
JOHNSON & SEDLACK

Enclosures

## Response to Comment Letter 37 – Johnson & Sedlack

### **Response to Comment 37-A:**

The comment incorrectly identifies the size of Building 1 as approximately 1,002,995 square feet. Building 1 is proposed to be approximately 1,012,995 square feet. (DEIR, pp. 1-6, 3-26, 5.16-1.) With regard to the commenter’s assertion that additional CEQA analysis and mitigation is required, the responses to the remainder of the comments in this letter establish that no further analysis or mitigation is warranted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 37-B:**

The information required to be included in an EIR’s Project Description is set forth in Section 15124 of the State CEQA Guidelines. The following table presents the text of Section 15124 and where the information is contained within the DEIR.

State CEQA Guidelines Section 15124	Location in the DEIR
<p><i>The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.</i></p> <p><i>(a) The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.</i></p>	<p>The precise location and boundaries of the proposed Project are described in Section 3 – Project Description, specifically subsection 3.1.1. DEIR Section 3 also includes the following figures that show the location of the proposed Project: <b>Figures 3-1 – Vicinity Map, 3-2 – Location Map, 3-8 – Tentative Parcel Map, and 3-10 – Proposed Site Plan.</b>)</p>
<p><i>(b) A statement of the objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.</i></p>	<p>The Project’s objectives are set forth in DEIR Section 3.2.6 and clearly indicate the underlying purpose of the Project is to create two parcels of land with a building on each parcel for the construction and operation of a logistics center in one building and construction and operation of a second building consistent with uses permitted in the Business and Manufacturing Park Zone.</p>
<p><i>(c) A general description of the project’s technical, economic, and environmental characteristics, considering the principal</i></p>	<p>The proposed Project’s characteristics are described in detail in Section 3.2. Each of the entitlements sought are described in detail</p>

State CEQA Guidelines Section 15124	Location in the DEIR
<p><i>engineering proposals if any and supporting public service facilities.</i></p>	<p>with accompanying figures to facilitate the readers' understanding of the Project.</p>
<p>(d) <i>A statement briefly describing the intended uses of the EIR.</i></p> <p>(1) <i>This statement shall include, to the extent that the information is known to the Lead Agency,</i></p> <p>(A) <i>A list of the agencies that are expected to use the EIR in their decision making, and</i></p> <p>(B) <i>A list of permits and other approvals required to implement the project.</i></p> <p>(C) <i>A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. To the fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.</i></p> <p>(2) <i>If a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed, preferably in the order in which they will occur. On request, the Office of Planning and Research will provide assistance in identifying state permits for a project</i></p>	<p>DEIR Section 3.2.7 identifies how the DEIR will be used and identifies the discretionary actions and approvals to be carried out by the City and identifies the permits required from the California Department of Fish and Wildlife, State Water Resources Control Board, Santa Ana Regional Water Quality Control Board, and U.A. Army Corps of Engineers.</p>

With regard to the use of Building 2, the Project Objectives state: "...One of the buildings will be for the operation of a logistics center and the other building will be for the operation of a use consistent with those uses permitted in the Business Manufacturing Park Zone." (DEIR, p. 3-44.) As explained in Section 3.1.4 of the DEIR, per the City's Zoning Map, the Project site is zoned BMP-SP (Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones). The BMP zone is one of four industrial zones within the City. (DEIR, p. 3-14.) According to Section 19.130.010 of the Riverside Municipal Code, typical uses in the BMP Zone include: research and development facilities and laboratories; administrative, executive

and professional offices; small-scale warehouses; light manufacturing; and support commercial. The *Sycamore Canyon Business Park Specific Plan (SCBPSP)* designates the land use for the Project site as Industrial. According to Section 2.1 of the *SCBPSP* the Industrial land use category is generally described as: "...Appropriate land uses include light industrial, distribution and warehousing, and product assembly..." These uses are consistent with the description of Building 2 provided in the third paragraph on page 3-26 of the DEIR which states that Building 2 will be approximately 362,174 square feet in size and consist of up to approximately 10,000 square feet of office space and approximately 352,174 square feet of logistics/industrial use. Although the specific tenant and precise use of Building 2 is unknown at this time, the conceptual site plan and identification of allowable uses in the City's zoning code and the *SCBPSP* provide sufficient information for the DEIR to thoroughly evaluate potential impacts.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-C:**

The comment notes that the Project Description and Executive Summary state that 917 daily truck trips are anticipated and that these sections should be revised to include the total number of daily trips anticipated by the Project. The total number of Project-generated trips in both vehicular count and passenger car equivalent (PCE) is disclosed in **Table 5.16-F – Project Trip Generation Rates** and **Table 5.16-G – Project Trip Generation in PCE** on pages 5.16-28–5.16-29 of the DEIR. The total number of trips per day by vehicle type is also disclosed in **Table 8-B – Comparison of Alternative 2 (No Project/Reduced Density Alternative) to the Proposed Project** and **Table 8-D – Comparison of Alternative 3 (Reduced Density Alternative)**, (DEIR, pp. 8-17, 8-25.) Nonetheless, to amplify the discussion regarding Project-generated trips, the last paragraph on DEIR page 1-7 will be revised in the Final Environmental Impact Report (FEIR) as follows:<sup>1</sup>

Construction is anticipated to begin in the first quarter of 2017 and take approximately 12 months. Therefore, the Project is anticipated to open in the first quarter of 2018. The Project proposes to operate 24 hours a day, 7 days a week. Approximately 917 daily truck trips and 1,497 daily passenger car trips for a total of 2,409 trips are anticipated. In terms of passenger car equivalency (PCE) this results in 3,801 PCE.

To amplify the discussion regarding Project-generated trips the last paragraph on DEIR page 3-43 will be revised in the FEIR as follows

Construction is anticipated to begin in the first quarter of 2017 and take approximately 12 months. Therefore, the Project is anticipated to open in the first quarter of 2018. The Project proposes to operate 24 hours a day, 7 days a week. Approximately 917 daily truck trips and 1,497 daily passenger car trips for

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<sup>1</sup> The new text is shown as double underlined.

a total of 2,409 trips are anticipated. In terms of passenger car equivalency (PCE) this results in 3,801 PCE.

These revisions to the DEIR do not change the significance conclusions of the DEIR or result in the need for additional mitigation. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-D:**

With regard to the existing condition of the Project site, Section 3.1.3 of the DEIR states (emphasis added):

The Project site currently consists of vacant and hilly land that is primarily undisturbed with the exception of:

1. a USGS blue line stream with dense riparian vegetation that begins in the northwest runs through the central area of the site then traverses the property in a southeasterly direction across the site. It is fed by a culvert that collects stormwater flows from the homes in the Sycamore Highlands Specific Plan area at the northwest corner of the property and then collects water that sheet flows across the existing property;
2. a man-made earthen trail across the middle of the subject site in an east to west direction that leads into the adjacent Sycamore Canyon Wilderness Park to the west of the Project site;
3. the lower southeastern area of the site, which consists of disturbed land that was utilized for rock crushing, sand stockpiling, and construction equipment storage. As part of the on-site rock crushing operation, there is a stockpiled cluster of rocks in the southern area of the site that appears to have been intended for crushing. It is anticipated that these rocks will be crushed during Project construction and used on site;
4. a concrete V-ditch that commences approximately 235 feet south of the northeast corner of the Project site and curves to the west in an approximately semicircular shape that returns to the Project's eastern boundary at a point approximately 488 feet south of the northeast corner. The V-ditch then continues south approximately 405 feet to an outlet structure that connects to a V-ditch located on western side of the Ralph's Distribution Center;
5. a small earthen check dam starting about 100-feet above the termination point of the existing Lance Drive that curves to the west in an approximately semicircular shape and returns to the Project's eastern boundary at the knuckle of Lance Drive and Sierra Ridge Drive. Adjacent to the earthen dam and V ditch is a dirt road beginning at Dan Kipper Drive and following the earthen dam, breaking off into another dirt road, both circling back to Sierra Ridge Drive;

6. except for the riparian habitat and disturbed southeastern area, the Project site consists of non-native grasslands with evidence of recent discing in areas along the perimeter and bicycle and off-road motorized vehicular use in several places throughout the Project site;
7. there is also an isolated man-made depression in the southern area of the Project site which is a remnant from prior uses; (DEIR, pp. 3-8–3-9.)

Thus, although much of the Project site may be undisturbed, it is not in a pristine condition. It is also important to note that the Project site is not designated as open space, although it is adjacent to the Sycamore Canyon Wilderness Park.

The commenter's assertion that proposed Project represents a significant aesthetic impact because buildings would cover the Project site is a distorted interpretation of what constitutes an aesthetic impact. Following this logic, any building constructed on any vacant land would constitute a significant impact for which an EIR and statement of overriding considerations would be required.

Aesthetic effects relate to obstruction of scenic vistas or views, creation of a negative aesthetic effect, and creation of light or glare. Important criterion for visual impacts is visual consistency. Project design should be consistent with natural surroundings and adjacent land uses. (DEIR, p. 5.1-1.)

The only natural surroundings adjacent to the Project site is the Sycamore Canyon Wilderness Park. The Project proposes a 2.96-acre Mitigation Area along the western side of the Project site in proximity to the Sycamore Canyon Wilderness Park (see DEIR **Figure 3-11 – Conceptual Landscape Plan**). The Mitigation Area will be planted with native riparian and riparian scrub habitat and meander like a naturally occurring drainage. (DEIR, p. 3-29.) In addition to the Mitigation Area on the western side of the Project site, the Project proposes landscaping on all sides, including a 64-foot wide landscape area along the northern boundary of the Project site to provide separation from the residential area to the north.

The Project's proposed structures consist of designs that are architecturally consistent with modern light industrial logistics centers and other structures within the *SCBPSP*. The proposed buildings will consist of concrete tilt-up paneling with a color palette largely consisting of grays as well as accented use of white, brown, and blues. Window treatments will include the use of spandrel glass, tempered vision glass, and vision glass and with blue reflective glazing. The building and screen wall elevations will be required to include articulation and design that is intended to decrease the feeling and appearance of massing or bulkiness. All roof-mounted equipment will be screened from view as required by Riverside Municipal Code Section 19.555. (DEIR, p. 3-29.) Furthermore, to make sure that all roof-mounted equipment is adequately screened and people viewing the proposed Project are not exposed to views of long expanses of wall surface, the Project will implement mitigation measures **MM AES 8** and **MM AES 9**, below: (DEIR, p. 5.1-35.)

**MM AES 8:** To ensure that all roof-mounted equipment shall be adequately screened, prior to the issuance of a grading permit as part of the Design Review process, the proposed screening shall be reviewed and approved by Design Review staff.

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

The buildings proposed at the Project site are consistent with the existing industrial uses to the south and east. Additionally, existing views from the residences and businesses in the Project area already include views of industrial buildings. The views of the Project's parking lots and truck yards will be screened from adjacent areas by walls, fencing, and landscaping. Several design features are also included as mitigation, to ensure that the aesthetic character of the Project site is considered. Thus, although the Project's buildings will be visible, the introduction of additional industrial buildings into an existing industrial area does not constitute a substantial change in the viewshed. For these reasons the DEIR appropriately concluded that all potential Project-related impacts to aesthetics will be reduced to less than significant with mitigation. (DEIR, p. 5.1-36.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-E:**

Sycamore Canyon Wilderness Park is considered a scenic vista because at approximately 1,420 acres in size with over 3 miles of biking and hiking trails<sup>2</sup> it provides long distance view of

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<sup>2</sup> City of Riverside, *General Plan 2025 Parks and Recreation Element*, November 2012. (Available at [http://www.riversideca.gov/planning/gp2025program/GP/15\\_Park\\_and\\_Recreation\\_Element.pdf](http://www.riversideca.gov/planning/gp2025program/GP/15_Park_and_Recreation_Element.pdf), accessed October 27, 2016.)

natural terrain. The Proposed Project site is adjacent to the Sycamore Canyon Wilderness Park is not a scenic vista but is zoned for industrial development (See Response to Comment 37B for discussion on zoning). The views from the eastern and southern edges of the park already contains views of the existing warehouses and distribution centers within the Sycamore Canyon Business Park and of the residences adjacent to the Park along other edges. Thus, although Building 1 will be visible from users of the Sycamore Canyon Wilderness Park, this does not constitute a significant impact to this scenic vista because the Project does not constitute a new type of view from the Wilderness Park or propose any development within the Wilderness Park. (DEIR, pp. 5.1-10–5.1-11.) For these reasons, the DEIR appropriately concluded that, construction and operation of the Project does not represent a significant change in the viewshed from what currently exists in the area. (DEIR, p. 5.1-12.)

The proposed Project is not introducing a new type of structure into the viewshed. The proposed tilt-up construction is consistent with the existing industrial buildings within the Project area that are currently visible from the homes located northwest of Building 1. The proposed site landscaping complies with the City's Water Efficient Landscaping and Irrigation Ordinance. In addition, the Mitigation Area located along the western boundary of the Project site will be planted with native riparian and riparian scrub habitat. The landscaped area, combination of the mitigation area and landscape area, ranges from 100 feet with to the north to approximately 67 feet wide at the south (see DEIR **Figure 3-10 – Proposed Site Plan**) which provides the softening effect referenced by the commenter. Finally, as discussed in Response to Comment 37-D, the Project will implement mitigation measure **MM AES 9** (See Response to Comment 37-D for copy of **MM AES 9**), which requires the west elevation of Building 1 (the side facing the residences) to include some of the same elements used on the front elevation to offset the long (1,394-foot) expanse of wall surface. (DEIR, pp. 5.1-13, 5.1-28.) For these reasons, the DEIR appropriately concluded that the views of Building 1 will be reduced to less than significant. Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-F:**

See Response to Comment 37-D. The commenter's opinion regarding the CT Sycamore Center Project is noted. The CT Sycamore Center Project on Dan Kipper Drive, was constructed with a fifty-foot setback from the northerly property lines, adjacent to the residential properties and the buildings range from 37-feet to 41-feet in height. The CT Sycamore Center Project warehouses referenced in this comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing process, including analysis of impacts related to aesthetics and building heights. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic and cumulative impacts sections of the DEIR. It should be noted that the proposed Project will be setback 100 feet from the residential property line, twice the distance than the CT Sycamore Center Project.

The DEIR includes line-of-sight and photo simulations of the existing and future views from some of the residences. As shown on DEIR **Figure 3-13a – Line of Sight Exhibit** and **Figures 5.1-2b and 5.1-2c – Photo Simulations**, the top of Building 2 will be visible from the residences to the north of the Project site, even once landscaping is mature. The building walls shown in these figures is flat and does not include any design techniques or architectural elements as required by mitigation measure **MM AES 9** (listed in Response to Comment 37-D), which requires the west elevation of Building 1 and the north elevation of Building 2 to be articulated to create pockets of light and shadow which will break up the long expanse of the walls visible by the residences to the north and west of the Project site. (DEIR, pp. 5.1-28–5.1-29.)

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) The City of Riverside Municipal Code Chapter 19.130, established development standards for the BMP-SP and limits building heights to a maximum of 45 feet in height. (DEIR, p. 5.1-11.) The proposed Project complies with the height restriction of the BMP-SP. Building 1 is proposed to be approximately 41 feet in height and Building 2 will be approximately 37 feet in height. Further, the elevation and building height differences between Building 1 and Building 2 will minimize the view of these buildings from the adjacent neighborhood as shown in the above referenced photo simulations. Note that Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of this building from the park will be softened by on-site landscaping and the Mitigation Area.

Lastly, as discussed above, the proposed Project has increased the building setback for Building 2. Building 2 is setback 100 feet from the property line abutting the residential lots north of the Project site. Within this 100-foot setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape planter adjacent to Building 2. This enlarged setback and enhanced landscaping will provide screening between Building 2 and the residences to the north. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan**, **DEIR Figure 3-11 – Conceptual Landscape Plan**.) Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-G:**

See Response to Comment 37-D. At maturity, the landscaping will greatly limit direct views of the buildings, although the tops of each building will still be visible from these residences even after the landscaping is mature. As discussed in Response to Comment 37-F the proposed project has a minimum of a 100-foot setback from the residents to the north and west and within each of these setback areas there will be extensive landscaping. The amount of screening will increase as the landscaping matures. The installation of the 8-foot wall required by mitigation measure **MM AES 1** goes towards reducing the visual impacts during the short-

term period. In addition, the Project will implement mitigation measure **MM AES 8** and **MM AES 9** (See Response to Comment 37-D for **MM AES 8** and **MM AES 9**), through which the aesthetic impacts will be reduced to less than significant. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-H:**

See Response to Comments 37-D, 37-F and 37-G.

The commenter correctly points out that two figures were incorrectly labeled. To address the incorrect labeling, the last full paragraph that commences on DEIR page 3-35 and concludes on page 3-36 will be revised in the FEIR to clarify the figure numbers and that landscaping will screen the views of Buildings 1 and 2 as follows:

**Figures 3-1413a and 3.1413b – Line of Sight Exhibit** illustrates how the proposed landscaping and siting of the buildings will minimize views of Buildings 1 and 2 from areas adjacent to the Project site. Additionally, as shown on **Figure 3-11 – Conceptual Landscape Plan**, the topography surrounding the Project site also serves to minimize direct views of Buildings 1 and 2. Steep slopes along the northern boundary of the Project site, adjacent to the residential area, greatly limit views of the logistics center. In other areas, landscaping is strategically placed so that at maturity it will ~~block views~~ screen the appearance of the Buildings 1 and 2. Nevertheless, views of Buildings 1 and 2 are reduced in these locations by landscaping.

This clarification does not change the significance conclusions of the DEIR or result in the need for additional mitigation.

The construction of the proposed Project on vacant property zoned for the proposed used in and of itself does not constitute a significant visual impact (refer to Response to Comment 37-E). The homeowners in the Project vicinity already have views of warehouse and distribution center buildings so the Project is not introducing a new type of building into the viewshed. Although the proposed buildings will be closer to the residences, this does not represent a significant change to the overall visual character of the area. The Project has been designed to minimize the visibility of the buildings to the greatest extent feasible given the topography of the Project site and existing streets that will serve the Project.<sup>3</sup> In addition, the Project will be required to implement mitigation measure **MM AES 9** (listed in Response to Comment 37-D), which requires the elevations of the buildings adjacent to the residences to include articulation and some of the same elements used on the office portions of the buildings to offset the long expanses of wall surface. Thus, when combined with the proposed landscaping,

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<sup>3</sup> See Response to Comment 7-B for a discussion regarding the topography of the Project site in relation to lowering the elevation of Buildings 1 and 2.

the Mitigation Area, and design of the site grading plan the impacts are reduced to less than significant.

The location of the cross sections in DEIR **Table 5.1-A – Line of Site Analysis** is shown on DEIR **Figure 3-10 – Proposed Site Plan**, (DEIR, p. 5.1-13.) and described in DEIR **Table 5.1-A** in the column named “Cross Section Description.” (DEIR, pp. 5.1-14–5.1-23.) All of the cross sections identified in Table 5.1-A are shown on either DEIR **Figure 3-13a or 3-13b – Line of Sight Exhibit**. Cross Sections E-E, F-F, H-H, J-J, and K-K are shown on DEIR **Figure 3-13b**. Visual simulations were only prepared for those residential locations that are located at an equal elevation or higher elevation than the proposed project.

The comment with regard to the commenter’s difficulty in reading **Figures 3-13a and 3-13b** is noted. The comment regarding the DEIR’s reference to Figures 3-14a and 3-14b instead of Figures 3-13a and 3-13b is correct and, as discussed above will be clarified in the FEIR.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 37-I:**

CEQA Guidelines Section 15151 provides that an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences. The analysis in the DEIR is based on the Project’s Conceptual Landscape Plan, which is included as DEIR **Figure 3-11**. The conceptual landscape plan provides sufficient information with regard to the number, size, and species of landscaping proposed for the Project. In the Landscape plans included in DEIR **Figure 3-11 – Conceptual Landscape Plan** it appears that certain trees may encroach on the Fire Access/Parks Maintenance Road. Part of the typical entitlement and project approval process with the City requires the preparation and approval of detailed landscape plans showing the location of each plant in relation to the Project’s built components (i.e. trails, buildings, parking lots, etc.) at the time the building construction plans are prepared. As part of the final Design Review process, detailed landscaping and irrigation plans shall be submitted to Planning staff for review and approval. The City reviews the plot plans, building elevations, grading, etc. plans as part of the Plan Check process prior to Building Permit issuance. The review ensures that the plans are in substantial conformance with those reviewed under the EIR and that all conditions and Mitigation Measures have been complied with as necessary. Since the conceptual landscape plan approval is part of the City’s typical Design Review process and this EIR, the City included mitigation measure **MM AES 7** to disclose to the public that landscaping along the Fire Access/Parks Maintenance Road will be installed and maintained in such a manner as to provide adequate clearance for the fire vehicles. (DEIR, p. 5.1-34.)

**MM AES 7:** To ensure there is adequate clearance for the fire vehicles, prior to building permit issuance the landscape plans shall be revised to relocate the trees shown on the trail and the Fire Access/Parks Maintenance Road such that all trees shall be setback from the trail and Fire Access/Parks Maintenance Road easements a minimum of 5 feet.

Once planted, the developer shall maintain all trees such that a minimum 13.5-foot vertical clearance over the Fire Access/Parks Maintenance Road and a minimum 8.5-foot vertical clearance over the trail is provided and maintained. The revised landscape plans shall be designed per the City's Water Efficient Landscape and Irrigation Ordinance adopted on December 1, 2015 (<http://aquarius.riversideca.gov/clerkdb/0/doc/215696/Page1.aspx>). The revised landscape plans shall be reviewed and approved by City Design Review staff and Western Municipal Water District as part of Design Review prior to the issuance of a grading permit.

Mitigation measure **MM AES 7** requires the landscape plans to be revised to relocate the trees shown in proximity to the trail and Fire Access/Parks Maintenance Road to provide the City-required setback from the edge of the trail and Fire Access/Parks Maintenance Road. These updated plans, and all design related plans are subject to the approval of the City Design Review staff and Western Municipal Water District, which will ensure that changes are made appropriately. (DEIR, pp. 5.1-28, 5.1-34, 5.1-36–5.1-37.)

CEQA does not require a Project to have the final architectural plans designed for a building in order to prepare an EIR. During the preparation of the DEIR, the City determined that additional design features on the west elevation of Building 1 and the north elevation of Building 2 were needed to reduce aesthetic impacts to less than significant; thus, the Project is required to implement **MM AES 9** (listed in Response to Comment 37-D). (DEIR, pp. 5.1-28, 5.1-35–5.1-37.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-J:**

See Response to Comment 37-D. The mitigation measures included in DEIR Section 5.1 – Aesthetics are not uncertain or ineffective but will ensure the project does not result in a significant aesthetic impact. Instead of conditioning the Project to install an 8-foot tall wall, the City elected to include this requirement as mitigation measure **MM AES 1** for disclosure purposes. The 8-foot wall required by mitigation measure **MM AES 1** is not intended to screen views of the top of Building 2; rather, it provides a more permanent physical separation between the Project site and adjacent residential uses. (DEIR, p. 5.1-27, 5.1-31–5.1-32.) Likewise, the fencing adjacent to the Sycamore Canyon Wilderness Park described in mitigation measure **MM AES 2** and the fencing along the onsite trail described in mitigation measure **MM AES 3** are not intended to screen views of the buildings from neighboring residences, but rather to manage access to the park area and to provide another line of sight into the park for safety reasons. These mitigation measures are included in the Aesthetics section of the DEIR, because the appearance of these fences and design consistency with City standards are important. (DEIR, p. 5.1-27, 5.1-32, 5.1-36–5.1-37.)

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the

Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

**MM AES 2:** For consistency with the Sycamore Canyon Wilderness Park Management Plan, the Project developer shall install fencing along the western boundary of the Project site. The fence and gate shall be constructed per the specifications of the City of Riverside Parks, Recreation, and Community Services Department Standard Detail No. 5520 and specifications. If the developer chooses to install a taller fence, a maximum 8-foot high fence is permitted. Note that increased fence height may require increased post, footing and rail sizes, which shall be engineered and stamped approved by a structural engineer. As part of Design Review and prior to the issuance of a grading permit, the developer shall submit a revised site plan showing this fence, the modified standard detail (if a fence taller than 8 feet is proposed), and specifications to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

**MM AES 3:** If the Project developer wants to construct a private 8-foot tall tubular steel fence along the northern boundary of the trail, such fence shall be installed a minimum of three-feet from the edge of the trail and clear of the Fire Access/Parks Maintenance Road easement. If the Project developer chooses to construct said private fence, as part of Design Review and prior to the issuance of a grading permit the developer shall submit a revised site plan showing this fence as a separate graphic fence line and a materials board showing the proposed design and materials to the Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. If the Project developer chooses not to construct this private fence, this mitigation measure does not apply.

Mitigation measures **MM AES 4** through **MM AES 7** do not relate to addressing the Project's visual impacts relative to adjacent residences; however, they do minimize the Project's visual impacts to the overall Project vicinity. In particular, mitigation measure **MM AES 4** relates to views of the parking lot, loading docks, and trailer parking areas from the public right-of-way, mitigation measure **MM AES 5** relates to design of the trail, and **MM AES 6** and **MM AES 7** relate to design of the Fire Access/Parks Maintenance Road. **MM AES 7** requires revision to the landscape plan to relocate the trees currently shown in the Fire Access/Parks Maintenance Road to ensure compliance with City standards, regardless, the total number of trees within this area will not change. (5.1-28, 5.1-32-5.1-34, 5.1-36-5.1-37.)

**MM AES 4:** In order to screen views of the parking lot, loading docks, and trailer parking areas from the public right-of-way, the on-site fencing securing the trailer parking areas and the metal, manual operated gates that permit access to these areas shall incorporate an opaque layer (i.e. mesh or screening) that will withstand wind loads of 85 miles per hour. As part of Design Review and prior to the issuance of a grading permit, a revised site plan and materials board showing the proposed screening shall be submitted to the Community and Economic Development Department, Planning Division for review and approval.

**MM AES 5:** To provide safe and controlled pedestrian and bicycle access to the Sycamore Canyon Wilderness Park in a manner consistent with the design and materials of the fence in mitigation measure MM AES 2, the Project developer shall:

- a. Construct the proposed trail and access gates consistent with the City of Riverside Parks, Recreation, and Community Services Department trail and gates details and specifications and subject to the review and approval by the City of Riverside Parks, Recreation, and Community Services Department, As part of Design Review and prior to the issuance of a grading permit, a revised site plan that identifies this standard and shows the Parks, Recreation, and Community Services Department Standard Trail Construction detail shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.
- b. Install a galvanized steel swing arm gate access gate that locks in the open and closed positions at the trail and parking lot driveway entry. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for this gate and Standard Detail No. 5110 shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.
- c. Install pedestrian/bicycle gates between the trail and parking lot and the beginning of the trail and between the western terminus of the trail and the Sycamore Canyon Wilderness Park per the City's standard pedestrian/bicycle gate. These gates shall be minimum 4-foot wide and constructed of material to match Standard Detail No. 5520 identified in mitigation measure MM AES 2. The pedestrian/bicycle gates shall be lockable in the open and closed position. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for these gates shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.
- d. Install Parks, Recreation, and Community Services Department Standard PVC trail fence along the northern side of the trail in-between the Fire Access/Parks Maintenance Road and along those portions of the southern

side of the trail where the grade drops 3 feet or more. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that references the Standard 3-rail PVC fence detail only and includes Parks, Recreation, and Community Services Department Standard PVC trail fence shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.

- e. Install Parks, Recreation, and Community Services Department standard trail sign at the Project's western property line and at the proposed parking lot on Lot B of Tentative Parcel Map 36879. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that includes a note that states "PRCSD standard trail sign" and Parks, Recreation, and Community Services Department standard trail sign detail 12 shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.

**MM AES 6:** To provide access for fire and parks maintenance vehicles consistent with the intent of the Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan and Updated Conceptual Development Plan, the Project developer shall:

- a. Design and construct the Fire Access/Parks Maintenance Road per the City of Riverside Fire Department requirements, including but not limited to, providing a 36,000 pound wheel load. As part of Design Review and prior to the issuance of a grading permit, the Fire Access/Parks Maintenance Road detail shall be submitted to the Community and Economic Development Department, Planning Division, the Parks, Recreation, and Community Services Department, and the City Fire Department for review and approval.
- b. Install vehicular gates between the vehicular access road on the south end of the Project site and the eastern terminus of the Fire Access/Parks Maintenance Road and between the western terminus of the Fire Access/Parks Maintenance Road and the Sycamore Canyon Wilderness Park. The vehicular gates shall be double galvanized steel swing arm gates a minimum of 12-feet in width and provided with a Knox padlock. The gates shall lock in the open and closed positions per Park Standard Detail No. 5110. The gate at the western property line shall be constructed to match Standard Detail No. 5520. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the details of these gates and Park Standard Detail No. 5110 shall be submitted to the Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

See Response to Comment 37-I for **MM AES 7**.

Mitigation measure **MM AES 9** requires the west elevation of Building 1 and the north elevation of Building 2 to implement articulation to create pockets of light and shadow to break up the long expanses of wall surface. Although the exact specifications are not listed, the new designs are subject to the City’s Design Review process and will be reviewed by Design Review staff prior to Grading Permit issuance to ensure that the intent of this mitigation measure is fulfilled. This mitigation measure (See Response to Comment 37-D for **MM AES 9**), the 8-foot wall required in mitigation measure **MM AES 1**, the 100-foot setback of Building 2 and extensive landscaping along the north and west property boundaries work together to lessen impacts to views of Buildings 1 and 2 from the northerly and westerly residences to below a level of significance.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-K:**

Comment noted, the DEIR Section 5.1 – Aesthetics, discusses topographic changes proposed as a result of the preliminary Grading Plan and grading exceptions shown in DEIR **Figure 3-9 – Grading Exception**. The DEIR line of sight exhibits (Figures 3-13a and 3-13b) show the changes in elevation due to the site grading and are discussed and described in DEIR **Table 5.1-A – Line of Sight Analysis** in the Aesthetics section. (DEIR, pp. 5.1-14–5.1-23.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-L:**

Comment noted, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, § 15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, § 15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].) Nonetheless, to clarify the lighting requirements, the third paragraph under the subheading “Lighting” will be modified on DEIR page 5.1-10 as follows:<sup>4</sup>

The City will require the ~~“Standard lighting Condition” which reads as follows following:~~ An exterior lighting plan shall be submitted for Planning Division to Design Review staff for review and approval. A photometric study with and

<sup>4</sup> Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

manufacturer's cut sheets of all exterior lighting on the buildings, in landscaped areas, and in the parking lots shall be submitted with the study exterior lighting plan. All on-site lighting shall provide a minimum intensity of one-foot candle and a maximum of ten-foot candles at ground level throughout the areas serving the public and used for parking, with a ratio of average light to minimum light of four to one (4:1). Light sources shall be hooded and shielded to minimize off-site glare, shall not direct light skyward, and shall be directed away from adjacent properties and public rights-of-ways. No light shall be permitted on the MSHCP Conservation Area (Sycamore Canyon Wilderness Park). If lights are proposed to be mounted on buildings, down-lights shall be utilized. Light poles shall not exceed ~~twenty feet (20)~~ fourteen (14) feet in height, including the height of any concrete or other base material within the 100-foot setback between Building 2 and the residential properties to the north and shall not exceed twenty (20) feet in height, including the height of any concrete or other base material elsewhere on the property.

As indicated above, light poles adjacent to the north property line shall not exceed 14 feet in height. In addition, **MM AES 10**, which will be modified in the FEIR as shown below to clarify that there will be no light spill into residential backyards to the north of the Project site, requires the building mounted lighting on the north elevation of Building 2 to be mounted as low as possible, while still providing the needed security lighting.

**MM AES 10:** To eliminate ~~reduce~~ light spill and glow into the residential backyards to the north, lighting mounted on the north wall of Building 2 shall be placed on this wall as low as feasible to provide the required security lighting.

The clarification of lighting requirements does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-M:**

According to the CARB's *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.)

Since the Project involves the construction of a logistics center approximately 30 meters from the property line of the nearest sensitive receptor, a Screening Health Risk Assessment (HRA) was prepared for the Project in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 to address comments from SCAQMD (included as

Attachment A.1 to the FEIR).. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the proposed Project vicinity.) In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project operation. (DEIR, p. 5.3-34, FEIR Attachment A.1, FEIR Attachment A.2.)

As stated previously, CARB recommends, but does not mandate that new sensitive land uses not be placed within 1,000 feet of a distribution center. As discussed in DEIR Section 5.10 – Land Use and Planning, the Project is consistent with both the land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable GP 2025 objectives and policies and the Project’s consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

CARB’s guidance, on page 5 of the handbook, acknowledges that the recommendations are in fact advisory, and “to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in.” The handbook further goes on to state that “these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists.” Therefore, the DEIR and underlying technical study is actually consistent with the CARB handbook. The DEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the DEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity.

The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City’s *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City’s *Good Neighbor Guidelines* do not include recommendations regarding setbacks

between distribution center buildings and adjacent residential uses. Rather, it recommends that a HRA be prepared for any warehouse project within 1,000-feet of residential properties. The site has been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*. As discussed in Response to Comment 37-M, consistent with the *Guidelines*, the June Screening HRA, the November Refined HRA, and the New Modeling were prepared for the Project and as discussed, all conclude that the Project will not result in a significant impact to either the residents or workers.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-N:**

Comment noted, DEIR Section 5.3.12 properly discloses under Threshold B, that long-term Project operational emissions will exceed the threshold for NO<sub>x</sub>, even with the incorporation of proposed mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19**, as well as **MM AQ 22** through **MM AQ 25** and Project design features. Because long-term operation of the proposed Project will exceed the SCAQMD threshold for NO<sub>x</sub>, impacts are considered to be significant and unavoidable after implementation of mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p.5.3-30.)

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored "cool" roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC)

equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

The City and Applicant have agreed to reduce vehicle idling time to three minutes, as such mitigation measures **MM AQ 13** and **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to three five minutes or less in excess of pursuant to Title 13 of the California Code of

Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

The City and Applicant have agreed to reduce vehicle idling time to three minutes, as such mitigation measure **MM AQ 22** will be revised in the FEIR as shown below

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor in interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

The DEIR requires the Project implement **MM AQ 22** through **MM AQ 24** to aid in the reduction of NO<sub>x</sub> emissions during Project operations. **MM AQ 22** will reduce emissions from on-site heavy duty trucks by: posting signs informing truck drivers about a) the health effects of diesel particulates b) the CARB diesel idling regulations, and c) the importance of being a good neighbor by not parking in residential areas; and by requiring future tenants to maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications; and ensuring that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies. **MM AQ 23** supports “clean” truck fleets, by providing the future building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles. In addition, mitigation measure **MM AQ 24** requires all yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks. Lastly, mitigation measure **MM AQ 25** will also make certain that signage or flyers advising truck drivers of the closest restaurants, fueling stations, truck repair facilities, loading, and entertainment are provided. (DEIR, p. 503-39.)

In addition to the specific mitigation measures designed to reduce the impacts of operational NO<sub>x</sub> emissions, the Project is subject to state and federal regulations and programs that would reduce Project-related NO<sub>x</sub> emissions over time. (DEIR, pp. 5.3-11-19.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-O:**

The Commenter's recommended mitigation measure to require future owners/tenants mandate require use of cleaner trucks by operators is noted. The Project has incorporated a design consideration that requires all medium- and heavy-duty trucks entering the Project site meet or exceed 2010 engine emission standards. Therefore, the bottom of DEIR page 5.3-21 will be modified in the FEIR as follows:

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles to no more than threefive minutes.
- All medium and heavy duty diesel trucks that enter the Project site shall that meet or exceed 2010 engine emission standards as specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative shall be permitted to enter the Project site. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- Provide up to three electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.

Because the Project will require all medium and heavy duty vehicles entering the Project site to meet or exceed 2010 engine emissions standards, this feature has also been included as a mitigation measure for consistency with other project design features that were also included as mitigation. (DEIR, p. 5.3-35.) Accordingly, mitigation measure **MM AQ 17** will be renumbered to **MM AQ 17a** and **MM AQ 17b** will be added to DEIR page 5.3-37. Because Project Design Features are also listed as mitigation measures in the DEIR mitigation measure **MM AQ 17** will be renumbered to **MM AQ 17a** in the FEIR and **MM AQ 17b** will be included in the FEIR and Mitigation Monitoring and Reporting Program (MMRP) as follows:

**MM AQ 17a:** During grading, all off-road diesel-powered construction equipment greater than 50 horsepower shall meet or exceed United States Environmental Protection Agency (EPA) Tier 3 off-road emissions standards. Proof of compliance shall be reviewed by the City prior to issuance of a grading permit.

**MM AQ 17b:** All medium and heavy duty diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage

meets these emission standards. This log shall be available for inspection by City staff at any time.

The renumbering of a mitigation measure and the addition of this mitigation does not raise any new significant environmental effects of the project but merely clarifies and makes an insignificant modification to the EIR to include a project design feature that the Project will require the use newer truck engines than is currently required by law. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-P:**

The comment proposes a revision to **MM AQ 7** (See Response to Comment 37-N for **MM AQ 7**) to require the use of solar energy instead of only providing solar ready roofs but provides no justification or reasoning for this change. The DEIR includes mitigation measures to reduce NO<sub>x</sub> emissions from the operation of the proposed Project. The Project will implement **MM AQ 23** through **MM AQ 25** (See Response to Comment 37-N for **MM AQ 23** through **MM AQ 25**) that would substantially reduce significant impacts to air quality, as described in Response to Comment 37-N. Additionally, greenhouse gas (GHG) emissions from energy consumption were small (11%) and impacts related to GHG emissions were determined to be less than significant with the implementation of Project design features listed as **MM AQ 1** through **MM AQ 16**, **MM AQ 18**, **MM AQ 19**, and additional mitigation measures **MM AQ 22** through **MM AQ 24** (See Response to Comment 37-N for **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, **MM AQ 19**, and **MM AQ 22 through MM AQ 24**) listed in Section 5.3.15 of the DEIR. (DEIR, p. 5.7-50 and 5.7-55) Therefore, requiring the use of rooftop solar is not warranted.

**MM AQ 16:** The Building Operator shall support and encourage ridesharing and transit for the construction crew and regular employees by providing information on ridesharing and transit opportunities.

The comment also proposes a revision to **MM AQ 14** (See Response to Comment 37-N for **MM AQ 14**) to require that electrical hookups at the loading dock doors be used instead of only being provided. The commenter misinterprets the mitigation measure, as **MM AQ 14** states that when TRUs are in use, trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement.

The comment also suggests additional mitigation to enforce a specified truck route to ensure that diesel trucks are not using residential streets. The City does not have designated truck routes, and the Project proponent is not responsible for establishing these routes. Nonetheless, pursuant to Chapter 10.56 of the City's Municipal Code commercial vehicles (trucks) over 10,000 pounds are prohibited from using Lochmoor Drive, Fair Isle Drive and Sycamore Canyon Boulevard, between El Cerrito Drive and University Drive. People observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to

the Traffic Department and Police Department so that the appropriate response can be coordinated.

The proposed Project has an established connection between the Project site and the freeways in that the Project site is accessed from Sycamore Canyon Boulevard, a 4-lane divided major arterial. Further, the “urban intersect” as described in the *SCBPSP* at the Interstate 215 and Eastridge Avenue has since been constructed, allowing for a direct connection to Interstate 215. (DEIR Appendix M, p. M-70.) With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic), the *Revised Traffic Impact Analysis, Sycamore Canyon Industrial Buildings 1&2* (TIA, Appendix J) was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering standards and was approved by the City as part of the TIA scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses.

Additionally, as discussed in DEIR Section 5.16.4, the Project will prevent passenger car and truck egress onto Dan Kipper Drive by 1) posting signs at all Project driveways that indicate only right turns onto Lance Drive are permitted and 2) installation of traffic delineators (“pork chops”) at the all three exits that prevent left-out turns onto Lance Drive. This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard. (DEIR, p. 5.16-26.)

The City has imposed all feasible mitigation measures that would reduce the proposed Project’s potentially significant impacts to less than significant. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-Q:**

The comment alleges that the air quality monitoring assumed clean fleets coming to the Project over the next few years. Consistent with standards for preparing Air Quality Impact Analysis, CalEEMod defaults were used in determining the emissions factors for proposed Projects vehicles. According to Appendix A of the CalEEMod User’s Guide, CalEEMod calculates the emissions from mobile sources with the trip rates, trip lengths, and emissions factors for running from EMFAC2011. EMFAC 2011 incorporates emissions from a range of vehicle model years based on an average age distribution of vehicles to account for turnover in the statewide fleet as older vehicles are replaced by newer ones. Therefore, the AQ Report and corresponding DEIR analysis did not assume only post-2007 clean fleets would be coming to the Project site, but a mix of vehicle ages consistent with the modeling protocols.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-R:**

The modeling assumed a ground-level volume source in flat terrain with no vertical velocity or buoyancy component (i.e., not a hot point source such as a vertical engine exhaust pipe). In effect, the volume source modeling dispersed “cold” pollutants horizontally directly into receptors, which represents a conservative impact assessment.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-S:**

The comment expresses concern over the cumulative air quality effects due to the Project. As discussed in Section 5.3 – Air Quality of the DEIR, SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same. Therefore, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. Based on SCAQMD’s regulatory jurisdiction over regional air quality, it is reasonable to rely on the SCAQMD thresholds to determine whether there is a cumulative air quality impact. (DEIR, p. 5.3-31.)

Additionally, cumulative impacts were analyzed in Section 6.1.5 of the DEIR (Cumulative Impacts – Air Quality). In terms of localized air quality impacts, construction of the Project would not have a cumulatively considerable impact due to criteria pollutant emissions. However, because the Project’s emissions exceed SCAQMD thresholds during operation due to Project-related to NO<sub>x</sub>, the Project will result in significant and unavoidable cumulative impacts to air quality. (DEIR, p. 6-9-10.) Therefore, the DEIR properly analyzed the proposed Project cumulative impacts on air quality and consistent with SCAQMD thresholds, determined the cumulative impacts to Air Quality to be significant and unavoidable.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-T:**

Comment noted. The Project Developer will be required to submit construction plans, including grading plans, to the City of Riverside to review and approval with both applicable City codes, conditions of approval and DEIR mitigation measures as verified through the Mitigation Monitoring and Reporting Program to be included in the Final EIR. Any deviations from the Project as analyzed in the DEIR will require the Developer to seek an amendment to the plans and any additional environmental review will have to be included as part of the review of that alteration.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-U:**

Comment noted, according to Appendix A of the CalEEMod User's Guide, two sets of trip type breakdown are used in CalEEMod, depending on the type of project being evaluated—residential breakdown and commercial breakdown.

Commercial trip types include commercial-customer (C-C), commercial-work (C-W) and commercial-nonwork (C-NW). A commercial-customer trip represents a trip made by someone who is visiting the commercial land use to partake in the services offered by the site. The commercial-work trip represents a trip made by someone who is employed by the commercial land use sector. The commercial-nonwork trip represents a trip associated with the commercial land use other than by customers or workers. An example of C-NW trips includes trips made by delivery vehicles of goods associated with the land use<sup>5</sup>.

As shown in the CalEEMod modeling files included as Appendix A of the AQ Report included as Appendix B of the DEIR, a 61.93 non-residential C-W trip percentage was used to account for the distribution of passenger car related traffic (61.93%) estimated in the TIA<sup>6</sup>. A 38.07 non-residential C-NW trip percentage was used to account for the distribution of truck related traffic (38.07%), also estimated in the TIA. The non-residential C-NW trip length was adjusted to 76.3 miles to account for the distance from the Ports of Los Angeles and Long Beach to the Project site, where 100 percent of the trips made by Project operations were conservatively assumed to originate. This is a one-way trip length, and therefore it is assumed that all truck traffic would be coming to and from the Ports. In reality, trucks that will serve the proposed Project may have a portion of trips that originate from the Ports, but will also be served by surrounding distribution centers, airports, and rail transfer stations, all which may be closer (i.e. shorter trip lengths) than what was evaluated in the AQ Report and DEIR.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-V:**

Comment noted, CalEEMod estimates the emissions from Project-related vehicle usage based on trip generation data contained in defaults or in project-specific traffic analyses. The trip generation rate and fleet mix were adjusted based on the rates and ratios found in the Project-specific Traffic Study.

According to the CalEEMod User's Guide Appendix E, the fleet mix used in the URBEMIS model used in CalEEMod is derived from the regional average distribution of trips obtained from the EMFAC model. While this fleet mix may be appropriate for the majority of land uses, it may not be appropriate for specialized uses such as warehouses. As such, the City agreed that the use of the Fontana study was appropriate to capture and study the types of trucks that use these types of uses. The Fontana study found that trucks make up approximately 20% of total

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<sup>5</sup> <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixa.pdf?sfvrsn=2>

<sup>6</sup> The TIA is included as Appendix J of the DEIR. Refer to DEIR Section 5.10 for methodology on assumptions in the TIA for trucks and trip generation.

trips for the four warehouses evaluated. This study also broke down the trip distribution among 2, 3, and 4+ axle trucks (3.46%, 4.64%, 12.33%, respectively)<sup>7</sup>.

Based on DEIR **Table 5.16-F – Project Trip Generation Rates** (and Table 4-2 – Project Trip Generation in Appendix J of the DEIR), passenger cars represent 61.93% of Project-related traffic and trucks (2, 3, and 4+ axle) represent 38.07% of Project-related traffic which is much more conservative than the trip distribution in the Fontana study, and consistent with SCAQMD recommendations cited in the comment. Two axle trucks represent 6.48%, three axle trucks represent 8.63%, and four plus axle trucks represent 22.96% of Project traffic.

According to Appendix E of the CalEEMod User’s Guide, the fleet mix from the Fontana study as quoted above may be used to determine the distribution of truck type. This truck fleet mix is based upon the Fontana Study because ITE’s trip generation manual does not include a breakdown of truck type. Each truck type was modeled as a heavy-duty diesel truck consistent with this guidance. Therefore, the fleet mix is an accurate representation of Project-related passenger car and truck traffic.

Additionally, trip length data was based on CalEEMod defaults and the distance from the Ports of Los Angeles and Long Beach to the Project site. This was a conservative assumption in that it assumed all truck traffic would be coming to and from the Ports. In reality, trucks that will serve the Project may have a portion of trips that originate from the Ports, but will also be served by surrounding distribution centers, airports, and rail transfer stations, all which may be closer (i.e. shorter trip lengths) than what was evaluated in the AQ Report and DEIR.

Appendix J – Traffic/Transportation of the DEIR states that the trip generation rates for high-cube warehousing are based on the weighted average trip generation rates provided in the *Trip Generation Manual (9th Edition)* by the Institute of Transportation Engineers (ITE), 2012. The Fontana study was used to determine the split of 2, 3, and 4+ axle trucks. The comment notes that the AQMD found that the “Fontana Study, by itself, is not characteristic of high cube warehouses.” The TIA is consistent with this statement in that the 9<sup>th</sup> Edition ITE rates were used to determine trip generation. The split of truck types was the only parameter used from the Fontana study and the split was applied to the generation rates from the ITE and therefore, the TIA does not solely rely on the Fontana study.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-W:**

The comment identifies concern over potential Project-related NO<sub>2</sub> exposure to sensitive receptors and related health effects. As identified in Section 5.3 of the DEIR, oxides of nitrogen (NO<sub>x</sub>) contribute to air pollution include nitric oxide (NO) and nitrogen dioxide (NO<sub>2</sub>). NO<sub>2</sub> at atmospheric concentrations is a potential irritant and can cause coughing in healthy people, can alter respiratory responsiveness and pulmonary functions in people with preexisting

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<sup>7</sup> <http://www.aqmd.gov/docs/default-source/caleemod/caleemod-appendixe.pdf?sfvrsn=2>

respiratory illness, and potentially lead to increased levels of respiratory illness in children. The Federal Clean Air Act of 1970 established the National Ambient Air Quality Standards (NAAQS) for six criteria pollutants including NO<sub>x</sub> in order to regulate air quality and protect public health. The State of California has adopted the same six chemicals as criteria pollutants, but has established different allowable levels. (DEIR, p. 5.3-4.)

The DEIR evaluated NO<sub>x</sub> emissions on both a regional level and a localized level to determine impacts to sensitive receptors. Localized significance thresholds represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Localized significance thresholds were developed in recognition of the fact that criteria pollutants such as NO<sub>x</sub> can have local impacts at nearby sensitive receptors as well as regional impacts. Based on the LST analysis, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors within the Project vicinity for any criteria pollutants, including NO<sub>x</sub>. (DEIR, p.5.3-27-29.)

The Air Quality Study and DEIR analyzed and concluded the Project does not exceed any SCAQMD LST for NO<sub>x</sub> during construction or operation of the Project including NO<sub>2</sub> exposure. Additionally, the DEIR includes a project design features that requires the Project to use Tier 3 equipment during Project grading to reduce NO<sub>x</sub> and diesel particulate matter (DPM) impacts to nearby receptors. Refer to Response to Comment 37-O for a discussion regarding the Project's design consideration that requires all medium- and heavy-duty trucks entering the Project site meet or exceed 2010 engine emission standards.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-X:**

The comment accurately reflects the information provided in the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-Y:**

The comment notes that the California Department of Fish and Wildlife (CDFW) response letter to the Project's DBESP should be included in the DEIR to support the finding that the Mitigation Area will be biologically superior to the existing drainage areas. Prior to development of the DBESP document, the City met with the Regional Conservation Authority (RCA), the agency responsible for determining MSHCP compliance, the California Department of Fish and Wildlife (CDFW) and the US Fish and Wildlife Service (USFWS) on December 9, 2015, and February 10, 2016. (DEIR, Appendix C.4, p. 5-7.) The purpose of these meetings was to discuss the location and the characteristics of the drainage and proposed Mitigation Area that would fulfill the requirements of Section 6.1.2 of the MSHCP. The CDFW and USFWS were given an opportunity to review and comment on the DBESP from May 20, 2016 through June 20, 2016. On June 6, 2016 Kimberly Freeburn Marquez of CDFW on behalf of CDFW and USFWS informed sent email to Patricia Brenes (City of Riverside Principal Planner) indicating (i)

that a burrowing owl survey report is needed (included in the DEIR as Appendix C.6) and (ii) a Habitat Mitigation Management Plan (HMMP) and subsequent annual monitoring reports are to be submitted to the Regional Conservation Agency (RCA) for review with copies mailed to the Wildlife Agencies. On November 22, 2016, Ms. Freeburn sent email confirmation to Ms. Brenes that the CDFW and USFWS reviewed the focused burrowing owl survey and have no further questions or comments regarding the DBESP. That is, none of the agencies requested changes to the text of the DBESP, and the DBESP determined that the habitat that will be created in the Mitigation Area is considered biologically superior in comparison to the existing drainage. (DEIR, p. 5.4-21.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-Z:**

Section 3 – Project Description of the DEIR describes the landscaping and on-site Mitigation Area. The location and size of the Mitigation Area was recommended by the RCA, CDFW and USFWS at the December 9, 2015 meeting discussed in Response to Comment 37-Y. The Project site will be landscaped with drought-tolerant and climate appropriate trees, shrubs and ground cover that will meet or exceed the City’s requirements. The landscape plan is designed to provide visual appeal and screen the views of Buildings 1 and 2 from the adjacent residential areas and the Sycamore Canyon Wilderness Park. (DEIR, p. 3-29.)

The Mitigation Area will include a low-flow channel designed to meander; thus, creating a natural sinuosity to mimic a naturally occurring drainage. Vegetation within the Mitigation Area will be dominated by willow riparian scrub habitat with upland scrub and oaks along the upper banks. (DEIR, p. 5.4-18.) As shown in Appendix D of the DBESP (Appendix C.4 of the DEIR), the Mitigation Area will include trees and shrubs to replace lost riparian habitat. Trees include coast live oak, toyon, California sycamore, arroyo willow, and Mexican elderberry. These trees will serve the purpose of the landscape plan and will aid in providing visual appeal and screening views.

Additionally, the comment notes that the Mitigation Area is “cut-off” from the Sycamore Canyon Wilderness Park. Much of the area immediately surrounding the Project site is already developed; the site does not currently provide a link between the Sycamore Canyon Wilderness Park and the Box Springs Mountain. (DEIR, p. 5.4-22.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-AA:**

The comment identifies concern over edge effects between the proposed Project to the Sycamore Canyon Wilderness Park including noise impacts. The only receptor location that will experience a CNEL increase of 5 dBA or greater is located approximately 10 feet east of the westerly Property line in the Sycamore Canyon Wilderness Park. Because the change in noise levels resulting from Project operations will be perceptible (i.e. 5 dBA or greater at certain

receptors), this is considered a substantial increase. However, this increase is not a significant impact, because there are no sensitive receptors at receptor location 34, the Sycamore Canyon Wilderness Park and the Project's mitigated noise levels are within the General Plan 2025 "Normally Acceptable" compatibility criteria (55-70 dBA) for neighborhood park land uses. (DEIR, p. 5.12-40.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-BB:**

Comment noted, the Mitigation Area is not deferred mitigation but a specific area with specific criteria and location for the relocation of the blueline stream that includes specific measurements to confirm the health and wellbeing of the area to be created.

**MM BIO 3** reads as follows:

**MM BIO 3:** As required by the Project's DBESP, prior to issuance of grading permits the Project proponent shall provide evidence to the City Planning Division that a Habitat Mitigation and Monitoring Plan (HMMP) has been approved by the USFWS and CDFW for the Mitigation Area. Success criteria for the HMMP will include: 85% percent coverage of the existing riparian habitat, no more than 10% cover of non-native species, and reduction of supplemental watering during the last two years of monitoring. The Mitigation Area shall be monitored by a qualified biologist retained by the Project proponent for a minimum of five (5) years and monitoring reports shall be provided to the City, RCA, USFWS, and CDFW. (DEIR, p. 5.4-30.)

**MM BIO 3** outlines specific implementation of the requirements of the DBESP and is not uncertain. Additionally, the HMMP must be approved by the United States Fish and Wildlife Service (USFWS) and CDFW before grading permits can be issued by the City for the Project, thereby not deferring mitigation. If the HMMP is not approved the Project cannot move forward. City and agency review of monitoring report will ensure that the HMMP and Mitigation Area are functioning according to design.

Therefore, with implementation of mitigation measure **MM BIO 3**, which requires a Habitat Mitigation Management Plan (HMMP) be prepared describing the habitat creation and establishment of success criteria, there will be no net loss of riparian/riverine habitat as a result of the proposed Project. (DEIR, p. 5.4-21.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-CC:**

The conservation easement including management and monitoring of the Mitigation Area is clearly defined and guaranteed with mitigation measure **MM Bio 4**.

**MM BIO 4:** Prior to the issuance of any occupancy permit, the Project proponent shall provide evidence to the City Planning Division that the Mitigation Area has been placed under a conservation easement and dedicated to an approved mitigation entity to be managed in perpetuity. (DEIR, p. 5.4-31.)

**MM BIO 4** ensures that the Mitigation Area will be placed under a conservation easement and will be managed in perpetuity. Conservation easements are accepted with proper funding and management plans through an agreement on behalf of the applicant and the mitigation entity. Since an easement must be secured prior to the issuance of occupancy permits for the Project, the Mitigation Area will be adequately protected in perpetuity.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-DD:**

As discussed in Section 3 – Project Description and 5.10 – Land Use Planning of the DEIR, a Minor Conditional Use Permit (MCUP) is required to allow for warehouses greater than 400,000 square feet pursuant to City of Riverside Municipal Code, Title 19, Zoning Code, Chapter 19.150, Base Zones Permitted Land Uses. This requirement is to provide for a discretionary review that looks at both the City of Riverside Good Neighbor Guidelines in terms of the proposed use’s compatibility and whether the proposed use can provide significant jobs to warrant the number of truck trips a building of such a size will generate. (DEIR, pp. 3-22, 5.10-5.) According to Appendix M of the DEIR, the Project is consistent with the City’s Good Neighbor Guidelines. The Findings required for the MCUP will be presented to the Planning Commission and City Council under separate cover.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-EE:**

Although Project-related construction activities will result in temporary and periodic exposure of the Sycamore Canyon Wilderness Park to noise levels in excess of standards established in the Riverside Municipal Code, these impacts are short-term in nature and will not result in long-term impacts to the Sycamore Canyon Wilderness Park. According to DEIR page 5.12-26 and as shown on **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation** of the DEIR, the operational noise level at the property line between the Project site and the Sycamore Canyon Wilderness Park is 55 dBA  $L_{eq}$ , which is below the Municipal Code noise standard for public recreational facilities (65 dBA  $L_{eq}$ ). Consequently, the proposed setback and fencing between the Project buildings and the Sycamore Canyon Wilderness Park is sufficient because the noise level is below the City Municipal Code noise standard for public recreational facilities. Thus, the Project is consistent with GP 2025 Polices LU-7.1 and LU 7.2.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-FF:**

Land Use: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park under the Sycamore Canyon Business Park Specific Plan Zoning (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City's *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The proposed Project is consistent with the planned land use for the site in both the GP 2025 and SCBPSP. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

With respect to the Good Neighbor Guidelines, refer to Response to Comment 37-M for a discussion of the City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* and the results of the June Screening HRA, the November Refined HRA, and the New Modeling prepared for the Project and reviewed by SCAQMD.

With regard to air quality: The (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25** (listed in Response to Comment 37-N). (DEIR, pp. 5.3-26, 5.3-27, 5.3-30, 5.3-35–5.3-40.)

Based on the above and as concluded in the DEIR Section 5.3 and DEIR Section 6.1.5, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the

residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

With regard to aesthetics, although a 1,000-foot buffer has not been included in the Project, certain features of the site design and location do minimize aesthetic impacts. The site has been designed to incorporate a 100-foot buffer, including 64 feet of landscaping, between the northern wall of Building 2 and the north property line adjacent the residences. This increased buffer zone, enhanced landscaping and that Building 2 was designed with no loading docks or parking located on its north side (between Building 2 and the residences to the north), all work to minimize impacts to these residents.

The proposed Project, as originally submitted and presented at the August 26, 2015 scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project applicant received feedback from the City, encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. As a result, the proposed Project was revised by the Project applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site.

As discussed above, the 100-foot setback between Building 2 and the northern property line will encompass 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape planter adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) Additionally, there are no dock doors or parking on the northern side of Building 2, closest to the residences to the north.

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. There is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan**).

Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residential neighborhood to the north. (DEIR, p. 5.1-8.) The Project will also, implement mitigation measures **MM AES 1** (See Response to Comment 37-J for **MM AES 1**). (DEIR, pp. 5.12-19, 5.12-31–5.12-33.)

Furthermore, as discussed in Response to Comment 37-N, mitigation measures **MM AQ 13** and **MM AQ 22** will be revised in the FEIR to limit truck idling at the Project site to three minutes or less, which exceeds the requirements of the California Air Resources Board (CARB).

The Project includes additional City Design Review and will implement mitigation measure **MM AES 9** (See Response to Comment 37-D for **MM AES 9**.) to ensure that the buildings are designed in accordance with this measure. (DEIR, p. 5.1-35.)

Aesthetic impacts of the Project were found to be less than significant in the DEIR through the incorporation of Project design features and mitigation measures. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

With regard to noise, with implementation of mitigation measure **MM NOI 15** (listed below), which is within the control of the City and the Project Applicant, noise from Project operations would only exceed the City's nighttime noise standard at only two receptors (nos. 3 and 4), which would not result in the Project being inconsistent with GP 2025 Policy LU-9.7.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**. (DEIR, p. 5.12-46.)

With regard to traffic: A Traffic Impact Analysis (TIA) was prepared for the Project to analyze Project-related impacts to roadway and freeway segments in the Project vicinity. Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project proponent to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although this impact is significant and unavoidable, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action. Based on the above discussion from the DEIR, the Project will be consistent with the City's GP 2025 Policy LU-9.7.

The revision to mitigation measures **MM AQ 13** and **AQ 22** to change the idling time from five minutes to three minutes does not constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-GG:**

The comment specifically calls out Policy LU-30.3. With regard to aesthetics, the Project includes additional City Design Review and will implement mitigation measure **MM AES 9**

(listed in Response to Comment 37-D) to ensure that the buildings are designed in accordance with this measure. (DEIR, p. 5.1-35.)

Aesthetic impacts of the Project were found to be less than significant in the DEIR through the incorporation of Project design features and mitigation measures. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Traffic: A Traffic Impact Analysis (TIA) was prepared for the Project to quantify Project-related impacts to roadway and freeway segments in the Project vicinity. Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge-Eucalyptus I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle/Box Springs I-215 northbound ramp. In order for the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project proponent to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although this impact is significant and unavoidable, the City has the discretion to adopt a Statement of Overriding Considerations and move forward with the Project if there is evidence to support such action.

Additionally, the Project approval process involves an additional City Design Review component to ensure that new building designs, wall designs, site design, landscaping and irrigation plans, lighting plans, parking plans, open space areas, and pedestrian areas are reviewed to confirm compliance with the DEIR and City codes and to avoid monotonous repetition, but allowing, when feasible, for originality of design. (DEIR, p. 3-26.)

With regard to Project-generated nighttime noise, implementation of mitigation measures **MM NOI 13** (listed below) through **MM NOI 15** (See Response to Comment 37-FF for **MM NOI 15**), and **MM AQ 14** (See Response to Comment 37-N for **MM AQ 14**), noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26-5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient sensitive self-adjusting backup alarms increase or decrease their

volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner to authorize, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation, and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Based on the above discussion and as analyzed in the DEIR, the Project will be consistent with the City's GP 2025 Policy LU-30.3.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-HH:**

The comment specifically calls out Policy LU-79.2. The Commenter incorrectly references the residential noise standard for the Sycamore Canyon Wilderness Park. Although Project-generated noise impacts during construction will be significant to the Sycamore Canyon Wilderness Park, the Project has been designed to be screened from and not disrupt the Sycamore Canyon Wilderness Park in accordance with GP 2025 Policy LU-79.2. This includes installation of a temporary noise barrier during Project construction as well as fencing and landscaping to create a buffer between the Project site and adjacent Park area.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division. (DEIR, p. 5.12-45.)

The DEIR analyzed and concluded operational noise impacts to the Sycamore Canyon Wilderness Park are less than significant because Project-generated noise will be below the City's noise standard for regional parks. The Urban/Wildlife Interface Guidelines set forth in MSCHP Section 6.1.4 state MSCHP Conservation Areas *should* (emphasis added) not be subject to noise that would exceed residential noise standards. That is a guideline, not a requirement. As shown on DEIR Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation, noise at the property line between the Project site and the Sycamore Canyon Wilderness Park (receptor no. 34) will be 55 dBA, which is below the Municipal Code noise standard for public recreational facilities (65 dBA  $L_{eq}$ ). Consequently, the proposed setback and fencing between the Project buildings and the Sycamore Canyon Wilderness Park is sufficient because the noise level is below the City Municipal Code noise standard for public recreational facilities.

Based on the above discussion and analysis in the DEIR, the Project will be consistent with the City's GP 2025

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-II:**

The comment specifically calls out Policy LU-80.3. The Project's proposed walls, fencing and landscaping will minimize aesthetic and noise impacts to the adjacent residences and the Sycamore Canyon Wilderness Park. The Project has been designed to incorporate several design features and the mitigation measures intended to minimize adverse land use conflicts between industrial uses and the residential and open space properties that abut the specific plan area, are consistent with General Plan 2025 Policy LU-80.3. The following design features are discussed on DEIR page 5.10-9:

Design features refer to ways in which the proposed Project will avoid or minimize potential impacts through the design of the Project. The proposed Project has been designed with sensitivity to the adjacent land uses, particularly Sycamore Canyon Wilderness Park to the west, and the existing residential neighborhoods to the north and northwest.

With regard to the Sycamore Canyon Wilderness Park, the Project includes a Mitigation Area and landscaping along its westerly boundary (**Figure 3-11 – Conceptual Landscape Plan**) to transition from the docks and trailer parking area to the Wilderness Park. The Project also includes a trail to provide controlled access for pedestrians and bicyclists to the park and a Fire Access/Parks Maintenance Road so emergency and maintenance vehicles can access the park when needed.

With regard to the adjacent residential neighborhood, the Project proposes a 64-foot wide landscaped buffer between Building 2 and the residences to the north and a minimum of 100-feet of landscaping along the western boundary adjacent to the residences (**Figure 3-11 and Figure 3-10 – Proposed Site Plan**). Additionally Building 2 does not propose any dock doors or parking on the north side of the building, so as to locate those activities away from the Sycamore Highlands residential neighborhood. As shown on Figure 3-10 all of Building 2's docks and trailer parking are south of the building. Vehicular parking is located on the east and south of Building 2.

The discussion under Policy GP LU 80.3 on DEIR page M-16 and M-17 will be amplified in the FEIR as shown below.

Policy LU-80.3	Minimize any adverse land use conflicts between industrial uses and the residential and	The proposed Project is located within the Sycamore Canyon Business Park Specific Plan and abuts residential land uses to the
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	<p>open space properties that about specific plan areas.</p>	<p>north <u>and northwest</u> and the Sycamore Canyon Wilderness Park to the west. Project design will ensure that the residential neighborhood located to the north <u>and northwest</u> will be protected from development of the proposed Project. As a result, the Project Proponent did not propose parking along the northern side of Building 2, has designed Building 2 with no cross dock facilities, and has set the building back 100-feet from the nearest residential property line. Additionally, the Project proposes an on-site trail easement which will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park and a parking lot for the users to safely park and access the trail. Fencing, <u>the Mitigation Area</u>, and on-site landscaping will provide visual appeal, functionality, and will act as a buffer which will shield the Project site from the surrounding land uses. Finally, the Project is required to comply with MSHCP Section 6.1.4 (Urban/Wildlands Interface) which will reduce land use conflicts between the proposed Project operations and the park.</p>
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The amplification of the discussion in Appendix M does not constitute significant new information that would require recirculation of the DEIR. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-JJ:**

Comment noted, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, § 15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, § 15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].) Nonetheless, the proposed logistics center at the Project site will contribute to the economic success of the Sycamore Canyon Business Park by constructing a project that is allowed by the zoning and turning a vacant site into a Project that will create jobs for residents

of the City. The Project site is currently served by water, sewer, regional stormwater, telephone lines, cable lines, and natural gas service. The construction of the proposed Project completed the City's development plan of the SCBPSP in this portion of the Plan Area. (DEIR, p. 3-40.)

The Project is consistent with the GP 2025 Policy LU-80.6 and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-KK:**

Comment noted, the DEIR analyzed and concluded that Project-generated traffic will not have a significant impact on local roadways (DEIR, pp. 5.16-56 – 5.16-57.)

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the TIA, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as "pork chops") at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound), and DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle Drive/Box Springs Road interchange. Thus, it is reasonable to expect that outbound cars and trucks will use the Eastridge Avenue-Eucalyptus Avenue interchange

These trip distribution assumptions are supported by the traffic counts taken for the TIA, which indicate 5% of the vehicles using the Fair Isle Drive-Box Springs Road/I-215 interchange are trucks and that 9% of the vehicles using the Eucalyptus Avenue-Eastridge Avenue/I-215 interchange are trucks. That is, nearly twice the number of trucks using the Eucalyptus Avenue-Eastridge Avenue/I-215 interchange as the Fair Isle Drive-Box Springs Road/Interchange. (Detailed AM and PM classification intersection counts taken for the TIA can be found in the Appendix C of the TIA, which is part of DEIR Appendix J.)

Although southbound cars and trucks will reach the Fair Isle Drive-Box Springs Road interchange from southbound Interstate 215 (I-215) first, the Eastridge Avenue-Eucalyptus Avenue interchange is closer to the Project site and would involve less driving on surface streets. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to

turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements.

Therefore, the Project is consistent with the GP 2025 Policies CCM 2.2, CCM 2.3, and CCM 2.4 and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-LL:**

Comment noted, as discussed in Appendix M of the DEIR, the Project is consistent with Policies CCM-2.7 and CCM-2.8 as summarized below.

The intersection of Sycamore Canyon Boulevard and Sierra Ridge Drive was included as one of the study intersections in the TIA prepared to analyze Project-related impacts to roadways in the Project vicinity (Study Intersection No 6 (DEIR **Figure 5.16-1** and DEIR page 5.16-4). This intersection will operate at acceptable level of service with the existing plus ambient growth plus Project plus cumulative conditions without any improvements to the intersection. (DEIR, p. 5.16-57.) The Project does not propose any driveway or local road access to Sycamore Canyon Boulevard. Further, as the main north-south roadway through the SCBPSP, Sycamore Canyon Boulevard was designed as a 4-lane north/south divided roadway in the Project area between Fair Isle Drive and Eucalyptus Avenue. Sycamore Canyon Boulevard is designated as an Arterial Street (4-lanes divided, 110-foot right-of-way) in the GP 2025 Circulation and Community Mobility Element. (DEIR, p. 5.16-3.) Thus, it was intended to be used by trucks servicing the warehouses within the SCBPSP. Also, refer to Response to Comment 37-KK above.

Therefore, the Project is consistent with the GP 2025 Policies CCM-2.7 and CCM-2.8. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-MM:**

Comment noted, as discussed in Appendix M of the DEIR, the Project is consistent with ensuring that new development projects provide adequate truck loading and unloading facilities in accordance with Policy CCM-12.2 as summarized below.

It is anticipated that the site will operate 24/7 in which case queuing would not be an issue. However due to issues with other projects within the City, a queuing analysis was performed in the event the Project is not a 24/7 operation. If the Project does not operate as proposed, the potential for queuing would be greatest during the morning, before the site gates open. The queuing capacity for Building 1 is approximately 32 to 35 semi-truck with trailers, which is greater than the anticipated number of trucks expected to arrive during the AM peak hour. The Building 2 queuing capacity is approximately 5 to 6 semi-trucks with trailers, which is slightly less than the 9 trailer trucks anticipated to arrive during AM peak hours. (DEIR Appendix M, p. M-23.)

It is unlawful to park commercial trailers or semi-trailers on any public street, highway, road, or alley within the City except at specific designated locations, such as the designated commercial vehicle parking located on Box Springs Boulevard near the Project site. (DEIR, p. 5.16-49.) It can be reasonably assumed that trucks visiting the Project site would follow these regulations and not park on neighborhood streets. However, if trucks are observed parking illegally, residents may call 311 and will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Therefore, the Project is consistent with the GP 2025 Policy CCM-12.2. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-NN:**

Comment noted, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, § 15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, § 15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].) Nonetheless as discussed in Appendix M of the DEIR and DEIR Section 5.15-7, the Project is consistent with striving to minimize through truck traffic in residential areas, and enforce City codes that restrict trucks on certain streets consistent with Policy CCM-12.4.

Refer to Responses to Comments 37-KK and 37-LL. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-OO:**

Comment noted, as discussed in Appendix M of the DEIR and Section 5.4, the Project is consistent with continuing efforts to establish a wildlife movement corridor between Sycamore Canyon Wilderness Park and the Box Springs Mountain Regional Park as shown on the MSHCP.

The Multiple Species Habitat Conservation Plan (MSHCP) identifies Criteria Cell areas to be set aside for conservation, including providing linkages between habitat areas. Because the Project site is not within an identified MSHCP Criteria Cell, it is not intended to be a part of the habitat linkage between the Sycamore Canyon Wilderness Park and the Box Springs Mountain. (DEIR, p. 5.4-22.) Therefore, development of the Project site will not conflict with efforts to establish a wildlife movement corridor between Sycamore Canyon Wilderness Park and the

Box Springs Mountain Regional Park as shown on the MSHCP and as a result of this the Project is consistent with the GP 2025 Policy OS-6.4. Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-PP:**

Comment noted, as discussed in Section 5.12 and Appendix M of the DEIR, the Project is consistent with continuing to enforce noise abatement and control measures particularly within residential neighborhoods within Policy N-1.1.

Ambient noise monitoring locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to operational noise. The purpose of the ambient noise measurements is to provide a basis for the comparison of noise impacts with and without the Project. **DEIR Table 5.12-J – Pre- and Post-Project Noise Levels (in CNEL)** compares the Community Noise Equivalent Level (CNEL) of the monitored ambient noise calculated from the 24-hour noise measurements set forth in **DEIR Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity** with the mitigated operational noise levels in CNEL assuming a uniform  $L_{eq}$  for a 24-hour operation,

The CNEL is a 24-hour weighted average measure of community noise. To account for increased human sensitivity at night, the CNEL scale includes a 5-dB weighting penalty on noise occurring during the 7:00 p.m. to 10:00 p.m. time period, and a 10-dB weighting penalty on noise occurring during the 10:00 p.m. to 7:00 a.m. time period. (DEIR, p. 5.12-3.) The CNEL values reported in **DEIR Table 5.12-J**, were calculated using the Ldn, Lden, CNEL Community Noise Calculators, available at <https://www.noisemeters.com/apps/ldn-calculator.asp>.

If, as the comment states, the 24-hour ambient noise measurements taken at Monitoring Locations ST1 and ST2 (as shown on **DEIR Figure 5.12-1 – Noise Measurement Locations**) are lower than the existing ambient noise as asserted by the commenter, the calculated CNEL would be higher than what is reported in **DEIR Table 5.12-J**. Consequently, this would mean that the difference between the Project's operational noise CNEL and the ambient noise levels, shown in the column entitled "Difference in dBA", would be less than what is reported in **DEIR Table 5.12-J**. To the extent that the difference reported in **DEIR Table 5.12-J** is greater than what the commenter asserts, the DEIR constitutes a conservative analysis.

With regard to the comparing the pre- and post-Project CNEL without implementation of mitigation measure **MM NOI 16**, this would only change the results for receptor nos. 3 and 4 as shown in the table below because implementation of mitigation measure **MM NOI 15** is within the control of the City and the Project Applicant. The mitigated operational noise levels for receptor nos. 3 and 4 with mitigation measure **MM NOI 15** only (i.e., no noise barrier as required by **MM NOI 16**) is shown below.

Monitored Location <sup>a</sup>	Measured Noise Level (CNEL <sup>b</sup> ) In dBA	Receptor No. <sup>c</sup>	Mitigated Operational Noise Level (with MM NOI 15 only) (CNEL) In dBA	Difference In dBA	Substantial Increase?	Mitigated Operational Noise Level (includes MM NOI 15 and MM NOI 16) (CNEL) In dBA	Difference In dBA	Substantial Increase?
ST2/LT2	52	4 (1 <sup>st</sup> floor)	52	0	No	46	-6	No
		4 (2 <sup>nd</sup> floor)	54	2	No	51	-1	No
		3 (1 <sup>st</sup> floor)	51	-1	No	46	-6	No
		3 (2 <sup>nd</sup> floor)	54	2	No	50	-2	No

Thus, as shown in the above table, even if the noise barrier identified in mitigation measure **MM NOI 16** is not constructed, with implementation of mitigation measure **MM NOI 15**, there will be a less than substantial increase (i.e., less than 5 dBA) from the Project’s operational noise on receptor nos. 3 and 4.

This clarification of the noise analysis to show how the removal of mitigation measure **MM NOI 16** changes the resulting noise levels on the two receptors on whose property the noise wall would be constructed, does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-QQ:**

Comment noted, the Project is consistent with General Plan Policy N-1.2 because it has been designed to include noise-reducing design features, to the extent feasible, consistent with Figure N-10 of Title 24 of the California Code of Regulations to reduce noise impacts including barriers, and site design to locate noise-generating activities at the Project site away from the residences.

The noise barrier described in mitigation measure **MM NOI 16** (See Response to Comment 37-GG for **MM NOI 16**) would only be installed at two residences (6063 Bannock Drive and 6066 Cannich Road) to reduce nighttime noise impacts to those residences. Installation of this noise barrier (wall) is under the discretion of the two property owners, and the property owners will have the opportunity to work with the Project Applicant and City Planning staff to determine the design and materials of this proposed wall. **MM NOI 16** includes specific design specifications the wall must meet to attenuate noise from the proposed Project including a list of possible materials, including glass or other transparent materials. (DEIR, p. 5.12-47.) Therefore, the specific design of this wall has not yet been determined at this time, but the wall could include transparent materials so long as they meet the noise reductions requirement from the mitigation measure.

Because installation of this barrier would have to be agreed upon between the property owners and Project Applicant, the conclusion contained in the DEIR assumes that this wall is not in place. For this reason, noise impacts associated with the Project are significant and unavoidable. However, with implementation of mitigation measures **MM NOI 1** through **MM NOI 16** as well as **MM AQ 14** (See Response to Comment 37-N for **MM AQ 14**) and **MM HAZ 3**, Project-related noise would be reduced to an acceptable level.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division. (DEIR, p. 5.12-45.)

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary. (DEIR, p. 5.12-45.)

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. (DEIR, p. 5.12-45.)

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-45.)

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use. (DEIR, p. 5.12-45.)

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-45.)

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction. (DEIR, p. 5.12-45.)

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment. (DEIR, p. 5.12-45.)

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible. (DEIR, p. 5.12-46.)

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west. (DEIR, p. 5.12-46.)

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number. (DEIR, p. 5.12-46.)

**MM NOI 12:** No blasting shall take place on the Project site. (DEIR, p. 5.12-46.)

See Response to Comment 37-GG for **MM NOI 13**.

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-45.)

See Response to Comment 37-FF for **MM NOI 15**.

See Response to Comment 37-GG for **MM NOI 16**.

See Response to Comment 37-N for **MM AQ 14**.

**MM HAZ 3:** The following deed notice and disclosure text shall be provided to all potential purchasers of the Project site property and tenants of the buildings:

NOTICE OF AIRPORT IN VICINITY. This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A). (DEIR, pp. 5.12-47-5.12-48.)

Regarding the comment that the "...study should emphasize noise impacts assuming the barrier is not in place" both the NIA and DEIR disclose construction and operational noise levels without mitigation. As stated in the DEIR:

Because of the topographical differences between the Project site and the location of sensitive receptors, the SoundPLAN Noise Model<sup>8</sup> was used to calculate a worst-case construction noise scenario. The scenario modeled assumes the use of a grader, a rubber tired dozer, a D10 dozer, two water trucks (modeled as dump trucks), two loaders, and 10 scrapers all operating between 40 and 444 feet from the nearest sensitive receptors. Because the Project site contains large rocks, an active rock crusher was also modeled in the southeastern corner of the Project site. (KA, <sup>9</sup> p. 18) As shown on **Figure 5.12-3 – Worst Case Construction Noise Scenario (L<sub>eq</sub>) with No Temporary Barrier**, unmitigated noise levels may reach up to 80 dBA L<sub>eq</sub> at the nearest single-family detached residential dwelling units north of the Project site. According to Table 7.25.010A (**Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits**), the daytime exterior noise standard for residential property is 55 dBA. Because construction noise will exceed 55 dBA at the property lines of the residential units adjacent to the Project site, this impact is considered **significant** and feasible mitigation is required. (DEIR, p. 5.12-22.)

The Sycamore Canyon Wilderness Park is located west of the Project site and as such will be exposed to construction noise. According to Riverside Municipal Code Table 7.25.010A (**Table 5.12-E**), the exterior noise standard for public recreation facilities is 65 dBA. Since the construction equipment will be in use throughout the entire Project site, unmitigated construction noise levels at the property line between the Park and the Project site may also reach up to 80 dBA L<sub>eq</sub>. This impact is considered significant and feasible mitigation is required. (DEIR p., 5.12-22.)

As further discussed in the DEIR:

Mitigation measure **MM NOI 1** requires the installation of a 12-foot high temporary noise barrier at the Project site's northern and western boundaries. As shown on **Figure 5.12-4 – Worst Case Construction Noise Scenario (L<sub>eq</sub>) with 12-Foot High Temporary Barrier**, construction noise levels at the residential property lines at the northern and western boundaries of the Project site are not expected to exceed 70 dBA. (KA, pp. 18, 29 (Figure 5), 30 (Figure 6)) Because some of these noise levels exceed 55 dBA, additional mitigation is required to further reduce construction noise. Thus, the Project will implement mitigation measures **MM NOI 2** through **MM NOI 12**. These measures require: the use of heavy grade rubber mats within the bed of trucks; properly operating mufflers on all construction equipment; placement of stationary construction equipment away from the residential uses; no idling of equipment when not in

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<sup>8</sup>The SoundPLAN Noise Model was used for this analysis as this model can consider differences in topography between a noise source and a receptor.

<sup>9</sup> KA refers to the *Noise Impact Analysis for the Sycamore Canyon Business Park Warehouse*, August 1, 2016. Prepared by Kunzman Associates, Inc. and included as Appendix I to the DEIR.

use; staging of equipment at the greatest distance feasible from the sensitive receptors; prohibition of music or amplified sound on the Project site during construction; limiting haul truck deliveries to the same hours for construction equipment; limiting the use of heavy equipment, vibratory roller, and soil compressors to the greatest degree possible, shielding of jackhammers, pneumatic equipment, and all other portable stationary noise sources to direct noise away from sensitive receptors. Signage will also be placed on the project site with a contact phone number for complaints. Implementation of **MM NOI 1** through **MM NOI 12** is expected to yield up to an additional 10 dBA in noise reduction to minimize maximum noise events (KA, p. 18). Even with implementation of feasible mitigation measures, temporary impacts from construction noise on the adjacent residences and Sycamore Canyon Wilderness Park will be significant and unavoidable. (DEIR, p. 5.12-24.)

Regarding the noise resulting from Project operations, the DEIR contains a thorough analysis of the noise resulting from the following operational sources: semi-trucks (tractor-trailers) entering and exiting the Project site and accessing dock areas, removal and hook-up of trailers, idling trucks, loading and unloading activities, occasional truck air brakes, vehicle movements within the proposed parking areas, trash compactors, and rooftop HVAC systems. (DEIR, p. 5-12-26.) The DEIR concluded that, although unmitigated operational noise will not exceed the City's daytime noise standard of 55 dBA  $L_{eq}$ , it will exceed the nighttime noise standard of 45 dBA  $L_{eq}$  along the western project boundary and at certain residences adjacent to the northwest corner of the Project site. Thus, the Project is required to implement mitigation measures **MM NOI 13** through **MM NOI 16** (see Response to Comments 37-GG, 37-QQ, 37-FF) to reduce operational noise impacts. However, as discussed in Response to Comment 37-GG, because the noise barrier outlined in **MM NOI 16** would be on private properties and neither the City nor Project Applicant has control over construction of the noise barrier, the DEIR concluded operational noise impacts are significant even with incorporation of feasible mitigation. (DEIR, pp. 5.12-24–5.12-34.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-RR:**

The comment specifically calls out Policy N-1.3. As discussed in Appendix M of the DEIR, the Project is consistent with enforcing the City of Riverside Noise Control Code to ensure that stationary noise and noise emanating from construction activities, private developments/residences and special events are minimized.

Enforcement of the noise control code is a municipal responsibility. However, even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12** (see Response to Comment 37-QQ), which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code.

The DEIR analyzed construction per the Noise Code standards that were in effect at the time of the Notice of Preparation for DEIR.

On August 18, 2016 (taking effect 30-days later) the City of Riverside City Council adopted Ordinance 7341, amending the Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code. Under these new provisions construction noise would be less than significant.

Unmitigated operational noise will not exceed the daytime noise standard of 55 dBA Leq. However, it will exceed the nighttime noise standard of 45 dBA Leq along the western project boundary and at certain residential units adjacent to the northwest corner of the Project site. Implementation of **MM NOI 13** through **MM NOI 16** will reduce operational noise impacts; however, because the noise barrier outlined in **MM NOI 16** would be on private properties, the Project proponent does not have control over construction of the noise barrier. For this reason, impacts are significant even with incorporation of feasible mitigation. (DEIR Appendix M, p. M-53.)

It should be emphasized that the noise barrier described in mitigation measure **MM NOI 16** would only be installed at two residences (6063 Bannock and 6066 Cannich) to reduce the nighttime noise impacts to those residences. Installation of the noise barrier is subject to permission of the property owners and so these property owners will have the choice to either install the barrier, or accept with elevated noise levels due to operation at the Project site. The nighttime noise levels from the proposed Project meet the City's nighttime standard at all other residences evaluated in the Noise Impact Study and DEIR with implementation of mitigation measure **MM NOI 15** (See Response to Comment 37-FF).

Because installation of this barrier is not under the jurisdiction of the City or the Project proponent, analysis contained in the Draft Environmental Impact Report assumes that this noise barrier is not in place. For this reason, noise impacts associated with the Project are significant and unavoidable. However, with implementation of mitigation measures **MM NOI 1** through **MM NOI 16** as well as **MM AQ 14** and **MM HAZ 3**, Project-related noise would be reduced to an acceptable level.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-SS:**

Comment noted, the Project site will not have any parking and there will be no dock doors on the northern edge of Building 2, the side of the building closest to the residences. Additionally, Building 2 will be setback 100-feet from the residential property line. This 100-foot setback will include 64-feet of landscaping to further reduce noise impacts. Likewise, refuse collection areas are not located near the northern or northwestern edges of the Project site and have been placed in locations further from the residences.

As discussed in Response to Comment 37- KK Egress from the Project site will be limited to right-turns only from all of the Project driveways in order to direct truck and passenger vehicle traffic away from the residences.

Although noise impacts will remain significant and unavoidable, the Project is consistent with General Plan Policy N-1.4 because the Project been designed to include noise-reducing design features, to the extent feasible, consistent with Figure N-10 of Title 24 of the California Code of Regulations to reduce noise impacts including barriers, and site design to locate noise-generating activities at the Project site away from the residences including the DEIR mitigation measures **MM NOI 1** through **MM NOI 16**.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-TT:**

Comment noted, General Plan Policy N-1.5 requires consideration when siting *noise sensitive land uses* to ensure that they are not placed in existing noise-impacted areas. However, the Project itself involves construction and operation of a logistics center which is not a noise sensitive land use. Therefore, the Project is consistent with Policy N-1.5. Refer to Response to Comments 37-GG and 37-QQ regarding noise attenuation and Project siting away from sensitive land uses to the extent feasible. Thus, the Project is consistent with the GP 2025 Policy N-1.5 and this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-UU:**

Comment noted, as discussed in Section 5.12 and Appendix M of the DEIR, the Project is consistent with the City's efforts to consider noise concerns in evaluating all proposed development decisions and roadway projects; thus, the Project is consistent with Policy N-1.8.

The Project includes various noise-reducing design features to minimize noise impacts, to the extent feasible, from construction, operation, and Project-related traffic and concludes that the nighttime operational noise will exceed the City's nighttime noise standard at two residents in mitigation measure **MM NOI 16** is not constructed. Refer to Responses to Comments 37-GG and 37-QQ regarding noise impacts and specifically the discussion on **MM NOI 16**. Pursuant to *State CEQA Guidelines* Section 15093, the City can adopt a Statement of Overriding Considerations if findings can be made that the benefits of the Project outweigh the unavoidable adverse environmental impacts. Thus, based on the analysis and discussion in the DEIR, the Project is consistent with the GP 2025 Policy N-1.8. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-VV:**

Comment noted. Refer to Response to Comment 37-M for a discussion regarding the City's adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/ Distribution*

*Facilities* and a discussion regarding the June Screening HRA, the November Refined HRA, and the New Modeling prepared for the Project.

The SCAQMD Governing Board adopted a methodology for calculating localized air quality impacts through localized significance thresholds (also referred to as a LST analysis). Localized significance thresholds represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Localized significance thresholds were developed in recognition of the fact that criteria pollutants such as NO<sub>x</sub> can have local impacts at nearby sensitive receptors as well as regional impacts. Based on the LST analysis, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors within the Project vicinity for any criteria pollutants. (DEIR, p.5.3-27-29.)

Since the Project does not exceed any SCAQMD LST for NO<sub>x</sub> during construction or operation of the Project, potential Project-related NO<sub>x</sub> and thereby NO<sub>2</sub> exposure was adequately analyzed in the DEIR. Additionally, **MM AQ 17a** (see Response to Comment 37-W for **MM AQ 17a**) was included that requires the Project to provide Tier 3 grading equipment will be used during Project grading to reduce NO<sub>x</sub> and diesel particulate matter (DPM) impacts to nearby receptors. As discussed in Response to Comment 37-W, the Project has incorporated a design feature that requires all medium-and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emission standards. Because Project Design Features are also listed as mitigation measures in the DEIR (DEIR, p. 5.3-35), mitigation measure **MM AQ 17b**, will be included in the FEIR and Mitigation Monitoring and Reporting Program (MMRP).

In terms of Good Neighbor Guideline Strategy 2a, the Project has a direct route between the Project site and the freeways in that the Project site is accessed from Sycamore Canyon Boulevard, a 4-lane divided major arterial. Further, the “urban intersect” as described in the Sycamore Canyon Business Park Specific Plan at the Interstate 215 and Eastridge Avenue has since been constructed, allowing for a direct connection to Interstate 215. Therefore, the Project is consistent with this Strategy. (DEIR Appendix M, p. M-70.) In the City of Riverside, trucks are generally not restricted to specific roadways; however, the majority of trucks will use the I-215 Ramps at Eastridge Ave-Eucalyptus Ave since it utilizes the “urban intersect”. Nonetheless, pursuant to Chapter 10.56 of the City’s Municipal Code commercial vehicles (trucks) over 10,000 pounds are prohibited from using Lochmoor Drive, Fair Isle Drive and Sycamore Canyon Boulevard, between El Cerrito Drive and University Drive. Based on the average daily trip calculations from the traffic study, truck traffic is anticipate to account for approximately 5 percent of total trips on Fair Isle Drive from Sycamore Canyon Boulevard to the I-215 Northbound Ramps for existing plus Project conditions.

Light and noise impacts to Sycamore Canyon Wilderness Park were analyzed in Appendix M of the DEIR under Policy LU-79.2 and Section 5.1 – Aesthetics and Section 5.12 – Noise in the DEIR. The Project does not propose any direct lighting into the Sycamore Canyon Wilderness Park. All Project lighting will be directed away from the Park and shall incorporate shielding as required by the Chapter 19.556 of the City’s Municipal Code. As discussed in Section 5.12 –

Noise, the Project will install a temporary construction noise barrier along its western boundary to minimize the effect of noise on the Sycamore Canyon Wilderness Park. Once completed, the Project will include fencing and landscaping surrounding the trailer parking and docking area. (DEIR Appendix M, pp. M-14-15.)

The proposed Project is consistent with the City's *Good Neighbor Guidelines*. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-WW:**

Comment noted. With respect to the grading exceptions, the grading of the Project site is regulated by Title 17 of the City of Riverside Municipal Code (RMC) (Grading Code), which sets forth rules and regulations placed on grading to control erosion, grading, and earthwork construction, including fills and embankments. One of the purposes of the Grading Code is to regulate grading in a manner that minimizes the adverse effects of grading on natural landforms, soil erosion, dust control, water runoff, and construction equipment emissions. (DEIR, p. 5.10-7.)

Section 17.28.020 of the Grading Code applies to any parcel having an average natural slope of 10 percent or greater, or that is located within or adjacent to a delineated arroyo or a blue-line stream identified on USGS map. Although the Project site does not contain any designated arroyos and its average natural slope is less than 10 percent, it is subject to Section 17.28.020 because the site contains a blue-line stream. Therefore, grading must be confined to the minimum amount necessary and the ungraded terrain must be left in its natural form on the remainder of the site. This section also requires the use of contour grading such as rounded and blended slopes; grading that fits into the natural terrain; structures designed to fit with the contours of the hillside; pad size limitations; and grading in blue-line streams limited to the minimum necessary for access or drainage. (RMC) To accommodate the proposed grading plan, exceptions to RMC Section 17.28.020 are proposed. (DEIR, p. 5.6-10.) The grading exceptions make the Project consistent with Title 17.

With respect to the parking variance, development of the Project site is regulated by the City of Riverside, Zoning Code, Title 19, a key tool to implement the policies of the General Plan 2025. Many of the goals, policies, and actions of the General Plan 2025 are achieved through zoning, which regulates public and private development. The Zoning Code contains the regulatory framework that specifies allowable uses for property and development intensities; the technical standards such as site layout, building setbacks, heights, lot coverage, parking, etc.; and the aesthetic impacts related to physical appearance, landscaping, lighting; site design, building design are aspects of the Zoning Code. The Project as proposed complies with the Zoning Code. (DEIR, p. 5.10-5.)

Because the City's Municipal Code does not have a parking standard specific to logistics centers, a variance is needed to permit Parcel 1/Building 1 to provide 446 parking stalls where 1,043 stalls are required and to permit Parcel 2/Building 2 to provide 143 parking stalls where 393 stalls are required. (DEIR, p. 3-23.) The City must make findings prior to the approval of

the Variance, the findings are not a part of the DEIR, but are related to the zoning. The facts and conclusions of the DEIR may be used by the City in their evaluation of the Variance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-XX:**

Comment noted, the Project is consistent with MSHCP Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools). The Project site was found to have suitable habitat for wildlife species that commonly occur in riparian/riverine habitats associated with Section 6.1.2 of the MSHCP. Because the requisite focused surveys were completed for the Project site, and only common fairy shrimp were observed, the Project proposes an on-site Mitigation Area to replace lost riparian habitat and as such the Project will be compliant with Section 6.1.2 of the MSHCP. (DEIR, p. 5.4-24.)

The DBESP determined that the habitat that will be created in the Project's Mitigation Area is considered biologically superior in comparison to the existing drainage. Therefore, with implementation of mitigation measure **MM BIO 3** (See Response to Comment 37-BB for MM BIO 3), which requires a Habitat Mitigation Management Plan (HMMP) be prepared describing the habitat creation and establishment of success criteria and **MM BIO 4** (See Response to Comment 37-BB for MM BIO 4), which requires recordation of a conservation easement, there will be no net loss of riparian/riverine habitat. (DEIR, p. 5.4-21.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-YY:**

Comment noted. As described in Appendix I of the DEIR, noise measurements were taken near existing noise sensitive areas surrounding the project site. (DEIR Appendix I, p. 9.) Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that change in the noise levels resulting from Project implementation would be overstated. Noise impacts due to Project operation are anticipated to be the greatest for two residences located at 6063 Bannock and 6066 Cannich. Although noise measurements were not taken specifically at these residences to quantify existing ambient noise, the NIA modeled 30 receptors to thoroughly evaluate the proposed Project's operational noise impacts on the surrounding residences. Of the 30 receptors modeled only two residences will be impacted by Project-generated noise during Project operation. (DEIR, Figure 5.12-5.) The NIA and DEIR included noise mitigation to reduce noise impacts. As previously discussed in Responses to Comments 37-GG and 37 QQ, if all of the noise mitigation measures are implemented, the noise impacts would be less than significant; however, because installation of the 10-foot noise barrier mitigation under **MM NOI 16** is subject to the approval of the two property owners on whose land the proposed barrier will be installed, and such approval may or may not be

provided, the noise impact is considered significant and unavoidable. (DEIR, pp. 5.12-34, 5.12-48.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-ZZ:**

CEQA Guidelines Section 15151 provides that an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of the environmental consequences.

Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. If, as asserted by the commenter, the ambient noise levels reported in the NIA and DEIR are too low, the result would be that change in the noise levels resulting from Project implementation would be overstated. Existing noise levels in the Project vicinity were measured on five separate days in December 2015. (DEIR, Table 5.12-B.) These measurements consist of three 10-minute, short-term, noise measurements and two 24-hour, long-term, noise measurements. Noise measurement locations were chosen to reflect different existing noise environments from the residents to the northwest of the Project site as well as residents to the north of the Project site. It is important to note, that in selecting the locations for ambient monitoring, locations that would be quieter were intentionally selected to avoid the perception that ambient noise was measured at the noisiest spots in order to understate the Project's impacts with regard to an increase in noise associated with the Project. Again, the purpose of the ambient noise measurements is to provide a basis for the comparison of noise with and without the Project; thus, longer term measurements are not necessary. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City's Noise Ordinance or applicable standards.

With regard to meteorological conditions, precipitation, rain, snow, or fog, has an insignificant effect on sound levels although the presence of precipitation will affect humidity and may also affect wind and temperature gradients. (Sound Propagation.<sup>10</sup>) As sound travels through the atmosphere, it is affected by temperature, humidity, and wind currents, which can change the speed and direction of sound. Just as light bends when traveling through a prism, sound bends as a result of the varying atmospheric properties. Sound waves tend to bend toward cooler temperatures and away from warmer temperatures. For example, on a typical summer afternoon, because air temperatures generally decrease with altitude, sound generated at ground level would bend upward towards the cooler air. For a person at the same level as the sound, the sound waves are bending up and over the person listening, creating what is known as a shadow zone. When this occurs, a noise source may be visible at a distance but be perceived as quieter than expected. When the air temperature is cooler close to the ground

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<sup>10</sup> Sound Propagation website. (Available at [https://www.sfu.ca/sonic-studio/handbook/Sound\\_Propagation.html](https://www.sfu.ca/sonic-studio/handbook/Sound_Propagation.html), accessed November 27, 2016.)

than it is at higher altitudes, such as late at night or over calm lakes or icy surfaces, the sound waves bend closer to the ground and if the ground is reflective, the sound bounces off the ground and may propagate (travel) further than expected. (Cowan,<sup>11</sup> pp. 11, 19-21.) Because the effects of temperature gradients are more important over long distances (Caltrans TeNS<sup>12</sup>), these gradients would not substantially change the results of the NIA.

Generally speaking, wind currents allow sound to travel further than expected when the sound is being emitted in the same direction as the wind (downwind) and sound will travel a shorter distance than expected when the sound is being emitted in the direction against the wind (upwind). (Cowan, p. 21.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-AAA:**

Comment noted, **MM AES 1** (See Response to Comment 37-J for MM AES 1) requires an eight-foot tall wall constructed of two-sided decorative masonry material along the Project's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses to provide separation between the Project site and the adjacent residential uses. (DEIR, p. 5.1-31-32.) Construction of this wall will be required of the Project; therefore, including the wall in the noise impact analysis was justified to model appropriate Project conditions.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-BBB:**

Comment noted, as stated on page DEIR, 5.12-22, because of the topographical differences between the Project site and the location of sensitive receptors (i.e., adjacent residences), the SoundPLAN Noise Model was used to model construction and operational noise generated on the Project site. The modeling included existing and proposed elevation lines and points within the Project site and adjacent residential uses to account for the effects of topography on noise levels as a result of the proposed Project. (DEIR, p. 5.12-24.) The noise modeling and anticipated noise impacts reflect the acoustics and geography of the area.

The hour with the highest on site Project operational noise was also modeled utilizing the SoundPLAN model. Existing and proposed elevation lines and points on the Project site and adjacent residential uses were uploaded into the model in order to take into account the effects of topography. (DEIR, p. 5.12-24.)

In addition, the ambient noise measurements were taken near sensitive receptors adjacent to the project site as these are the most likely to be affected by project noise. The noise model, SoundPLAN, is a three-dimensional noise model that takes into consideration the acoustic

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<sup>11</sup> Cowan refers to the *Handbook of Environmental Acoustics*, published by John Wiley & Sons, Inc., 1994.

<sup>12</sup> Caltrans TeNS refers to the Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013. (Available at [http://www.dot.ca.gov/hq/env/noise/pub/TeNS\\_Sept\\_2013B.pdf](http://www.dot.ca.gov/hq/env/noise/pub/TeNS_Sept_2013B.pdf), accessed November 27, 2016.)

effects of existing and proposed topography as well as existing and proposed buildings. So, any sound reflection associated with the topography and the proposed buildings was taken into consideration with the noise modeling. It is also important to understand that existing ambient noise levels were taken to document existing ambient noise levels and were not taken as representative noise measurements to be utilized in the noise model. The SoundPLAN noise model has an expansive library with a variety of construction, industrial and recreational noise reference levels. Appropriate assumptions were entered for project operations, including back-up beeper noise, trailer drop noise, HVAC noise etc.

Meteorological effects were taken into account in the noise model. SoundPLAN allows the user to input temperature, humidity and air pressure. The following meteorological parameters were entered: humidity 49%, average annual temperature 66F, air pressure 985 mbar. In response to comments raised regarding the noise impacts during other time of the year, additional model runs were made to account for different meteorological conditions. According to Weather Underground, the average temperature for the City of Riverside is 69° F and average humidity is 49.7 percent. Between November 2015 and November 2016, the highest temperature in Riverside was 114° F and the lowest temperature was 33° F. To evaluate the effects of changes in temperature and humidity referenced in the commenter’s comment, four new modeling runs were prepared, in response to comments received, assuming: (i) temperature at 33° F and 0% humidity, (ii) temperature at 33° F and 100% humidity, (iii) temperature at 114° F and 0% humidity, and (iv) temperature at 114° F and 100% humidity. The results of this analysis, which does not change or materially impact the conclusions set forth in the NIA and DEIR, is summarized in the table below.

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity	Noise Level at 33° F and 100% humidity	Noise Level at 114° F and 0% humidity	Noise Level at 114° F and 100% humidity
1 first floor	43	42	43	41	41
1 second floor	45	44	45	43	44
2 first floor	30	30	30	30	30
2 second floor	32	32	32	32	32
3 first floor	45	45	45	44	44
3 second floor	49	48	49	48	48
4 first floor	48	47	48	47	47
4 second floor	52	51	52	51	51
5 first floor	49	49	49	49	49
5 second floor	50	49	50	49	49
6 first floor	43	43	43	43	43
6 second floor	44	43	44	43	43
7 first floor	38	38	38	38	38
7 second floor	39	39	39	39	39
8 first floor	33	33	33	33	33
8 second floor	35	35	35	35	35
9 first floor	35	35	35	34	35
9 second floor	37	37	37	36	36
10 first floor	39	38	39	37	38
10 second floor	41	40	41	39	40

Receptor No. per DEIR Figure 5.12-5	Noise Level per DEIR Figure 5.12-5	Noise Level at 33° F and 0% humidity	Noise Level at 33° F and 100% humidity	Noise Level at 114° F and 0% humidity	Noise Level at 114° F and 100% humidity
11 first floor	33	33	33	33	33
11 second floor	35	35	35	35	35
12 first floor	31	31	32	31	32
12 second floor	34	34	34	34	34
13 first floor	30	30	30	30	30
13 second floor	32	32	32	32	32
14 first floor	31	31	31	31	31
14 second floor	33	33	33	33	33
15 first floor	32	31	32	32	32
15 second floor	34	34	34	34	34
16 first floor	31	31	31	31	31
16 second floor	34	33	34	34	34
17	30	30	30	30	30
18 first floor	44	43	44	43	43
18 second floor	45	44	45	44	44
19 first floor	43	43	43	42	42
19 second floor	43	43	43	43	43
20 first floor	31	31	31	31	31
20 second floor	37	37	37	37	37
21 first floor	34	34	34	34	34
21 second floor	39	39	39	38	38
22	36	36	36	36	36
23 first floor	36	36	36	35	36
23 second floor	37	37	38	37	37
24 first floor	33	32	33	32	32
24 second floor	35	34	35	34	34
25 first floor	31	30	31	30	31
25 second floor	34	34	34	34	34
26 first floor	29	29	29	29	29
26 second floor	32	32	32	32	32
27 first floor	32	32	32	32	32
27 second floor	34	33	33	33	33
28 first floor	31	31	31	31	31
28 second floor	34	34	34	34	34
29 first floor	30	30	30	30	30
29 second floor	33	33	33	33	33
30 first floor	31	31	31	31	32
30 second floor	35	35	35	34	35
31	48	48	48	48	48
32	47	47	47	47	47
33	38	38	38	37	37
34	55	54	54	54	54

The amplification of the effects of meteorological conditions on sound does not constitute significant new information that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise events that occur within the line of sight of the homes on the ridge west of the project site are expected to be more audible than those events that may be closer in distance but not within a direct line of sight which is why there were noise modeling done for both the first and second story of each of the sensitive receptors. The NIA and DEIR evaluated the elevational differences. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-CCC:**

According to **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation**, receptors 3, 4, and 5 exceed the nighttime exterior noise standard of 45 dBA Leq. Section 5.12 of the DEIR states that unmitigated operational noise will not exceed the daytime noise standards of 55 dBA Leq. However, they will exceed the nighttime 45 dBA Leq along the western project boundary and at the single-family detached residential dwelling units adjacent to the northwest corner of the site. (DEIR, p. 5.12-26.) The omission of receptor 5 in the DEIR text was a typographical error and does not change the results of the analysis or the placement of the noise wall required by **MM NOI 16**. As noted in the comment two other receptors (i.e. 1 and 18) are at 45 dBA Leq, but do not exceed this standard.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-DDD:**

The comment requests clarification of the Leq and Lmax noise terminology used. Leq refers to the equivalent noise level. Lmax refers to the maximum level of noise. (DEIR Appendix I, Appendix A) **Figures 5.12-5 – Operational Noise Levels (Leq) No Mitigation** and **5.12-6 – Operational Noise Levels (Leq) with Mitigation** are represented in Leq to capture the operational noise or the equivalent noise level. These figures encompass all operational noise including dock activities averaged over a one-hour period. **Figures 5.12-7 – Back Up Beeper Operational Noise Levels (Lmax) with No Mitigation** and **5.12-8 – Dock Areas Operational Noise Levels (Lmax) with No Mitigation** refer to maximum noise events associated with back up beepers and dock area activities representing more isolated noise events. Therefore, Lmax was used to capture these noise events. **Figure 5.12-8** is titled as Leq; however, this is a typographical error that will be revised in the Final EIR and does not have an impact on the results of the analysis.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-EEE:**

The noise barrier described in mitigation measure **MM NOI 16** (See Response to Comment 37-GG for **MM NOI 16**) would only be installed at two residences (6063 Bannock Drive and 6066 Cannich Road) to reduce nighttime noise impacts to those residences. Installation of this noise barrier (wall) is under the discretion of the two property owners, and the property owners will have the opportunity to work with the Project Applicant and City Planning staff to determine

the design and materials of this proposed wall. **MM NOI 16** includes specific design specifications the wall must meet to attenuate noise from the proposed Project including a list of possible materials, including glass or other transparent materials. (DEIR, p. 5.12-47.) Therefore, the specific design of this wall has not yet been determined at this time, but the wall could include transparent materials so long as they meet the noise reductions requirement from the mitigation measure.

Because installation of this barrier is not under the jurisdiction of the City or the Project proponent, analysis contained in the Draft Environmental Impact Report assumes that this noise barrier is not in place. For this reason, noise impacts associated with the Project are significant and unavoidable. Implementation of mitigation measure **MM NOI 16** as well as implementation of mitigation measures **MM NOI 13** through **MM NOI 16** and **MM AQ 14** (See Responses to Comments 37-GG, 37-QQ, 37-N), will reduce the noise impacts from operation of the Project to below the City's nighttime noise standards; however, because implementation of **MM NOI 16** is dependent on the consent of private property owners, this mitigation measure is considered not feasible and operational noise impacts must remain significant and unavoidable. (DEIR, pp. 5.12-28, 5.12-34, 5.12-48.) Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Views of Box Springs Mountains, Sycamore Canyon Wilderness Park, and Moreno Valley are partially obscured from existing walls at the rear property line and accessory structures of the private residences. If the 10-foot wall is placed at the top edge of the rear yard of the two residences mentioned above, which are at an approximately 1,650-foot elevation, partial views of the Box Springs Mountains would remain visible from both the first-story and second-story homes given the approximate 3,100 feet elevation of the Box Springs Mountains (Google Earth 2016). In addition, **MM NOI 16** does allow for the noise barrier to be constructed from transparent materials so long as they meet the design requirement of the mitigation measure. Since Sycamore Canyon Wilderness Park is situated at a lower elevation and some parts of Moreno Valley are situated at a lower elevation and in the distant viewscape, the views from the first floor may already be obscured. The aesthetic impacts of the Project were properly addressed in the DEIR and the design flexibility of the noise barrier required in **MM NOI 16** will prevent the wall from creating significant obstructions as claimed by the commenter.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 37-FFF:**

See Response to Comment 37-BBB for information on how the noise model works. According to the United States Department of Transportation, a line source consists of "multiple point sources moving in one direction radiating sound cylindrically."<sup>13</sup> Therefore, although the space between the buildings will create a "line," analysis of noise generated between these two buildings as a "line source" would not be appropriate. The noise modeling prepared to analyze

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<sup>13</sup> U.S. DOT, *Terminology*, <http://www.fhwa.dot.gov/environment/noise/measurement/mhrn02.cfm>, accessed October 13, 2016.

noise impacts due to operation of the Project did take into account the topography of the site and its vicinity and existing and proposed structures; therefore, the recommendations included in mitigation measure **MM NOI 15** (See Response to Comment 37-FF for **MM NOI 15**) referenced in this comment would contribute to a reduction in the noise impacts on the adjacent residences.

Nevertheless, because the noise barrier in mitigation measure **MM NOI 16** requires permission from private property owners for installation, noise impacts from Project operation remain significant and unavoidable. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-GGG:**

The noisiest hour on-site Project operational noise was modeled using the SoundPLAN model. To evaluate the proposed Project's operational noise impacts on the surrounding residences, a total of 30 receptors were modeled and anticipated noise levels on the first and second floors of each receptor were quantified. (DEIR, p. 5.12-26.) Therefore, the noise modeling was sure to quantify maximum expected noise from the proposed development both above and below the proposed 8-foot wall between the Project site and residences to the north as well as above and below the 10-foot noise barrier proposed at two residences to the northwest of the Project site as part of mitigation measure **MM NOI 16** (See Response to Comments 37-GG for MM NOI 16).

Assuming noisiest conditions, noise levels at the first floor and second floor of all of the receptors to the north and northwest of the Project site will not exceed the City's daytime noise standard of 55 dBA Leq. The City's nighttime noise standard will only be exceeded from the second floor of two residences to the northwest of the Project site; however, implementation of mitigation measure **MM NOI 16**, with permission from the property owners, would reduce operational noise levels to below the City's standard. However, because neither the City nor the Project proponent has the authority to implement this mitigation measure, impacts will remain significant and unavoidable. (DEIR, pp. 5.12-26 – 5.12-28.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-HHH:**

Operational noise impacts from the Project site will be significant and unavoidable because the City's nighttime noise standard will be exceeded for two residences to the northwest of the Project site. The installation of a noise wall as required by mitigation measure **MM NOI 16** will reduce the noise levels to below a level of significance; however, because neither the City nor the Project applicant has the authority to require installation of a 10-foot tall noise barrier at these properties the noise impact must be left significant and unavoidable.

As previously discussed, background noise readings were taken at two locations to represent a conservative estimate of the existing ambient noise environment at the Project site. If these noise measurements are too low, as alleged in this comment, this would over-emphasize the impact of Project-related noise to the surrounding sensitive receptors. As well, the construction of the proposed Project will block some of the sound from the Big 5 distribution center referenced by the Commenter.

It is also important to note that the existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes, including analysis of impacts related to noise. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, health risk assessment, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-III:**

Comment noted, the 24-hour noise measurements take into account the existing noise environment in the Project vicinity, including any beeping, crashes, and bangs associated with operations at nearby warehouses or distribution centers that may have occurred during the measurement period as well as noises from the adjacent residences like barking dogs, street and traffic noise and sirens. The existing noises near the project site were captured during this 24-hour noise measurement period.

Project operations will generate noise from vehicle movements within the proposed parking areas, idling trucks, loading and unloading activities, trash compactors and rooftop HVAC systems. The dominant operational noise will generally include noise associated with semi-trucks (tractor-trailers) entering and exiting the Project site and accessing dock areas, removal and hook-up of trailers, occasional truck air brakes, and vehicles associated with employees. (DEIR, p. 5.12-24.) These factors were taken into account in the noise modeling completed as part of the Noise Impact Analysis. Chapter 5.12 and Appendix I of the DEIR reports that operational on-site noise is not expected to result in sleep disruption. (DEIR Appendix I, p. 20-21.)

Please refer to Response to Comment 37-BBB for a detailed discussion about ambient noise and the effect that meteorology has on noise.

The Project site has been arranged so that there are no dock doors on the north side of Building 2. In addition, no truck traffic is allowed to use the drive-aisle along the north side of Building 2 (**MM NOI 14**) therefore, homes located north of the Project site will not be affected by noise associated with truck trailers.

Noise associated with tractor trailers including attaching and dropping trailers was included in the modeling assumptions for the peak hour analysis. A mitigation measure restricting access to the loading area and trailer parking located just south of Building 2 between the hours of 10:00 PM to 7:00 AM has been included in the technical noise study and the EIR (**MM NOI-15**) This mitigation measure will reduce the nighttime noise impacts to less than significant to all but two of the residences. Refer to discussion on these two residences and mitigation measure **MM NOI 16** in Response to Comments 37-GG, 37-PP and 37-QQ.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-JJJ:**

There is only one receptor location that will experience a CNEL increase of 5 dBA or greater. The receptor is located approximately 10 feet west of the westerly Property line in the Sycamore Canyon Wilderness Park, this receptor is the park, no homes will see this level of increase because the change in noise levels resulting from Project operations will be perceptible at this location (i.e. 5 dBA or greater at certain receptors), this is considered a substantial increase. However, this increase is not a significant impact, because there are no sensitive receptors (i.e. residents) at receptor location 34, it is the Sycamore Canyon Wilderness Park and the Project's mitigated noise levels are within the GP 2025 "Normally Acceptable" compatibility criteria (55-70 dBA) for neighborhood park land uses. (DEIR, p. 5.12-40.)

With respect to the Noise analysis please refer to Response to Comments 37-GG, 37-PP and 37-QQ. This comment does not identify any significant new environmental issues or impacts that were not already discussed in the DEIR.

**Response to Comment 37-KKK:**

Comment noted, Project-generated traffic is projected to result in an approximate 7.2 dBA increase along Dan Kipper Drive west of Sycamore Canyon Boulevard. Although this increase is greater than 5 dBA and, as such, substantial, this impact is less than significant because the noise levels, even after this increase, will only be 47.2 CNEL (DEIR Table 5.12K) and will not exceed the 70 dBA General Plan 2025 "Normally Acceptable" compatibility criteria for Industrial and Manufacturing land uses (**Figure 5.12-2 – Noise/Land Use Compatibility Criteria**). In addition, the General Plan 2025 FEIR states that "a clearly perceptible increase (+5 dB) in noise exposure of sensitive receptors could be considered significant". Again, while this increase is greater than 5 dBA, there are no sensitive receptors adjacent to this road segment, therefore the increase would not be considered significant. (DEIR, p. 5.12-41.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-LLL:**

Comment noted. See Response to Comment 37-BBB for information on how the noise model works. A discussion of cumulative noise impacts is included in Section 6.1.14 of the DEIR. Because the Project's construction noise impacts are significant even with incorporation of feasible mitigation measures, the Project's contribution to short-term noise is considerable and cumulative impacts from construction noise are considered significant and unavoidable. The DEIR analyzed construction per the Noise Code standards that were in effect at the time of the Notice of Preparation for DEIR. On August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City of Riverside City Council amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code. Under these new provisions construction noise impacts would be less than significant.

Of the 15 cumulative development projects within the City identified in DEIR Table 6-A (see Response to Comment 37-KKK), the following five projects are within the SCBPSP: No. 5 – Health and Fitness Center, No. 8 – Alessandro Business Center, No. 10 – CT Sycamore Center, No. 12 – Mt. Baldy Drive/San Gorgonio Drive Industrial Project, and No. 14 – Sycamore Canyon Industrial Warehouse Development. With regard to including buildout of the entire SCBP in the cumulative noise analysis, DEIR Figure 8-4 – Alternative Location 3 identifies the location of all vacant property within the SCBPSP area. Because the City does not have any pending entitlement applications and is not currently processing any plans for these properties it would be speculative to assume what the future uses would be and the types of noise produced by such uses. For this reason, the DEIR does not consider the anticipated noise impacts associated with the future build-out of the SCBP in the DEIR. At the time development on these vacant parcels, the City and applicant(s) for these projects will be required to comply with CEQA and evaluate the environmental impacts associated with their respective proposed projects, including noise and cumulative impacts.

The DEIR utilized the “list method” approach in the cumulative analysis and focuses on whether the impacts of the proposed Project are cumulatively considerable within the context of combined impacts caused by other past, present, or future projects. The cumulative impact scenario considers other projects proposed within the Project area that have the potential to contribute to cumulatively considerable impacts. Based on discussions with City staff, a list of projects that may have the potential to contribute to cumulative effects was identified and included in DEIR **Table 6-A – Cumulative Development Projects** shown below. (DEIR, p. 6-2.)

**Table 6-A – Cumulative Development Projects**

No. on Figure 6-1	Project (Case Number) Project Location	Land Use	Project Size	Status
<b>Projects within the City of Riverside</b>				
1	Auto Parts Store in Mission Plaza P07-1181/P07-0593 381 Alessandro Blvd	Auto parts store	1,500 SF	Approved (5/6/2008) Not constructed
2	Proposed bank in Canyon Crossings Shopping Center P08-274/P08-0275 2570 Canyon Springs Pkwy	Commercial bank with drive-thru lane	2,746 SF	Approved (9/9/08) Not constructed
3	ARCO and <i>ampm</i> Market P10-0090/P10-0091 6287 Day Street	Gasoline station with convenience market	2,700 SF	Approved (6/8/2010) Open
4	Chase Bank (P12-0419/P12-0557/ P12-0558/P12-0559) 360 Alessandro Boulevard	Bank with two-lane drive-thru	3,100 SF	Approved (5/7/2013) Not constructed
5	Health and Fitness Center (P14-0457) 6465 Sycamore Canyon Boulevard	Interior remodel for a health and fitness center within existing 92,410 SF two-story office building	4,000 SF	Approved (6/30/2014) Constructed
6	Steak and Shake (P14-0536/P14-0537) Northwesterly corner of Valley Springs Parkway and Corporate Center Drive	Fast food restaurant with drive-thru restaurant	3,750 SF	Application submitted
7	Tract Map 32180 (P07-1073) North of the intersection of Moss Road and Pear Street	Nine lot subdivision for single family residences	9 DU	Approved (6/5/2008) Construction has not started
8	Alessandro Business Center (P07-1028/P06-0416/ P06-0418/P06-0419/ P06-0421/P07-0102) Northwest corner of Alessandro Boulevard and San Gorgonio Drive	Four industrial/manufacturing buildings.	662,018 SF	Approved (3/9/2010) Construction complete
9	Tract Map 36641 (P13-0665) Southwest corner of Wood Road and Moss Street	Eight lot subdivision for single family residences	8 DU	Approved (4/17/2014) Construction has not started

No. on Figure 6-1	Project (Case Number) Project Location	Land Use	Project Size	Status
10	CT Sycamore Center (P14-1053/P14-1054) Northwest corner of Dan Kipper Drive and Sycamore Canyon Boulevard	Five buildings with warehouse and office space in each building.	230,420 SF total (205,4720 SF warehouse and 25,000 SF office)	Approved (4/30/2015) Construction complete
11	Sycamore Canyon Apartments (P13-0553/P13-0554/P13-0583/P14-0065) 5940 – 5980 Sycamore Canyon Boulevard (Between Raceway Ford and Raceway Nissan)	Multi-family residential	275 DU	Approved (10/9/2014) Construction has not started
12	Mt. Baldy Drive/San Gorgonio Drive Industrial Project (P14-0600/P14-0601/P14-0602/P15-0044) Southeast corner of Mt. Baldy Drive and San Gorgonio Drive	Multiple-tenant industrial building	121,390 SF	Approved (6/9/2015) Under construction
13	Street Vacation for an Apartment Project (P12-0309) Monte Vista Drive and Pollard Street	Apartment building	88 DU	Construction of apartment project has not started
14	Sycamore Canyon Industrial Warehouse Development (P13-0607/P13-0608/P13-0609/P13-0854) 6150 Sycamore Canyon Boulevard	Industrial building	171,616 SF	Approved (5/13/2014) Construction complete
15	Annexation 118 (P14-0246/P14-1059/P14-0901) Northwest corner of Sycamore Canyon Boulevard and Central Ave.	Annexation, GPA, and Pre-Zoning for a retail commercial shopping center	102,000 SF	Approved (7/28/2015) Construction has not started
16	Quail Run Apartments (P14-0683/P14-0684/P14-0685/P15-1080/P15-1081/P15-1082) Northwest corner of Quail Run Road and Central Avenue)	Multi-family residential	216 DU	Approved (07/26/16)

No. on Figure 6-1	Project (Case Number) Project Location	Land Use	Project Size	Status
<b>Projects within the City of Moreno Valley</b>				
17	Status Nightclub and Lounge Canyon Springs Plaza	Nightclub	11,000 SF	Open for business
18	O'Reilly Automotive 23334 Sunnymead Boulevard	Auto parts store	7,500 SF	Open for business
19	Available Restaurant Space Plaza Del Sol Shopping Center 23060 Alessandro Boulevard	Restaurant	9,000 SF	Available
20	Rivals Sports Bar & Grill TownGate Promenade	Sports bar & grill	6,452 SF	In plan check
21	Aldi Market 12630 Day Street (TownGate Promenade)	Grocery market	20,300 SF	Open for business
22	Yum Yum Donut Shop Northwest corner of Day Street and Alessandro Boulevard	Donut shop and convenience store	4,351 SF	In planning
23	Hawthorn Inn & Suites Cactus Commerce Center Cactus Avenue	Four-story Hotel	79 guest rooms	Approved Not constructed
24	Sleep Inn Suites Olivewood Plaza Sunnymead Boulevard	Three-story Hotel	66 guest rooms	Approved Not constructed
25	Moreno Valley Professional Center Alessandro Boulevard east of Ellsworth Street	Four Office buildings	84,000 SF	Approved
26	Gateway Business Park South of Alessandro Boulevard west of Day Street	34 Industrial condominiums between 5,000 and 10,000 SF	184,000 SF	Approved
27	Veterans Way Logistics Center	Distribution facility	366,698 SF	Under construction
28	World Logistics Center	Corporate park specific plan	41 million SF total	Approved (8/26/2015) Construction has not started

The location of the cumulative development projects in relation to the Project site is shown on DEIR **Figure 6-1 – Cumulative Development Location Map**. The cumulative development projects located nearest the proposed Project site are No. 5 – Health and Fitness Center, No. 10 – CT Sycamore Center, No. 11 – Sycamore Canyon Apartments, and No. 14 – the Sycamore Canyon Industrial Warehouse Development. (DEIR, pp. 6-2–6-5.)

In evaluating cumulative impacts, the geographic scope (or cumulative impact area) used for each environmental issue (i.e., air quality, biological resources, cultural resources, noise, etc.) is different depending upon the potential area of effect. For example, the geographic scope for air quality would be the South Coast Air Basin (Basin), while the geographic scope for cumulative aesthetics impacts would be the viewshed, and the geographic scope for traffic/circulation would be the intersections in the Project vicinity that could be affected by the cumulative projects. (DEIR, p. 6-5.)

The DEIR Section 6.1.14 discusses cumulative noise impacts from: (i) construction of the proposed Project plus applicable cumulative development projects, (ii) operation of the proposed Project plus applicable cumulative development projects, and (iii) traffic from the cumulative development projects. Each of these will be discussed below.

#### Construction Noise

Potential impacts from Project-related construction will be significant, even with implementation of feasible mitigation measures. Additional potential cumulative impacts from construction noise could result if construction of the proposed Project and one or more of the three cumulative development projects within 0.5 miles of the Project site occurred simultaneously. Because project Nos. 10 and 14 have already been constructed (**Table 6-A – Cumulative Development Projects**), project No. 11 – Sycamore Canyon Apartments is the only project with the potential to be constructed at the same time as the proposed Project. As shown on DEIR **Figure 6-1**, project No. 11 is located east of Sycamore Canyon Boulevard and there are intervening structures between this site and the Project site, which would block some of the noise from this site. Further, the Draft Mitigated Negative Declaration for the Sycamore Canyon Apartments Project concluded that construction noise impacts from this project would be less than significant with regard to direct, indirect and cumulative impacts (SCA Draft MND, pp. 32, 40–41.) Nonetheless, because the Project’s construction noise impacts are significant even with incorporation of feasible mitigation measures, the Project’s contribution to short-term noise is considerable and cumulative impacts from construction noise are considered significant and unavoidable. (DEIR, p. 6-19.)

#### Operational Noise

Because noise is a localized phenomenon and drastically reduces in magnitude as the distance from the noise sources increases, the geographic scope for noise impacts associated with Project operations are the sensitive receptors adjacent to the Project site. For this reason, only cumulative development projects within the immediate vicinity of the Project site are likely to contribute to cumulative operational noise impacts. There are only three cumulative development Projects within one-half mile of the Project site: CT Realty Sycamore Center (No.

10 as shown on **DEIR Figure 6-1**), Sycamore Canyon Apartments (No. 11 as shown on **DEIR Figure 6-1**), and Sycamore Canyon Industrial Warehouse Development (No. 14 as shown on **DEIR Figure 6-1**). (DEIR, p. 6-18.) Because of the intervening structures between the Sycamore Canyon Apartments and the Sycamore Canyon Industrial Warehouse Development, only the CT Realty Sycamore Center would be anticipated to contribute to cumulative noise impacts at certain sensitive receptors.

With regard to noise from existing development within the Sycamore Canyon Business Park (SCBP), noise sourced from existing operations, including the Big 5 Distribution Center, Ralph's Distribution Center, and the Pepsi Bottling Group facility would be reflected in the ambient noise measurements taken in December 2015. Since in the current condition there are no intervening structures between the Big 5 and Ralph's facilities and the residences adjacent to the Project site, it is not unexpected that residents hear noise from these operations. It is important to note that CEQA does not require a Project to mitigate for pre-existing impacts and conditions. That is, the proposed Project need not account for and/or mitigate non-Project related noise that may exceed current standards.

As discussed in the DEIR, unmitigated operational noise will not exceed the daytime noise standards of 55 dBA  $L_{eq}$ . However, the exterior nighttime standard of 45 dBA  $L_{eq}$  will be exceeded at two single-family detached residential dwelling units adjacent to the northwest corner of the site. In order to mitigate nighttime Project operational noise levels to the nighttime standard of 45 dBA  $L_{eq}$  at affected sensitive receptors (i.e., receptor nos. 3 and 4 as shown on **DEIR Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation**) a ten-foot noise barrier is required along the perimeter of the outdoor use areas per mitigation measure **MM NOI 16**. In addition to the noise barrier wall, the use of the western portion of the dock doors and trailer parking area for Building 2 as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation** will be limited as indicated in mitigation measure **MM NOI 14**. The ten-foot tall noise barriers are required at the eastern edge of the residential lots (i.e., private property) and not at the property line at the bottom of the slope (i.e. the Project site). The noise barrier required under **MM NOI 16** would be installed on private property and is therefore dependent on the individual property owners authorizing the installation of the barrier wall. As such, neither the City nor the Project Applicant has control over the barrier wall will ultimately be constructed and **MM NOI 16** is considered infeasible. Because mitigation measure **MM NOI 16** is considered infeasible, Project-specific impacts are significant. However, because noise is such a localized phenomenon, the Project's operational noise contribution to cumulative noise impacts is not considerable; therefore, cumulative impacts with regard to operational noise are not significant. (DEIR, p. 6-20.)

The geographic scope for noise impacts associated with Project-generated vehicular noise is the roadways that will be used by Project-generated traffic in combination with traffic from the cumulative development projects. As shown in **DEIR Table 5.12-M – Change in Future Noise Levels at 50 Feet from Centerline (Existing Plus Ambient Plus Project Condition)**, the Project's contribution to future (cumulative) noise levels on area roadways is less than 1 dBA for all roadway segments except for Sierra Ridge Drive west of Sycamore Canyon Road, where

Project-related noise is expected to result in a 2.6 dBA increase. Because the City considers a 5 dBA increase to be substantial this is not considered a substantial increase and the Project's contribution to cumulative traffic noise is not considerable. Thus, cumulative impacts with regard to traffic noise are not significant. (DEIR, pp. 5.12-40–5.12-44, 6-19.)

**Response to Comment 37-MMM:**

Comment noted. **MM NOI 1** does not refer to equipment as the comment suggests. **MM NOI 1** involves the construction of a 12-foot tall temporary noise barrier for use during construction.

**MM NOI 15** would prohibit the use of the loading and trailer parking area that is on the south side of Building 2 and within 360 feet of the western property line between the nighttime hours of 10:00 PM and 7:00 AM.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**. (DEIR, p. 5.12-46.)

The distance identified in mitigation measure **MM NOI 15** was determined by the SoundPlan model to be sufficient to reduce nighttime Project operational noise levels to all residences adjacent to the Project site, except for two, to less than the City's maximum interior noise standard of 35 dBA  $L_{eq}$ . (DEIR, p. 5.12-34.) Additionally, as discussed in Response to Comments 37-GG, 37-PP, 37-QQ and 37-DDD above, **Figure 5.12-6** is represented in  $L_{eq}$  to capture the operational noise or the equivalent noise level. These figures encompass all operational noise including dock activities. **Figure 5.12-8** refers to maximum noise events associated with back up beepers and dock area activities representing more isolated noise events. Therefore,  $L_{max}$  was used to capture these noise events.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-NNN:**

Comment noted, a comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis." (CEQA Guidelines, §15088(c).) These responses "shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

Nonetheless, the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA), which is, DEIR Appendix J, included traffic counts by vehicle type (i.e.,

passenger car, 2 axle truck, 3 axle truck, and 4+ axle trucks) that were conducted for a number of intersections including Fair Isle Drive-Box Springs Road from Sycamore Canyon Boulevard to the I-215 Northbound Ramps, Sycamore Canyon Boulevard, from Fair Isle Drive to Eastridge Avenue, and Eastridge Avenue from Sycamore Canyon Boulevard to Box Springs Boulevard. **(DEIR Figure 5.16-1 – Study Area.)** The results of these counts are included in Appendix C of the TIA. The table below presents the existing condition for the portion of Sycamore Canyon Boulevard within the study area of the TIA and the trips generated by the proposed Project.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

The Project Design Features are discussed in DEIR Section 5.16.4, which states:

The proposed Project has been designed to facilitate traffic in an efficient manner using the existing roadway network. The majority of passenger cars and truck traffic is expected to use Sierra Ridge Drive to Sycamore Canyon Drive to Eastridge Avenue which will provide on-/off-ramp access to I-215. (DEIR, p. 5.16-26.)

Building 1 will have two driveways along Lance Drive and Building 2 will have one driveway along Lance Drive. Building 1 and Building 2 will have full ingress and partial right-out only egress at each of their individual project driveways. (DEIR, p. 5.16-26.)

The Project will limit passenger car and truck egress onto Dan Kipper Drive by posting signs at all Project driveways that indicate only right turns onto Lance Drive are permitted. In addition to signage, small barriers will be placed at the all three driveways which will aid in limiting left-out turns onto Lance Drive. This will

force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. Partial width improvement on the westerly side of that portion of Lance Drive that is currently in place will be constructed by the Project at its ultimate cross-section. The Project will construct the full-width improvements to the remaining portion of Lance Drive to Dan Kipper Road. The Project proposes a slight realignment to that portion of Lance Drive shown as Lot A on TPM 36879. (**Figure 3-8 – Tentative Parcel Map.**) Per the *Sycamore Business Park Specific Plan*, existing Lance Drive is designated as a 2-lane 74-foot Collector Street. (DEIR, p. 5.16-26.)

As part of the TIA scoping process, a preliminary analysis was done in regard to the proposed Project using Dan Kipper Drive as a point of egress for passenger cars and/or trucks. Based on future development in the area, the existing and the geometry of the intersection of Dan Kipper and Sycamore Canyon, the City determined that traffic leaving the Project site would have a right-out-only egress onto Lance Drive. (DEIR, pp. 5.16-10, 5-16-26.)

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the TIA, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the TIA scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Thus, it is reasonable to expect that outbound cars and trucks will use the Eastridge-Eucalyptus interchange.

With regard to the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Road, Chapter 10.56 of the Riverside Municipal Code prohibits

the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in these restricted locations may call 311 and will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated. To inform drivers that commercial vehicles exceeding ten thousand pounds (5 tons) gross weight are prohibited from using these streets, the Project will be conditioned to:

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-000:**

*CEQA Guidelines* Section 15124(b) states, “A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.” The Project Objectives listed in Section 3.2.7 of the DEIR and were developed by City staff comply with the *CEQA Guidelines*.

As explained in Section 8.3 of the DEIR, the City as lead agency, is responsible for selecting a range of Project alternatives for examination, and there is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the “rule of reason” (*CEQA Guidelines* Section 15126.6(a)). The “no project” alternative could take two forms: 1) no change from the existing uses (vacant land); or 2) development per the approved *Sycamore Canyon Business Park Specific Plan* (no Specific Plan amendment, no General Plan amendment, and no parcel map). Because both “no project” alternatives are significantly different, both are evaluated. Pursuant to State *CEQA Guidelines* Section 15126.6(e)(3)(C), the impacts of the No Project Alternative should be evaluated by projecting what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. The other alternatives evaluated in the EIR were selected based on their ability to reduce or avoid air quality, noise (construction and operations), and traffic (freeway segment) impacts.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-PPP:**

*CEQA Guidelines* states: “The EIR need examine in detail only the alternatives that the lead agency determines could feasibly attain most of the basic objectives of the project” (*CEQA Guidelines* Section 15126.6(f)). Evaluating an alternative that essentially cuts out one of the property owners and does not meet one of the primary objectives of the project would be not be consistent with *CEQA Guidelines* to evaluate project alternatives and beyond the “rule of reason.”

It is true that the property could be developed with other types of uses that are consistent with the land use designations and zoning, which could be said of any development proposal on

any site. However, the City, as lead agency, desires to maintain consistency with the intentions of the Sycamore Canyon Business Park Specific Plan to focus similar industrial land uses (warehousing and logistics centers in this case) in this locale and take advantage of existing infrastructure and other surrounding similar uses.

The purpose of an EIR is to identify the significant environmental effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided (*CEQA Statute* Section 21002.1). This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-QQQ:**

The Project site is zoned Business and Manufacturing Park (BMP) on the City's Zoning Map, consistent with the SCBPSP, which is only one of four industrial zones within the City. Manufacturing was evaluated in the DEIR as Alternative 2. Alternative 2 would result in twice as many trips as the proposed Project and none of the environmental impacts would be decreased in comparison to the proposed Project. Impacts would remain significant and unavoidable in relation to air quality, noise, and transportation/traffic. Further, impacts related to air quality, greenhouse gas emissions, noise and transportation/traffic would be greater under this alternative in comparison to the proposed Project due to the increased vehicle traffic associated with Alternative 2. (DEIR, pp. 8-17-8-22.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-RRR:**

Alternative 3 – Reduced Density would reduce development by 30 percent in comparison to the proposed Project; however, it would meet the Project objectives to a lesser degree and due to the scarcity of sites of this size, the attendant land costs of sites of this size, and the low Inland Empire market lease rates for products of this type, the rate of return from the lease would be too low to justify the cost and risk of investment under the reduced density alternative. Further, this alternative would also result in significant and unavoidable impacts to air quality, noise, and transportation/traffic (DEIR, p. 8-26 – 8-30.)

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-SSS:**

CEQA *Guidelines* Section 15126.6 does not prohibit discussion of infeasibility by the lead agency. The alternatives were developed, independently reviewed, and determined infeasible by the lead agency during the EIR process. As stated on the cover page of the EIR: "This DEIR has been prepared in compliance with the California Environmental Quality Act and City of Riverside CEQA Resolution No. 21106, and reflects the independent judgment of the City of Riverside." This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-TTT:**

Comment addresses cumulative noise impacts. First, all surrounding land uses that were currently operating at the time the noise measurements were taken (December 15, 18, 28, and 29, 2015) were included in the measurement of “ambient” noise. The CT Facility (No. 10 on Fig. 6-1) was finishing construction when the ambient noise measurements were taken.

Construction noise levels are greater than operating noise levels. The cumulative impacts of the existing surrounding distribution centers/warehouses are considered in the ambient noise level measurements, which were taken while nearby construction was active, inactive and for two 24-hour periods. (Appendix I – Noise Impact Analysis, page 9.) The warehouses closely surrounding the Project are not identified in Figure 6-1 because they are not under construction, nor proposed for future construction. Their contribution to cumulative noise is included in the ambient noise measurements. If ambient noise levels were underestimated in this analysis, the Project’s construction and (nighttime) operational noise levels are nonetheless estimated to result in significant impacts (Section 5.12 – Noise). Please refer to Response to Comments 37-DDD, 37-QQ, 37-PP and 37-GG for detailed discussion on noise.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 37-UUU:**

Surrounding sources of noise generators that are currently operational or under construction were measured and captured as part of the ambient noise measurements taken for the Noise Impact Analysis. It is not the purpose of this DEIR to discuss the operational noise levels of other properties. Probable future developments on vacant or redevelopment properties in the surrounding area were considered as part of the Cumulative Impact Analysis in Section 6.1. In addition, DEIR **Table 6-A** and **Figure 6-1** are future developments in the area and are based on input from the City of Riverside and City of Moreno Valley. The geographic scope for noise impacts is the immediate vicinity of the Project site because noise by definition is a localized phenomenon, and drastically reduces in magnitude as the distance from the noise sources increases. Consequently, only those cumulative development projects within the immediate vicinity of the proposed Project will be likely to contribute to cumulative noise impacts resulting from Project construction or operation. (EIR page 6-18.)

Please refer to Response to Comments 37-GG, 37-PP and 37-QQ for a detailed discussion on Noise and the noise analysis prepared for the DEIR.

The comment incorrectly states the distance between the Kroger (assumed to be the Ralph’s Distribution Center located south of the Project site) and Pepsi (assumed to be the Pepsi Bottling Group located at the southeast corner of Eastridge Avenue/Sycamore Canyon Road) facilities and the residences. As measured from Google Earth, the northern boundary of the Big 5 Sporting Goods Distribution Center is less than 0.10 miles south of the residences to the north and approximately 0.3 miles east of the residences to the west. As measured from Google Earth, the northern boundary of the Ralphs Distribution Facility is approximately 0.3 miles from the rear lot line of nearest residential property on Bannock Drive and less than one-

half mile from the residences to the north, not 1 mile as asserted in this comment. As measured from Google Earth, the northern boundary of the Pepsi Bottling Group is approximately 0.8 miles south of the nearest residences (the Sycamore Canyon Apartments) and the same distance from the northwest corner of the Pepsi facility to the nearest residential property on Bannock Drive. The noise measurements taken and used in the noise modeling account for these existing warehouse uses and are based on accurate measurements as discussed in the Response to Comments referenced above.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

# **EXHIBIT A**





# **EXHIBIT B**

# Warehouse Truck Trip Study Data Results and Usage

Mobile Source Committee  
July 25, 2014



*Cleaning the Air That We Breathe...*

# Background

- Purpose: To provide guidance on how to quantify warehouse truck emissions for CEQA air quality analyses
  - Technical guidance
  - Establish “substantial evidence” for assumptions
  - Consistency for SCAQMD staff comments
- Truck emissions >90% of air impact
- Tenant often unknown when CEQA document certified

# Existing Trip Rates

Grouping	Overall Rate (trips/tsf)		Truck Rate (trips/tsf)	
	Average Rate	Rate with Peaking Factor*	Average Rate	Rate with Peaking Factor*
<i>Current ITE</i>	1.68		0.64	
<i>Majority of CEQA docs*</i>	1.68		0.34	
<i>CalEEMod Guidance</i>		2.59		1.04

Calculated truck trip rate based on Fontana Truck Trip Study (4 warehouses)

\* 11 out of 18 CEQA docs in past year use 0.34 truck rate

# Truck Trip Study Process Overview

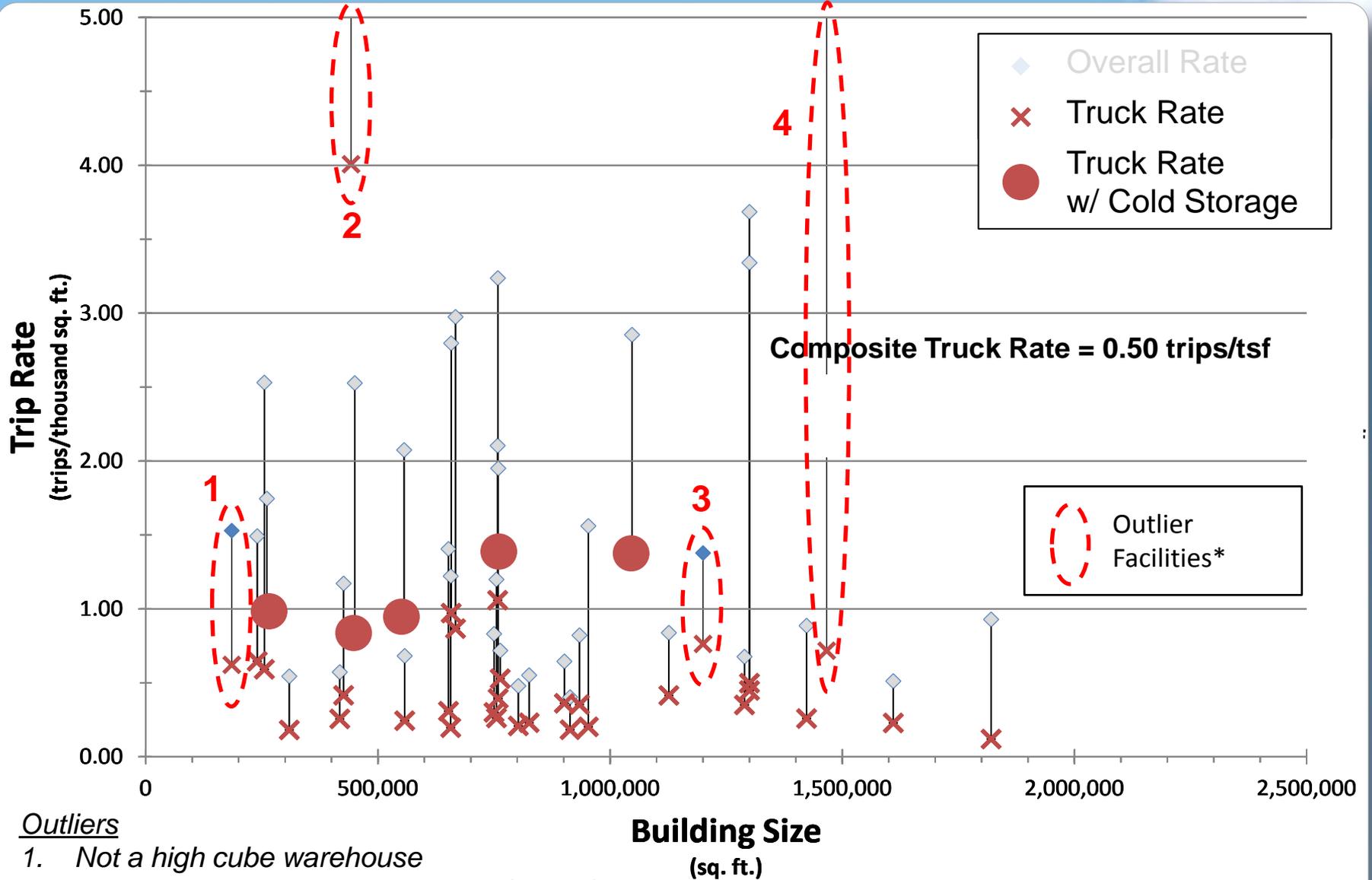
- Study began in January 2012
- 12 Stakeholder Working Group meetings
- 2 Technical Working Group meetings
- 34 responses to Business Survey\*
- Video truck counts using traffic engineer at 33 warehouses\*\*
- UCR traffic engineer and statistician analyzed results

\* 400 Business Surveys sent out. 63 warehouses responded. 34 of the 63 warehouses met definition of “high cube warehouse”

\*\* 37 total video counts. 4 excluded because either an outlier or did not meet definition of “high cube warehouse”

# Analysis of Data

- Removed outlier data
  - E-commerce and parcel warehouses substantially higher overall trip rate
- Verified only “high cube warehouses” > 200,000 square feet
- Averaged data
  - Overall trip rate per 1,000 sq feet
  - Truck trip rate per 1,000 sq feet
- Three categories:
  - Non-cold storage warehouses
  - Cold storage warehouses
  - Composite for warehouses



Outliers

1. Not a high cube warehouse
2. Uncharacteristic of other facilities (parcel)
3. Trucks use local street for internal circulation
4. Uncharacteristic of other facilities (e-commerce)

# SCAQMD Warehouse Truck Trip Study Findings<sup>1,2</sup>

Grouping	Overall Rate (trips/tsf)		Truck Rate (trips/tsf)	
	Average Rate	Rate with Peaking Factor <sup>3</sup>	Average Rate	Rate with Peaking Factor <sup>3</sup>
<i>With Cold Storage</i>	2.49	2.99	1.10	1.32
<i>Non-Cold Storage</i>	1.34	1.78	0.40	0.53
<i>Composite</i>	1.51	1.98	0.50	0.66

<sup>1</sup> Peaking Factor applied only to averaging periods  $\leq$  one day

<sup>2</sup> Outlier data removed

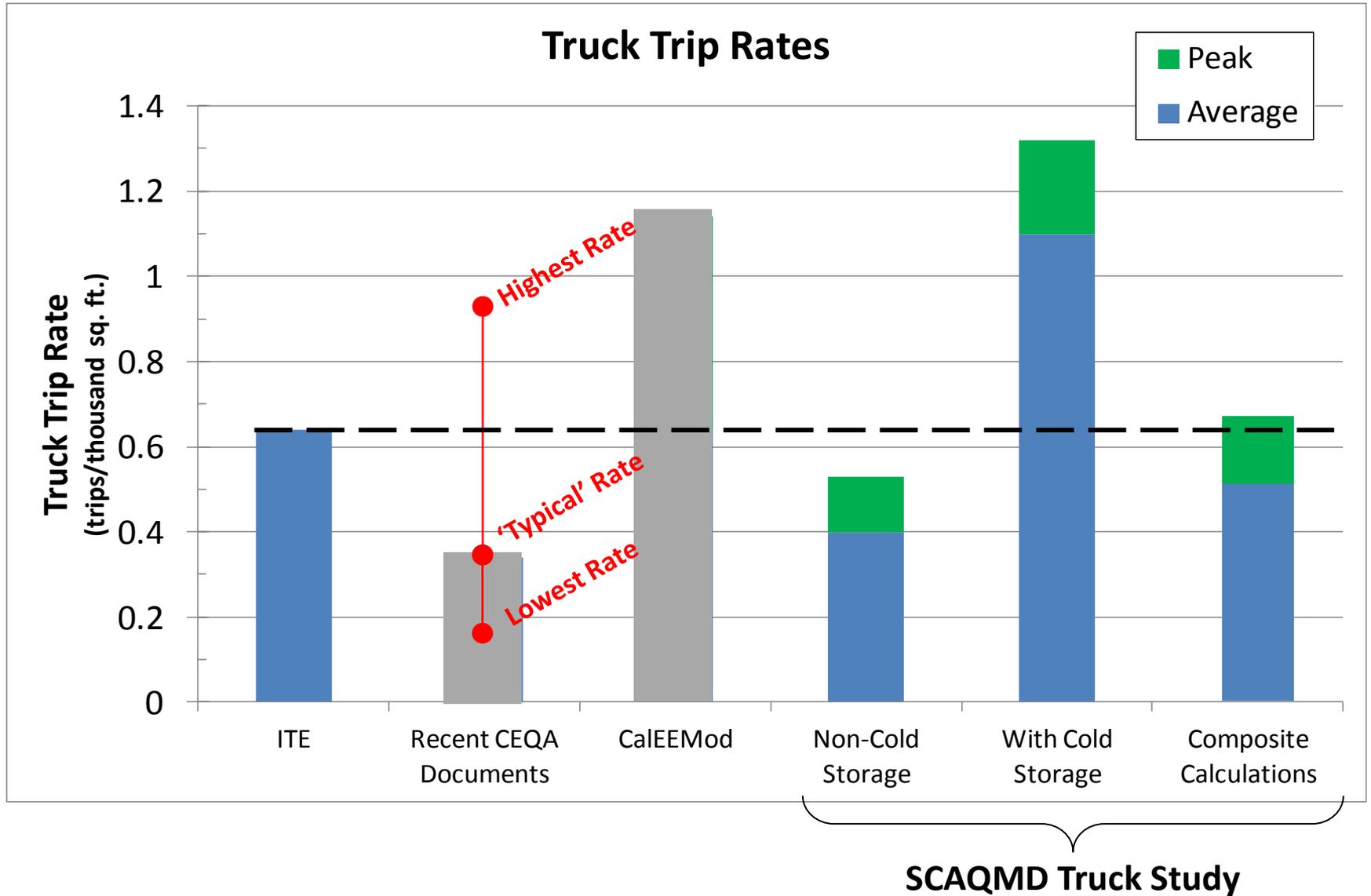
<sup>3</sup> Peaking Factor from Business Survey

Cold Storage (14)	Non-Cold Storage (16)
20%	33%

# Business Position/ Recommendation

- Use current edition ITE truck trip rate as default
  - ITE higher than SCAQMD non-cold storage truck rate w/peak: 0.64 vs 0.53 trips/tsf
  - ITE similar to SCAQMD composite truck rate w/peak: 0.64 vs 0.66 trips/tsf
  - ITE captures “peak” daily
  - ITE has established procedures to update trip rates
  - Lead agencies can use site specific data

# Truck Trip Rate Comparison



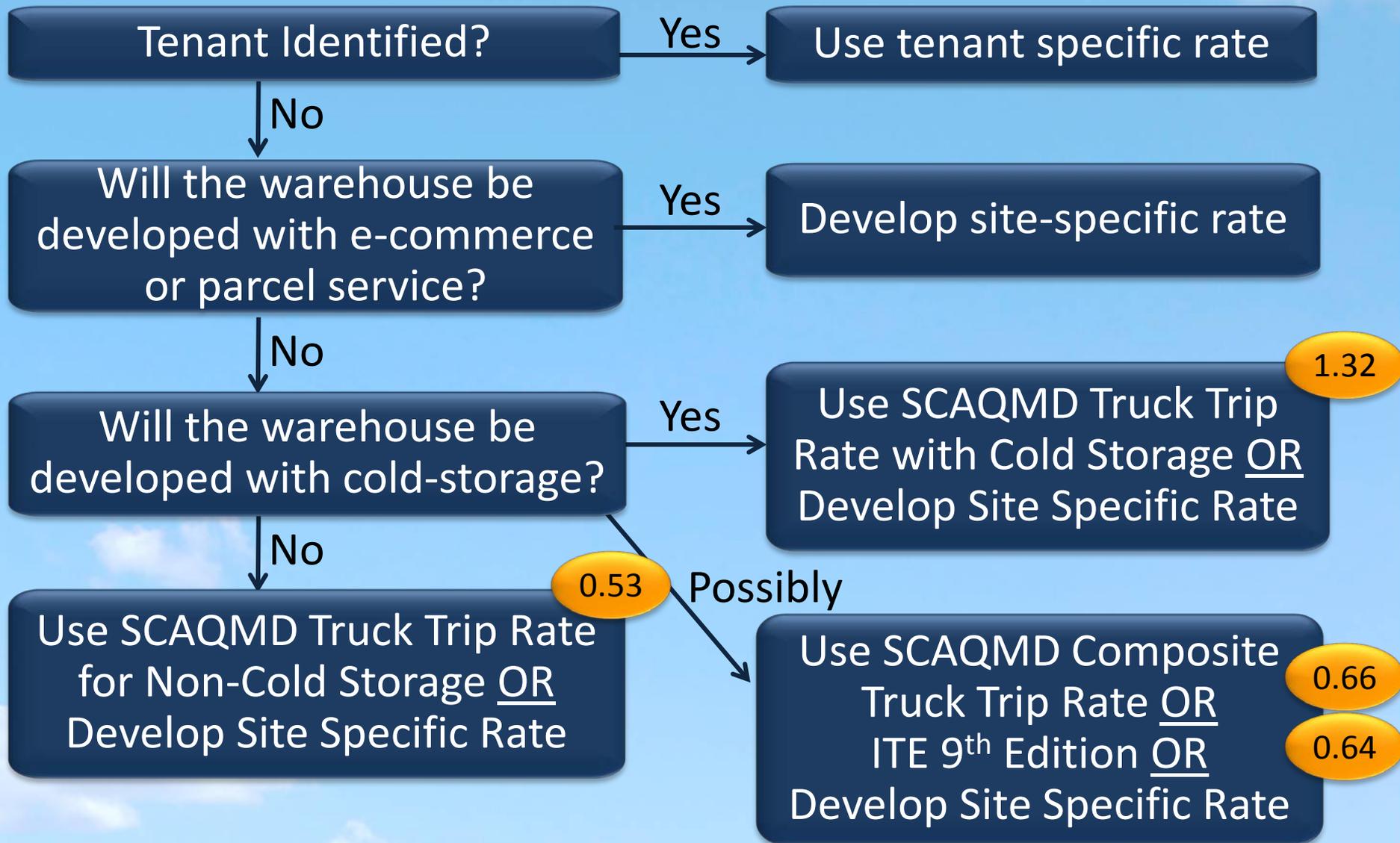
# Staff Response

- Can support use of ITE truck trip rate as current default
- SCAQMD Study results with peaking factor are not inconsistent with ITE
- Fontana Truck Trip Study limited applicability
  - Overall trip rate based on 4 warehouses – includes 2 warehouses with zeros
  - No 24-hour truck trip rates reported
  - Truck trip rates using Fontana study are calculated based on 20% truck fleet mix
  - Fontana Study, by itself, is not characteristic of high cube warehouses

# Staff Recommendations

- Implement staff interim recommendation
  - Use ITE default values until Governing Board action
  - Reflected in monthly IGR Board letter, NOP comment letter, and CalEEMod users noticed
- Option 1:
  - Continue staff interim recommendation
  - Supplement study by collecting more information on cold storage and peaking rates
- Option 2: See flow chart

# Staff Recommendation - Option 2





# Staff Recommendations (Continued)

- Submit SCAQMD Truck Trip Study results to ITE
- Recommend ITE separate “Cold Storage High Cube Warehouse”
- Recommend ITE evaluate e-commerce type warehouses
- Biannually collect additional trip count data from warehouses
- Develop updated emission mitigation menu e.g., WRCOG “Good Neighbor” Guidelines

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### Comment Letter 38 – Gabrielle Watson



City of Riverside  
 Planning Division  
 Attn: Patricia Brenes  
 3900 Main Street  
 Riverside, CA 92522

## Response to Public Notice

Any information submitted on this form is public record and can be viewed by any member of the public upon request.

Please note that public comment for this project closes at the Public Meeting on Error! Reference source not found.

Please enter any comments you may have about this proposal below. (Please print or type all information):

COMMENTS: *Having received the "notice of public hearing" I wish to make comments re: Sycamore Canyon Business Park. We live on the street (Cannich) behind where this warehouse project is to be located. We have been here 16 yrs. We already hear "beep-beep" noises from Big 5 warehouse and other slamming noises etc. a little further away. (on Sycamore Canyon Blvd.) We are consistently experiencing heavy "big rig" traffic etc. The fact that your Dept (Planning) states "all significant effects of this project have been reduced to less than significant EXCEPT with the exception of air quality and noise" appears to me extremely short sighted. MORE noise and air pollution in our neighborhood is a huge issue. As an example - on Danklipper Dr. (warehouse add) there is already a warehouse (new) immediately behind 4 story homes on Starkdale. When these homeowners look out their small backyards and their 2nd story they stare at a huge grey wall! 12 homeowners on Satherland will have same view!*

Contact Phone Number (Optional): (951) 784 3095

Contact Email (Optional): jwatusa@yahoo.com

38-A  
38-B  
38-C  
38-D

FOLD THIS SIDE FIRST                      FOLD THIS SIDE FIRST                      FOLD THIS SIDE FIRST

## Response to Comment Letter 38 – Gabrielle Watson

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 38-A:**

The comment regarding existing noise from the warehouses are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise impacts. The existence of these warehouses is addressed in the proposed Project’s environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

As part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA), ambient noise at two locations on the Project site was monitored for a period of 24 hours. The results of this monitoring is reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, these ambient noise measurements included noise from existing adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) The results of this monitoring is reported in Draft Environmental Impact Report (DEIR) **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent industrial uses, residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) Ambient noise measurements were taken to determine the existing noise setting for purposes of comparing Project-generated noise to quantify the extent, if any, that construction and operation of the proposed Project would result in a noise increase. Ambient noise measurements were not taken for purposes of determining whether existing operations in the Project area are in violation of the City’s Noise Ordinance or applicable standards.

The NIA also quantified potential noise impacts associated with construction and operation of the proposed Buildings 1 and 2. (DEIR Appendix I)

Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City’s daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public

recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) It should be noted that on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City’s Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site’s northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the

anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will permit the noise barrier wall per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 38-B:**

The commenter's observation regarding truck traffic is noted; however, these existing trucks are not related to the proposed Project.

The *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 and 2* (the TIA) indicates that approximately 95 percent of the trucks traveling to and from the Project site are anticipated to utilize the Eucalyptus Avenue exit from Interstate 215 (I-215), without travelling on Lochmoor Drive. (See DEIR **Figures 5.16-5 – Project Trip Distribution (Trucks – Outbound)**, and **5.16-6 – Project Trip Distribution (Trucks – Inbound)**). It should be noted that Municipal Code Chapter 10.56 restricts truck over 10,000 pounds from using Lochmoor Drive.

The correspondence regarding the freeway segments to be studied is found on pages 13 and 14 of Appendix A of the TIA (which is Appendix J of the DEIR). The correspondence consists of e-mails between Caltrans (Mark Roberts) and the TIA preparer, Albert A. Webb Associates (Grace Cheng). A copy of this correspondence is included as Attachment 38.1 on the pages following these responses to comments.

With regard to the I-215 SB Eastridge-Eucalyptus Avenue Off-Ramp, due to the nature of the geometry, the off-ramp is considered as a weaving segment<sup>1</sup> with the existing truck ramp at the State Route (SR) 60/I-215 Interchange. The weaving segment is created when the southbound truck bypass lane at the SR 60/I-215 Interchange joins the four lane SB I-215 mainline resulting in the addition of a fifth lane (4 lanes mainline plus 1 lane bypass). The I-215

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<sup>1</sup> A weaving segment is a merge segment (on-ramp) that is closely followed by a diverge segment (off-ramp) and the two are connected by a continuous auxiliary lane. (DEIR, p. 5.16-6.)

SB Eastridge-Eucalyptus Avenue Off-Ramp is a two lane off-ramp and a four lane mainline continuing south as shown below.



With regard to the I-215 Northbound Fair Isle Drive-Box Spring Road Off-Ramp, the ramp is not included in the TIA because the City and the TIA preparer determined no inbound or outbound Project traffic would use this off-ramp based on the geographical location of the site, the type of land uses in the study area, access and proximity to the regional freeway system, existing roadway system, existing traffic patterns, and existing and future land uses. Given the proximity of Sycamore Canyon Boulevard and Sierra Ridge Drive to the Eastridge-Eucalyptus Avenue/I-215 Interchange, it is a reasonable assumption that vehicles, trucks in particular, would utilize this freeway ramp rather than the Fair Isle Drive-Box Springs Road/I-215 interchange. (See **DEIR Figure 5.16-4 – Project Trip Distribution (Passenger Cars - Inbound)** and **DEIR Figure 5.16-6 – Project Trip Distribution (Trucks - Inbound)**.)

With regard to the trip distribution (i.e. the trip directional orientation of Project-generated traffic) used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all

three Project driveways that will limit left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard, outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 38-C:**

Implementation of the proposed Project would have significant and unavoidable impacts related to air pollution, noise, and transportation-traffic (DEIR, p. 8-2).

As discussed in detail throughout Section 5.0 – Environmental Impact Analysis of the DEIR, the proposed Project will result in Project-specific or cumulatively significant unavoidable impacts to air quality (operations), noise (construction and operation), as well as transportation and traffic. (DEIR, pp. 1-21–1-28, 1-44–1-49, 1-51, 1-56–1-57, 5.3-30-5.3-31, 5.3-35, 5.3-40, 5.12-24, 5.12-28, 5.12-34, 5.12-44, 5.12-48, 5.16-35, 5.16-48, 5.16-52, 5.16-53, 5.16-57, 6-10, 6-19.) Thus, a Statement of Overriding Considerations, as allowed by State CEQA Guidelines Section 15093, will be required should the City choose to approve the Project. (DEIR, pp. 1-21–1-28, 1-44–1-49, 5.3-30–5.3-31, 5.3-40)

Specifically, the DEIR discloses that the Project will have significant unavoidable impacts with regards to:

**Air Quality:** NO<sub>x</sub> (oxides of nitrogen) emissions of 325.95 lbs/day (summer) and 339.39 lbs/day (winter) during Project operation will exceed the South Coast Air Quality Management District (SCAQMD) threshold of 55 lbs/day. (DEIR, p. 5.3-26.)

**Noise:** Construction noise of up to 80 dBA L<sub>eq</sub> at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA L<sub>eq</sub> and the standard for public recreational facilities of 65 dBA L<sub>eq</sub>. (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. . It should be noted that on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on

weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

Operational noise levels of up 52 dBA  $L_{eq}$  (without mitigation) will exceed the City's nighttime exterior standard for residential property of 45 dBA  $L_{eq}$  for two sensitive receptors located west of the Project site. (DEIR, pp. 5.12-28, 5.12-34.) See [Response to Comment 38-A](#) for a discussion regarding noise impacts

Transportation/Traffic: Project traffic will contribute to an exceedance of level of service (LOS) at the following intersections:

- I-215 Northbound off-ramp at Eastridge Avenue-Eucalyptus Avenue during the PM peak hour for the Existing plus Ambient Growth plus Project condition. (DEIR, pp. 5.16-45– 5.16-47.)
- I-215 Northbound on-ramp at Fair Isle Drive-Box Springs Road during the AM and PM Peak hours for the Existing plus Ambient Growth plus Cumulative Development plus Project condition (Cumulative).

It is worth noting that the LOS will be exceeded at these ramps as a result of ambient growth and cumulative development, i.e., without the Project. (DEIR, pp. 5.16-45– 5.16-47.)

Since the DEIR discloses the Project's significant and unavoidable impacts and a Statement of Overriding Considerations will be required should the City choose to approve the Project, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 38-D:**

The commenter's opinion regarding the CT Sycamore Center Project is noted. However, the approval of that project is not the subject of the DEIR. The proposed Project has been revised, in part due to the CT Sycamore Center Project (which is setback 50 feet with a landscape buffer totaling 24 feet from the northern property line), to provide a 100-foot building setback from the adjacent residences to the north which that is twice the setback distance from the CT Project.

The proposed Project has been revised by the Project applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. This 100-foot setback is comprised of 64 feet of landscaping between the northern property line of Parcel 2 and a 30-foot wide drive isle north of Building 2, and an additional 6-foot wide landscape area between the drive aisle and the building. (DEIR, p. 3-35)

With regard to the aesthetic impacts of the Project, building walls that face the residences will be articulated with pockets of light and shadow to break up the long expanse of wall as required by mitigation measure **MM AES 9** (as proposed to be revised in the DEIR as shown below) and the Project's landscape plan has been designed to provide visual appeal,

functionality, and a buffer around the Project site as well as between the proposed buildings. (DEIR, pp. 5.1-7 – 5.1-9.)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1 (excluding windows). The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Attachment 38.1: Email correspondence between WEBB Associates and Caltrans**

**From:** Grace Cheng  
**Sent:** Friday, July 10, 2015 11:25 AM  
**To:** 'Roberts, Mark B@DOT'  
**Subject:** RE: Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hi Mark,

Thanks for the quick reply. We will include the merge/diverge analysis for Box Springs & Eucalyptus. The project won't be sending any trips to Alessandro so that ramp wouldn't need to be included in the analysis. For the ambient growth rate, we'll take a look at the RivTAM model which is based on the SCAG model, since that is what the Riverside County uses for their modelling. I'll get back to you on what that turns out to be. Thanks.



**Grace Lin Cheng, MS | MCP | PE - Associate Engineer**  
Albert A. Webb Associates  
3788 McCray Street, Riverside, CA 92506  
t: 951.320.6038  
e: [grace.cheng@webbassociates.com](mailto:grace.cheng@webbassociates.com) w: [www.webbassociates.com](http://www.webbassociates.com)  
[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [YouTube](#)

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**From:** Roberts, Mark B@DOT [<mailto:mark.roberts@dot.ca.gov>]  
**Sent:** Thursday, July 09, 2015 9:28 AM  
**To:** Grace Cheng  
**Subject:** RE: Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hello

I concur with the intersections to be studied.

Our Traffic Operations Division will also likely ask for a merge/diverge analysis for the affected Freeway ramps (Box Springs, Eucalyptus and Allesandro).

Related to the use of 2% growth rate assumption I'd prefer you use the 2012 SCAG RTP Model or other model based on the SCAG Model (if 2% is what you derive from the SCAG Model) then I concur as well.

\*\*\*\*\*

Caltrans  
District 8 (San Bernardino and Riverside Counties)  
Mark Roberts  
Office of Intergovernmental Review, Community and Regional Planning  
Senior Transportation Planner, AICP  
464 West 4th Street, 6th Floor, MS 725  
San Bernardino, CA 92401-1400

(909) 383-4557

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**From:** Grace Cheng [<mailto:grace.cheng@webbassociates.com>]  
**Sent:** Wednesday, July 08, 2015 11:54 AM  
**To:** Roberts, Mark B@DOT  
**Subject:** Acceptable Levels of Service at I-215 Freeway Ramps - City of Riverside

Hi Mark,

Attached is a preliminary scoping agreement for a proposed project in the City of Riverside, located in the Sycamore Canyon Business Park area. As a part of the traffic study, we will be studying the I-215 freeway ramps at Fair Isle/Box Springs and Eucalyptus. Please review the scoping agreement and provide any comments you may have. Would these intersections be evaluated under a required level of service of D?  
Thanks.



Grace Lin Cheng, MS | MCP | PE - Associate Engineer  
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## Comment Letter 39 – Mark Newhall

39

Date: 10-25-16

Item No.: 3

**From:** Mark Newhall (<mailto:Lnewhall30@charter.net>)  
**Sent:** Monday, October 24, 2016 10:01 PM  
**To:** Morton, Sherry <[SMorton@riversideca.gov](mailto:SMorton@riversideca.gov)>  
**Cc:** [sycamorehighlands@yahoo.com](mailto:sycamorehighlands@yahoo.com)  
**Subject:** [External] Comment for City Council Meeting on October 25

Comment for City Council Meeting on October 25

Agenda Item: Good Neighbor Guidelines – Warehouse Development

*Please provide include my comments below to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission.*

39-A

When I moved back to Riverside as an adult in 2001, there was a Good Neighbor policy in place. That was something we felt good about, knowing that there was an empty field in our back yard. Light industrial (who knew about mega warehouses back then?!) could mean offices and small buildings below us on 17 small parcels of land, a minimum of 1000 feet away from us. That was doable.

39-B

Since then, the Good Neighbor policy was eliminated (2006), Big 5 moved in (2008), and CT Realty snuck in an abomination of a warehouse(2016)!

The noise generated from the now existing warehouses, which are more than 1000 feet from us, is an incredible nuisance. The constant beeping of back up warnings on trucks, the honking of horns to wake up those watching or not watching the gates in the middle of the night, and the reverberating thud of materials being dropped, all 24 hours a day/seven days a week, is unbearable. No longer can we keep the windows open at night if we want to sleep. Even with the double paned windows, the noise can still be heard.

39-C

We recently received the Notice of Public Hearing below that states "All significant effects of the proposed project have been reduced to less than significant with implementation of the mitigation with the exception of impacts to air quality, noise, and traffic.

39-D

**ENVIRONMENTAL DETERMINATION**

The City of Riverside has prepared a Draft Environmental Impact Report for the project identified above. All significant effects of the proposed project have been reduced to less than significant with implementation of mitigation with the exception of impacts to air quality, noise, and traffic.



**CITY PLANNING COMMISSION**, Art Pick Council Chamber  
Floor City Hall, 3900 Main Street, Riverside, CA 92522  
**MEETING DATE:** November 3, 2016

**REVIEW SCHEDULE:**

Interested parties may contact the Contact Planner between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The Draft EIR and case file are available for inspection in the Planning Division of the

Now there is a proposal on the board for an additional set of warehouses to be built by Magnon Company. If those go through, I can't begin to imagine the noise as those buildings will be a mere 30 to 100 feet from my back yard. With the amphitheater affect, since they will be right below our home, all of that noise will only be intensified.

Really!!? Those are the most impactful problems to the nearby residents in Sycamore Highlands. We do not want the pollution, noise, or traffic.

How is Riverside being a "Good Neighbor" by letting this happen? Have you seen what CT Realty did to our neighbors on Southerland Dr.? Who would want this atrocity 30 feet from their back yard?

39-E



Help us understand how this is right. The State Air Control Board recommends a 1000 foot buffer between commercial and residential properties, to lessen the affect of noise and pollution. The complete lack of disregard from the city with their watered down or totally disregarded Good Neighbor policy makes me sad. Riverside claims to have a Smart Growth plan in place, but how does development such as this "maintain and enhance the value of existing neighborhoods"? (from US EPA Smart Growth Network link from Riverside Planning Dept. webpage: <https://www.riversideca.gov/planning/cityplans.asp> )

39-F

We ask that you consider protecting our neighborhoods that are already developed. Mandate and bring back the reasonable buffer of 1000 feet between residential and warehouse developments. Put in place height restrictions matching the residential requirements for buildings within 100 feet of residential property lines.

39-G

Step up and be the "Good Neighbor" that Riverside claims to be.

Lisa,Mark, Jacqueline, and Rachael Newhall  
6040 Cannich Road

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

## **Response to Comment Letter 39 – Mark Newhall**

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2016, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 39-A:**

This comment will be added to the official record of the Project, which will be provided to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission. The public will have an opportunity to comment on the merits of the Project itself at a Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx>. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 39-B:**

The comments regarding existing noise from the warehouses are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes. The existence of these warehouses is addressed in the proposed Project’s environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

Good Neighbor Guidelines: The commenter’s assertion that the City eliminated the Good Neighbor Guidelines is incorrect; rather, this policy was adopted by the City in 2008. The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City’s *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City’s *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution

center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed in order to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's *Good Neighbor Guidelines*.

Since residences will be located within 1,000 feet from the proposed Project, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 to the FEIR) to evaluate cancer and non-cancer risks associated with the proposed Project. The Refined November HRA was prepared in response to comments received from SCAQMD on the DEIR regarding the June Screening HRA, and is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). In the June Screening HRA, the November Refined HRA, and the New Modeling, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for either workers or residents within the Project site and vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

Land Use: The Project requires approval of Tentative Parcel Map No. 36879 to combine 17 existing parcels into two parcels and three lettered lots. (DEIR, **Figure 3-8.**) Additionally, a Minor Conditional Use Permit (MCUP) is required to allow for warehouses greater than 400,000 square feet pursuant to City of Riverside Municipal Code, Title 19, Zoning Code, Chapter 19.150, Base Zones Permitted Land Uses.

The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City's *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was adopted in 1984 by the City in order to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.) The proposed Project is consistent with both the GP 2025 and SCBPSP and would not be in conflict with these plans.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 39-C:**

Ambient noise measurements were taken at two locations within the Project site to quantify the existing noise environment at the Project site and its vicinity. (DEIR, **Figure 5.12-1.**) Short-term measurements were taken twice at Location 1 to quantify noise conditions both during active construction of the CT Realty Sycamore Center Project east of the Project site and north of Dan Kipper Drive and while construction was inactive (DEIR, **Table 5.12-B – Existing Noise Levels in Project Vicinity**). During the monitoring period, none of the short-term  $L_{eq}$  noise measurements taken at either location exceeded the daytime noise standard of 55 dBA for residential property, except for the measurement taken at Location 1 during active construction of the CT Realty Project. For the long-term measurement taken at Location1, the daytime residential noise standard of 55 dBA was exceeded at 8:00 AM, 10:00 AM, and 11:00 AM and the nighttime residential noise standard was exceeded for all hours.

The daytime residential noise standard was not exceeded at any point during the long-term measurement period at Location 2 and the nighttime noise standard was exceeded at 10:00 PM and from 4:00 AM – 7:00 AM. (DEIR, pp. 5.12-5 – 5.12-10.)

Noise levels from Project operation will not exceed the City’s daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm’s mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan’s noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting

location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system.

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for

such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

If the two property owners will permit the installation of the noise barrier wall per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner authorizing installation, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 39-D:**

The commenter correctly stated that "All significant environmental effects of the proposed Project have been reduced to less than significant with implementation of the mitigation with the exception of impacts to air quality, noise, and traffic." The proposed buildings at the Project site will be located 100 feet from the residential property line to the north and 138 feet from the property line of the residences to the west of the Project site.

Air Quality: The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25**. (DEIR, p. 5.3-27.) (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.) Hence, regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Although the Project would result in significant and unavoidable impacts related to air quality even with feasible mitigation incorporated, pursuant to State CEQA Guidelines Section 15093, the City has the discretion to adopt a Statement of Overriding Considerations and make findings that the benefits of the

Project outweigh the costs to move forward with the Project. Mitigation Measures **MM AQ 13** and **MM AQ 22** were modified and new text is shown as double underlined and the text to be deleted is shown as ~~strike through~~. These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 13** will be revised in the FEIR as shown below.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to three five minutes or less in excess of pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City

shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

To reduce vehicle idling time to three minutes, mitigation measure **MM AQ 22** will be revised in the FEIR as shown below.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- cb) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below.

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with

information related to SCAQMD's Carl Moyer Program, or other such programs that promote truck retrofits or "clean" vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.)

Also, refer to Response to Comment 39-B under Good Neighbor Guidelines for a discussion regarding the Project's HRA. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: The Noise Impact Analysis prepared for the Project was based upon a model that considered the topography of the site and the adjacent residences. Unmitigated operational noise will not exceed the daytime noise standard of 55 dBA  $L_{eq}$ . However, it will exceed the nighttime noise standard of 45 dBA  $L_{eq}$  along the western Project boundary and at two residential units adjacent to the northwest corner of the Project site. Implementation of mitigation measures **MM NOI 13** through **MM NOI 16** (listed below) will reduce operational noise impacts; however, because the noise barrier outlined in **MM NOI 16** would be on private property, the Project Applicant does not have control over construction of the noise barrier and installation is therefore not guaranteed. Although the Project would result in significant and unavoidable impacts related to noise even with feasible mitigation incorporated, pursuant to State CEQA Guidelines Section 15093, the City has the discretion to adopt a Statement of Overriding Considerations and make findings that the benefits of the Project outweigh the costs to move forward with the Project.

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be

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

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system. (DEIR, p. 5.12-46.)

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-46.)

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**. (DEIR, p. 5.12-46.)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for

such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate. (DEIR, pp. 5312-46-5.12-47.)

Traffic: Implementation of the Project will introduce additional traffic to the study area. All study area intersections and freeway segments will continue to operate at an acceptable level of service (LOS) when Project-related traffic is added to the existing traffic, traffic from ambient growth, and traffic from cumulative development projects except for the Eastridge Avenue-Eucalyptus Avenue I-215 Northbound off-ramp, the intersection of Sycamore Canyon Boulevard/Dan Kipper Drive, and the Fair Isle Drive/Box Springs Road I-215 northbound ramp. For the freeway segments to operate at an acceptable LOS, improvements to the freeway would be required. However, freeway facilities are under the jurisdiction of Caltrans and there is no mechanism for the City or Project Applicant to contribute fair share fees or implement improvements to change the LOS from unsatisfactory to satisfactory. For these reasons, Project impacts are considered significant and unavoidable until improvements are funded or constructed by Caltrans. (DEIR, p. 5.16-52.) Although the Project would result in significant and unavoidable impacts related to traffic even with feasible mitigation incorporated, pursuant to State CEQA Guidelines Section 15093, the City has the discretion to adopt a Statement of Overriding Considerations and make findings that the benefits of the Project outweigh the costs to move forward with the Project.

The trip distribution analyzed in the *Revised Traffic Impact Analysis, Sycamore Canyon Industrial Buildings 1 & 2* (TIA) prepared for the Project by Albert A. Webb Associates determined the directional orientation of traffic by evaluating existing and proposed land uses, existing roadway system, and existing traffic patterns within the vicinity of the Project site. The Project has been designed to limit vehicle egress onto Dan Kipper Drive by installing traffic delineators (pork chops) at each exit and by posting signs at all Project driveways that indicate only right turns onto Lance Drive. Because of these traffic directing devices, the majority of traffic exiting Project site is expected to use Sierra Ridge Drive to Sycamore Canyon Boulevard to Eastridge Avenue which will provide on/off ramp access to Interstate 215. (DEIR, p. 5.16-26)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 39-E:**

The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes that included analysis of potential noise and light impacts. The existence of these warehouses is addressed in the proposed Project's environmental

analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

Good Neighbor Guidelines: Refer to Response to Comment 39-B regarding compliance with the City's Good Neighbor Guidelines. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Setback: The subject Project, as originally submitted and presented at the August 26, 2015, scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. As a result, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is now located 100 feet south of the property line abutting residential lots north of the Project site. (DEIR, pp. 3-35, 5.1-8)

Within the 100-foot setback along the northern property line, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) Additionally, there are no dock doors on the northern side of Building 2, closest to the residences to the north. (DEIR, p. 3-36.)

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. There is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest. (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan.**)

Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residential neighborhood to the north (DEIR, p. 5.1-8). The Project will also implement mitigation measure **MM AES 1** which states: (DEIR, pp. 5.12-19, 5.12-31–5.12-33.)

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.

The Project will implement mitigation measure **MM AES 9** to ensure that the buildings are attractively designed. (DEIR, p. 5.1-35.)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

As such, the proposed Project would be set back with landscape screening to minimize the aesthetic impacts. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 39-F:**

Good Neighbor Guidelines: Refer to Response to Comment 39-B regarding compliance with the Good Neighbor Guidelines. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

According to CARB's *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.)

CARB's guidance, on page 5 of the handbook, acknowledges that the recommendations are in fact advisory, and "to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in." The handbook further goes on to state that "these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not

designed to substitute for more specific information if it exists.” Therefore, the DEIR and underlying technical study is actually consistent with the CARB handbook. The DEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the DEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity. Refer to Response to Comment 34-B for a discussion regarding the Project’s HRA.

As stated previously, the CARB recommends, but does not mandate, that new sensitive land uses should not be placed within 1,000 feet of a distribution center. As discussed in Section 5.10 – Land Use and Planning of the DEIR, the Project is consistent with both the existing land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable GP 2025 objectives and policies and the Project’s consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

Smart Growth: Smart growth is the development that serves the economy, the community, and the environment. As the Project is being constructed as a “spec” building and no specific tenant is known at this time, specific employment numbers are not available. However, based on the size of the proposed buildings, the Project would result in approximately 860 to 1,335 new permanent jobs and approximately 350 to 400 temporary construction jobs (DEIR, p. 3-43). It is anticipated that the Project Applicant would hire individuals already residing in the Project vicinity during both Project construction and operation, thus creating employment opportunities in the community. (DEIR, p. 5.13-6.)

The proposed Project would be developed adjacent to existing warehouse buildings, and setback from residential neighborhoods with landscape screening. Additionally, the proposed Project incorporates design features that connects to adjacent open space (Sycamore Canyon Wilderness Park). The Project includes a trail and a 16-space parking lot on the southeast portion of the Project site which will provide access to a fully-improved trail that will be located in an easement along the southern perimeter of Parcel 1. The parking lot and trail will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park from Lance Drive in the Sycamore Canyon Business Park. (DEIR, p. 5.15-6.) Thus, the Project incorporates smart growth features to the extent feasible given that the Project is a permitted use in the GP 2025 and SCBPSP.

Although the Project is consistent with the City’s Good Neighbor Guidelines, the Guidelines do not contain specific recommendations for setback distances between warehouse/distribution center development and nearby sensitive receptors, such as residential areas. (DEIR, Appendix M.) Instead the Guidelines require the preparation of a HRA with the Project incorporating any needed mitigation measures. (Refer to Response to Comments 34-B for a discussion regarding the Project’s HRA.) Smart growth describes a general strategy that can be used to inform land use and development decisions made in the City. By providing a source of employment for

members of the community, the Project may reduce vehicle miles traveled and improves the jobs-housing balance of the vicinity.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 39-G:**

Good Neighbor Guidelines: Refer to Response to Comment 39-B regarding compliance with the Good Neighbor Guidelines. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: The City's GP 2025 designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As set forth in the Riverside Municipal Code Chapter 19.130, development in the Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP) allows a maximum building height of 45 feet. (DEIR, p. 5.1-11.) The proposed Project complies with the height restriction of the BMP-SP because Building 1 is proposed to be approximately 41 feet in height from grade and Building 2 will be approximately 37 feet in height from grade. The elevational and building height differences between Building 1 and Building 2 will minimize the view of these buildings from the adjacent neighborhood. Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of the building from the park will be softened by on-site landscaping and the Conservation Area. The northern wall of Building 2 is located 100 feet south of the property line with the residential lots north of the Project site. The Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area within the 100-foot buffer between Building 2 and the northern property line of the Project site. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan**, **DEIR Figure 3-11 – Conceptual Landscape Plan**.)

This comment suggests that the City implement a requirement for a 1,000-foot buffer between residential and warehouse developments and recommends height restrictions; however, these proposals are separate City planning-related issues and not directly applicable to the City's decision to move forward with the proposed Project. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 40 – Alec Gerry

40

### Comment for City Council Meeting on October 25

#### Agenda Item: Good Neighbor Guidelines – warehouse development

*Please provide include my comments below to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission.*

40-A

**Riverside has a development problem!** While we pretend to support the ideals of “smart growth”, recent evidence contradicts this position. Smart growth is development for economic viability while maintaining and enhancing existing neighborhoods (this is taken from the US EPA document on Smart Growth available at the City Planning Department website). **Recent warehouse developments in this City are certainly are not maintaining or enhancing existing neighborhoods – quite the contrary; they are damaging existing neighborhoods.** You need only to look at the recent CT Realty warehouse image below to see how a neighborhood was recently damaged. Welcome to the “Berlin Wall” Riverside style!

40-B



*“Berlin Wall” of Riverside – CT Realty Warehouse blocks the view and the sun.*

Riverside is the leader in the Inland Empire, and our City Leadership should be ensuring that Riverside is a great place to both live and work. Instead, in 2009 Riverside tossed aside the State and County recommendation of a 1000-foot buffer zone between warehouses and residential homes protecting residents from pollutants and other hazards, and Riverside instead decided that developers should be able to build essentially whatever they wanted. Hey, after all it is the developer’s property, right?! Never mind the severe negative effects on the adjacent residential property.

40-C

Now developers expect any proposal to fly through Riverside Planning (which they do) – because there is no City ordinance, policy, or guideline stating that significant negative effects to homeowners should be a development consideration. The current Riverside “Good Neighbor” policy is so weak that it essentially serves no protective function at all. Instead of a “good neighbor”, existing residential areas get an immense wall blocking out the sun, and 24/7 noise that exceeds the noise level allowed in the adjacent residential area.

40-D

In case, you think that the CT Realty warehouse above is an anomaly, the Magnon Companies is intending to build a much larger and more threatening (from the perspective of noise) warehouse also adjacent to residential homes. Here is what the wall height of that warehouse is expected to look like based upon height indicators provided by the developer.

40-E



*Proposed Magnon Warehouse – wall height marker based upon developer height indicator poles*

The lack of an appropriate “Good Neighbor” Policy sets up both developers and residents for conflicts such as the current flight against the proposed Magnon warehouses which are either too tall or will produce too much noise with truck bays facing homes. This City needs to step up and provide leadership here:

40-F

***What do City leaders think is appropriate development for properties next to residential homes?***

Is that what we are getting with the current “Good Neighbor” policy? I hope that the images above depict developments that City Council members and other City Leaders would agree are not enhancing the existing neighborhood!

**The State Air Resources Board (the experts in air quality) have recommended a buffer of 1000 feet between residential homes and warehouses.** While this recommendation is based up air quality issues and protecting the health of nearby residents (including potentially sensitive receptors such as the very young, very old, or those with lung or breathing issues), *this common-sense approach to provide a clear buffer also goes a long way toward protecting residential communities from other significant impacts (such as noise).*

40-G

Noise is particularly problematic for myself and my neighbors. Already, we are awakened by warehouse activity noise throughout the night, and this is with warehouses that are currently farther than 1000 feet away (up to 1 mile). We cringe at the thought of having these noises come from only 100 feet away!

40-H

Frankly, even a buffer of 1000 feet will not eliminate the impact of noise on adjacent residential areas, but this buffer seems like a reasonable compromise particularly as it aligns with the state recommendation for reducing health impacts of warehouses.

**I hope that the City Council will recognize that it needs to provide leadership and guidance on this issue both to the City Planning Department and to developers. You have the means to either return Riverside to the path of "smart growth" or continue down a path leading to development conflict, lawsuits, blighted neighborhoods, and economic loss due to lower property values.**

40-I

Alec Gerry  
6017 Cannich Road  
Riverside, CA 92507

## **Response to Comment Letter 40 – Alec Gerry**

*Note: This is the third comment letter from Mr. Gerry. He is also the author of Comment Letters 14 and 15. In addition to noise and traffic, which were raised in the previous letters, this comment letter also raises the issue of land use and aesthetics.*

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 40-A:**

This comment will be added to the official record for the Project, which will be provided to each City Council member, to the Mayor, to the City Manager, to the Planning Department, and to the Planning Commission. The public will have an opportunity to comment on the merits of the Project itself at a Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx>. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 40-B:**

The commenter’s opinion regarding the CT Sycamore Center Project is noted. The CT Sycamore Center Project on Dan Kipper Drive, was constructed with a fifty-foot setback from the northerly property lines, adjacent to the residential properties and the buildings range from 37-feet to 41-feet in height. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes. The existence of these warehouses is addressed in the proposed Project’s environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR.

Smart Growth: Smart growth is the development that serves the economy, the community, and the environment. The proposed Project is consistent with the land use and zoning designations for the site and these designations were applied taking into consideration the General Plan

policies concerning Smart Growth. As the Project is being constructed as a “spec” building and no specific tenant is known at this time, specific employment numbers are not available. Based on the size of the proposed buildings and logistics uses, the Project would result in approximately 860 to 1,335 new permanent jobs and approximately 350 to 400 temporary construction jobs. (DEIR, p. 3-43.) It is anticipated that the Project Applicant and future occupants would hire individuals already residing in the Project vicinity during both Project construction and operation, thus creating employment opportunities in the community.

The proposed Project would be developed adjacent to existing warehouse buildings, and will be set back from the residential neighborhoods with landscape screening. Additionally, the proposed Project incorporates design features that provides a connection into the adjacent open space (Sycamore Canyon Wilderness Park). The Project includes a trail and a 16-space parking lot on the southeast portion of the Project site which will provide access to a fully-improved trail that will be located in an easement along the southern perimeter of Parcel 1. The parking lot and trail will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park from Lance Drive in the Sycamore Canyon Business Park. (DEIR, p. 5.15-6.) Thus, the Project incorporates smart growth features to the extent feasible. The use of the proposed Project as a logistics center is a permitted use in the City’s General Plan 2025 (GP 2025) and Sycamore Canyon Business Park Specific Plan (SCBPSP).

The proposed Project, as originally submitted and presented at the August 26, 2015, scoping meeting for the DEIR, consisted of two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. Thus, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is now located 100 feet south of the property line with the residential lots north of the Project site. Within the 100 feet setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and an additional 6-foot wide landscape area adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) This is the Project that has been analyzed in the DEIR. Additionally, there are no dock doors on the northern side of Building 2, closest to the residences.

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. There is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest. (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan.**)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 40-C:**

The commenter's assertion that the City allows developers to build essentially wherever they want is incorrect. The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As noted above, the Project site is within the City's SCBPSP, which authorizes a planned industrial park consisting of approximately 920 acres of industrial and commercial uses and a 480-acre wilderness park (Sycamore Canyon Wilderness Park). The proposed distribution center at the Project site is consistent with the land use designation for the site in the City's GP 2025 and the SCBPSP.

*Air Quality: The City adopted Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all the goals and strategies outlined in the City's Good Neighbor Guidelines. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City's Good Neighbor Guidelines do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a Health Risk Assessment (HRA) be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The site has been designed to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's Good Neighbor Guidelines.*

*According to CARB's Air Quality and Land Use Handbook, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.)*

Since residences will be located within 1,000 feet from the proposed Project, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 ([included](#) as Attachment A.1 to the FEIR) to evaluate cancer and non-cancer risks associated with the proposed Project. The November Refined HRA was prepared in response to comments received from SCAQMD on the DEIR regarding the June Screening HRA, and is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the "New Modeling"). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter

responding to December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). In the June Screening HRA, the November Refined HRA, and New Modeling, none of the SCAQMD cancer or non-cancer thresholds are exceeded because of Project construction or operation for either workers or residents within the Project site and vicinity. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June Screening HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment F.2.)

CARB's guidance, on page 5 of the handbook, acknowledges that the (set back) recommendations are in fact advisory, and "to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in." The handbook further goes on to state that "these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists." Therefore, the DEIR, the June Screening HRA, the November Refined HRA, and the New Modeling are actually consistent with the CARB handbook. The DEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the DEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity.

As stated previously, the CARB recommends, but does not mandate, that new sensitive land uses should not be placed within 1,000 feet of a distribution center. As discussed in Section 5.10 – Land Use and Planning of the DEIR, the Project is consistent with both the existing land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable GP 2025 objectives and policies and the Project's consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

The Project will incorporate several design features to mitigate impacts on the residents. For example, Building 2 does not have any dock doors along the northern boundary facing the residences, and all driveways exiting the Project site will be right-turn only out to direct automotive and truck traffic away from Dan Kipper Avenue and the residential areas. (DEIR, pp. 3-26, 5.16-26.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Hazards: Because the exact tenants of the proposed logistics center buildings are not known at this time, there is the potential that hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products may be stored and transported in conjunction with the proposed logistics center use. These hazardous materials would only be stored and

transported to and from the site. Manufacturing and other chemical processing will not be permitted under the provisions of the SCBPSP. (DEIR, p. 5.8-17.)

Although the overall quantity of hazardous materials and waste generated in the Project area may increase because of implementation of the proposed Project, any new use that will handle or use hazardous materials would be required to comply with the regulations, standards, and guidelines established by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside related to storage, use, and disposal of hazardous materials. (DEIR, p. 5.8-18.) Both the federal and state governments require all businesses that handle more than a specified amount of hazardous materials to submit a hazardous material business plan (HMBP) to a regulating agency to enable a quick and accurate evaluation of each situation for an appropriate response in the event of an emergency. It is not anticipated that the tenants of the buildings would handle enough hazardous materials to necessitate preparation of an HMBP; however, any new business that meets the specified agency criteria would be required to submit an HMBP. Compliance with the environmental regulations of the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside would minimize hazardous risks.

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 40-D:**

Good Neighbor Guidelines: See Response to Comments 40-B and 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: Construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) It should be noted that on August 18, 2016 (taking effect 30-days later), the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or

cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division. **MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code at the time of the Notice of Preparation, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical

hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are located at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

With installation of a ten-foot tall noise barrier per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on from the consent of the individual property owners, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Ambient noise measurements were taken at two locations within the Project site to quantify the existing noise environment at the Project site and its vicinity. (DEIR, **Figure 5.12-1 – Noise Measurement Locations.**) Short-term measurements were taken twice at Location 1 to quantify noise conditions both during active construction of the CT Realty Project east of the Project site and north of Dan Kipper Drive and while construction was inactive (DEIR, **Table 5.12-B – Existing Noise Levels in Project Vicinity**). During the monitoring periods, none of the short-term  $L_{eq}$  noise measurements taken at either location exceeded the daytime noise standard of 55 dBA for residential property, except for the measurement taken at Location 1 during active construction of the CT Realty Project. For the long-term measurement taken at Location 1, the daytime residential noise standard of 55 dBA was exceeded at 8:00 AM, 10:00 AM, and 11:00 AM and the nighttime residential noise standard was exceeded for all hours. The daytime residential noise standard was not exceeded at any point during the long-term measurement period at Location 2 and the nighttime noise standard was exceeded at 10:00 PM and from 4:00 AM – 7:00 AM. (DEIR, pp. 5.12-5 – 5.12-10.)

With regard to noise from existing development within the SCBP, noise sourced from existing operations, including the Big 5 Distribution Center, Ralph’s Distribution Center, and the Pepsi Bottling Group facility would be reflected in the ambient noise measurements taken in December 2015. Since in the current condition there are no intervening structures between the Big 5 and Ralph’s facilities and the residences adjacent to the Project site, it is not unexpected that residents hear noise from these operations. It is important to note that CEQA does not require a Project to mitigate for pre-existing impacts and conditions. That is, the proposed Project need not account for and/or mitigate non-Project related noise that may exceed current standards.

The Noise Impact Analysis (NIA) prepared for the proposed Project includes “Vibration Source Levels for Construction Equipment” (Federal Transit Administration 2006) and Table 2 includes “Typical Human Reaction and Effect on Buildings due to Groundborne Vibration (Caltrans 2002). The NIA acknowledges that vibratory construction equipment may annoy persons within 100 feet of on-site project construction. Use of a vibratory roller, which may occur with 25 feet of an adjacent receptor could generate up to 0.21 PPV (94 VdB) at a distance of 25 feet; and operation of a large bulldozer (0.089 PPV (87 VdB) at a distance of 25 feet (two of the most vibratory pieces of construction equipment) for a few days. Groundborne vibration at sensitive receptors associated with this equipment would drop off as the equipment moves away. For example, as the vibratory roller moves further than 100 feet from the sensitive receptors, the vibration associated with it would drop below 75 VdB. Thus, the use of vibratory construction equipment will be short-term and temporary as the annoyance would only occur during site grading and preparation activities. During Project operation, trailer trucks are prohibited from use of the driveway located between the sensitive receptors located north of the project site and the proposed building and sensitive receptors upslope and to the west of the Project site are too far away to be affected. The DEIR contains a thorough analysis of the noise resulting from the following operational sources: semi-trucks (tractor-trailers) entering and exiting the Project site and accessing dock areas, removal and hook-up of trailers, idling trucks, loading and unloading activities, occasional truck air brakes, vehicle movements within

the proposed parking areas, trash compactors, and rooftop HVAC systems. (DEIR, p. 5-12-26.). The DEIR concluded that, although unmitigated operational noise will not exceed the City's daytime noise standard of 55 dBA  $L_{eq}$ , it will exceed the nighttime noise standard of 45 dBA  $L_{eq}$  along the western project boundary and at certain residences adjacent to the northwest corner of the Project site. Thus, the Project is required to implement mitigation measures **MM NOI 13** through **MM NOI 16** (see Response to Comments 28-A, 28-D, and 28-F) to reduce operational noise impacts. However, as discussed in Response to Comment 28-F, because the noise barrier outlined in **MM NOI 16** would be on private properties and neither the City nor Project Applicant has control over construction of the noise barrier, the DEIR concluded operational noise impacts are significant even with incorporation of feasible mitigation. (DEIR, pp. 5.12-24–5.12-34.) Additionally, the Project site has been designed to minimize noise impacts on residences by eliminating dock doors on the north side of Building 2 and not including cross-dock facilities on this building. As a result, there are no truck or trailer activities and no loading and unloading between Building 2 and the residences thus significantly reducing noise sources near the residences. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 40-E:**

Noise: The comment regarding existing noise from the warehouses is noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes, including impacts related to noise. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections of the DEIR. Refer to Response to Comment 40-D above regarding construction and operational noise impacts. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As set forth in the Riverside Municipal Code Chapter 19.130, development in the Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP) establishes a maximum building height to 45 feet. (DEIR, p. 5.1-11.) The proposed Project complies with the height restriction in the BMP-SP because Building 1 is proposed to be approximately 41 feet in height above grade and Building 2 will be approximately 37 feet in height above grade. Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of the building from the park will be softened by on-site landscaping and the Conservation Area. The northern wall of Building 2 is located 100 feet south of the property line from the residential lots north of the Project site. Within the 100-foot setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles

only, no trucks) and an additional 6-foot wide landscape adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 40-F:**

Good Neighbor Guidelines: See Response to Comment 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: See Response to Comment 40-D. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: See Response to Comment 40-E. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 40-G:**

Air Quality: See Response to Comment 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: See Response to Comment 40-D. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 40-H:**

Air Quality: See Response to Comment 40-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: See Response to Comment 40-D. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 40-I:**

Smart Growth: The proposed Project is consistent with the land use and zoning designations for the Project site that took into account the General Plan policies concerning Smart Growth. Also, refer to Response to Comment 40-B. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Property Values: The commenter's concern regarding loss of property values is noted. It is also noted that this comment does not provide any evidence to support the speculation that the neighborhood will turn into low-end rentals if the Project is approved. According to CEQA Guidelines Section 15358(b), impacts analyzed in the EIR must be "related to physical changes" in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project's social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in the EIR only if the physical effects would be significant. (CEQA Guidelines, § 15358(a)(2).) Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.” (CEQA Guidelines, § 15064(f)(6).) The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. . . . Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview.” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)].) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 41 – Alec Gerry

41

### Riverside “Good Neighbor” Policy – Issues



#### 1) Experts recommend a 1000-foot Buffer Zone between warehouses and residential homes

41-A

- a. Recommendation by State Air Resources Board guidance document for cities to make reasonable judgements for locating warehouses to limit health risk.
  - i. *These are the experts in measuring health risk!*
  - ii. Riverside currently fails to follow proper health risk determinations.
- b. 1000-ft also policy of Riverside County (based upon State recommendation)
  - i. Riverside agreed with Riverside County (1000-ft buffer) in 2006, then quietly eliminated this requirement in 2009 with a MUCH weaker policy.
- c. Buffer would also reduce noise and aesthetic impact discussed below.

#### 2) Nighttime noise is a huge problem!

41-B

- a. Noise in Industrial zones at 70dB while residential areas at 45dB. That is a 25dB difference!! How is this compatible at 30-100 feet?!
- b. Residents are already impacted by existing warehouse noise (>1000 feet).
- c. Assume a generous 6dB of noise reduction for each doubling of distance (as assumed in the Magnon warehouse EIR), then the distance to reduce noise to residential-acceptable levels is more than 4 doublings of distance from a 100-foot setback starting point (6dB x 4 doublings = 24dB, with distance doubling to 100-200-400-800-1600 ft).
- d. Noise will have effects on child development and resident sleep.

#### 3) Aesthetics of adjacent homes are heavily impacted!

41-C

- a. Recent CT Realty warehouse and proposed Magnon warehouse taller than adjacent homes. These monolithic walls block all views and sun. Residents call CT Realty wall the “Berlin Wall” - they feel imprisoned.
- b. Wall height is limited to 6 ft in residential areas for aesthetic reasons
  - i. Why is a development in the adjacent property allowed to build a 40 ft wall?! Wall height should be related to distance from residential home.
- c. Homes lose “view” that residents paid a premium for

**4) House values near Mega-warehouses are reduced**

41-D

- a. Residents are selling homes if they can – value has already been reduced for adjacent homes. Just ask the residents and realtors trying to sell.
- b. Homes near warehouses will become rentals (likely for students). Why maintain these homes? They will no longer be desirable homes.

**5) Are adjacent homes and warehouses “Smart Growth” for Riverside?**

41-E

- a. The significant negative impacts on residential properties will result in long-term negative economic effects for the City. Loss in property taxes - lower home price.
- b. *Sets up developers, residents, and City for conflicts such as the current conflict with proposed Magnon warehouses and residents in Sycamore Highlands.*
- c. The City prides itself on “smart growth”, but smart growth is development that serves the economy, the community, and the environment. **None of these are served by Mega-warehouses being placed next to homes!**
  - i. Smart Growth includes “Strong Neighborhoods” – maintaining and enhancing the value of existing neighborhoods (from US EPA Smart Growth Network link on Riverside Planning Dept. webpage: <https://www.riversideca.gov/planning/cityplans.asp> )
- d. Close approximation of Mega-warehouses and residential homes results in numerous significant negative impacts that cannot be mitigated:
  - i. Nighttime noise
  - ii. Reduced Air Quality
  - iii. Loss of Aesthetic quality of the neighborhood

**6) Mega-warehouses pose unknown health risks for residents**

41-F

- a. Mega-warehouses can store any number of dangerous chemicals that may result in health risk to residents living in the near vicinity of the warehouse in the event of warehouse fire, chemical spill or release, or explosion.
- b. A suitable buffer to reduce unknown health risks is needed – the 1000ft buffer recommended by the State is likely to greatly reduce these risks.

***All of these issues are reduced simply by applying a common-sense approach to protecting developments that already exist!!***

41-G

- ***Mandate a reasonable buffer distance between residential homes and warehouse developments (State recommends 1000 feet!)***
- ***Apply total height restrictions matching the residential requirements for buildings within 100 feet of residential property line.***
  - ***Over 100 feet apply height step downs to transition industrial to 100 feet from residential properties***

## Response to Comment Letter 41 – Alec Gerry

*Note: This is the fourth comment letter from Mr. Gerry. He is also the author of Comment Letters 14, 15, and 40. In addition to land use, noise, and aesthetics which were raised in the previous letters, this comment letter also raises the issue of storage of hazardous materials.*

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 41-A:**

Comment noted. Currently, the City of Riverside does not have a requirement for a 1,000-foot buffer between warehouses and other land uses, and the *Sycamore Canyon Business Park Specific Plan* does not require 1,000-foot setbacks.

According to CARB’s *Air Quality and Land Use Handbook*, CARB recommends to avoid the placement of new sensitive land uses within 1,000 feet of a distribution center (accommodating more than 100 trucks per day, 40 trucks with transport refrigeration units (TRUs), or where TRUs operate more than 300 hours a week) and to take into account the configuration of existing distribution centers and avoid locating residences and other sensitive land uses near entry and exit points. However, these are recommendations, not mandates, and land use decisions ultimately lie with the local agency which needs to balance other considerations. (DEIR, p. 5.3-18.) Since the Project involves the construction of a logistics center approximately 100 feet (30 meters) from the nearest sensitive receptor, a Screening HRA was prepared in June 2016 for the Project (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 to address the SCAQMD comments (included as Attachment A.1 to the FEIR). The November Refined HRA is consistent with the requested SCAQMD guidance and methodology. Subsequently, on December 23, 2016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR). According to the June Screening HRA, the Refined November HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. Therefore, the Project will not result in the exposure of sensitive receptors to

substantial pollutant concentrations during Project construction or operation. In fact, the estimated maximum cancer risk reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. (DEIR, p. 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

CARB's guidance, on page 5 of the handbook, acknowledges that the recommendations are in fact advisory, and "to determine the actual risk near a particular facility, a site-specific analysis would be required. Risk from diesel PM will decrease over time as cleaner technology phases in." The handbook further goes on to state that "these recommendations are designed to fill a gap where information about existing facilities may not be readily available and are not designed to substitute for more specific information if it exists." Therefore, the FEIR and underlying technical studies is actually consistent with the CARB handbook. The FEIR includes a site-specific health risk assessment based on the geospatial location of the proposed development and existing sensitive land uses in the vicinity of the Project site and the truck travel routes that are expected to be utilized. As shown in the FEIR, the Project would not pose a significant health risk associated with diesel particulate matter (DPM) to sensitive receptors in the Project vicinity.

As stated previously, the CARB recommends, but does not mandate, that new sensitive land uses should not be placed within 1,000 feet of a distribution center. As discussed in Section 5.10 – Land Use and Planning of the DEIR, the Project is consistent with both the existing land use designation in the GP 2025 and SCBPSP. Furthermore, Appendix M of the DEIR identifies applicable City of Riverside General Plan 2025 objectives and policies and the Project's consistency level with those objectives and policies. The Project was found to be consistent with the General Plan Air Quality Element Objectives and Policies. (DEIR Appendix M, pp. M-58-65.)

*Air Quality: The City adopted Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in DEIR Appendix M, the proposed Project is consistent with all the goals and strategies outlined in the City's Good Neighbor Guidelines. (DEIR Appendix M, pp. M-66–M-72.) Because each project and property have different characteristics and circumstances, the City's Good Neighbor Guidelines do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a HRA be prepared for any warehouse project within 1,000-feet of residential properties. The HRA should indicate how the project can be designed to limit health risks. The Project site has been designed to minimize impacts on the adjacent residential area including placement of driveways and onsite parking areas away from the adjacent residential areas, consistent with the policies contained in the City's Good Neighbor Guidelines.*

As discussed above, since residences will be located within 1,000 feet from the proposed Project, a HRA was prepared. Refer to the previous discussion regarding the results of the HRA and subsequent New Modeling.

**Aesthetics:** Although a 1,000-foot buffer has not been included in the Project, certain features of the site design and location do minimize aesthetic impacts. The site has been designed to incorporate a 100-foot building setback and expanded landscaped buffer between the Project and adjacent residences to minimize impacts to residents. (DEIR, p. 3-35.)

The proposed Project, as originally submitted and presented at the August 26, 2015 scoping meeting for the DEIR, proposed two buildings totaling 1.43 million square feet (SF) with the northern building (Building 2) setback 60 feet from the northerly property line. (DEIR, **Figure 8-1 – Original Project.**) As discussed on page 8-3 of the DEIR, during preparation of the DEIR, the Project Applicant received feedback from the City, encouraging additional setback and landscaping along the northern portion of the Project site and a reduction in the size of the Building 2. Thus, the proposed Project was revised by the Project Applicant so that the northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. (DEIR, pp. 8-3–8-5.)

Within the 100-foot Building 2 setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape area adjacent to Building 2 and the northern property line of the Project site. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**) Additionally, there are no dock doors on the northern side of Building 2, closest to the residences to the north. (DEIR, pp. 3-35, 5.1-8.)

The western wall of Building 2 is located approximately 138 feet from the rear property line of the residences located northwest of the site. Within this setback, there is an approximately 101-foot wide Mitigation Area, consisting of native landscaping materials, that provides additional screening and buffer from the residences to the northwest. (DEIR, **Figure 3-10 – Proposed Site Plan and Figure 3-11 – Conceptual Landscape Plan.**)

Building 1 is located downslope from and south of Building 2 and is not expected to be visible from the residential neighborhood to the north. (DEIR, p. 5.1-8.) The Project will also, implement mitigation measure **MM AES 1** which states: (DEIR, pp. 5.12-19, 5.12-31–5.12-33.)

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning

Division and the Parks, Recreation, and Community Services Department for review and approval.

Furthermore, in response to public comments, the Project Applicant has agreed to limit truck idling at the Project site to three minutes, which is two minutes less than the maximum idling time required under SCAQMD regulations and state law. (DEIR, p. 5.3-19.)

The Project includes City Design Review and will implement mitigation measure **MM AES 9** to ensure that the buildings are attractively designed. (DEIR, p. 5.1-35.)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow.

Aesthetic impacts of the Project were found to be less than significant in the DEIR through the incorporation of Project design features and mitigation measures. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Noise: Although a 1,000-foot buffer has not been included in the Project, certain features of the site design do provide noise attenuations. To reduce construction noise to the extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.) It should be noted that on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels

do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are located at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicant's good faith estimate.

The installation of a ten-foot tall noise barrier per mitigation measure **MM NOI 16**, the operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner granting approval, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 41-B:**

Comment noted. The DEIR did evaluate noise impacts from the Project and a Noise Impact Study was prepared and included in the DEIR. (DEIR Appendix I.) Exterior nuisance sound levels in the City's Municipal Code are 70 dBA for industrial areas, 45 dBA for residential areas during nighttime, and 55 dBA for residential areas during daytime. (DEIR, **Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Level Limits.**) Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels ( $L_{eq}$ ) No Mitigation.**) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, noted above (DEIR, p. 5.12-46.)

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, above, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation.**)

With the installation of a ten-foot tall noise barrier per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner granting approval to construct, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

Noise from existing warehouses was included as part of the *Sycamore Canyon Business Park Warehouse Noise Impact Analysis* (hereinafter the NIA). Ambient noise at two locations on the Project site was monitored for 24 hours. The results of this monitoring are reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity**. As stated in the DEIR, noise sources included noise from adjacent existing industrial uses, existing residential noise, dogs barking, traffic, aircraft noise, and bird song. (DEIR, p. 5.12-9.) The NIA also quantified potential noise impacts associated with construction and operation of the proposed Buildings 1 and 2. (DEIR Appendix I.)

The noise drop-off rate associated with geometric spreading from a stationary source is 6 dBA per each doubling of distance. The receptors that will receive the highest noise levels are numbers 3 and 4 located above the Project site to the northwest, which are anticipated to reach peak noise levels of 49 and 52 dBA during Project operation without mitigation. (DEIR, **Figure 5.12-5 – Operational Noise Levels ( $L_{eq}$ ) No Mitigation.**) Noise levels without mitigation will exceed the City's 45 dBA nighttime noise standards by 4 dBA and 7 dBA, respectively. Therefore, the commenter's assertion that the distance to reduce noise to residential-

acceptable levels is more than four doublings of distance from a 100-foot setback starting point is incorrect. Rather, a doubling of the setback would be sufficient to reduce noise levels to residential-acceptable levels. However, instead of taking this approach, the Project incorporates several other noise-reducing design features, to the extent feasible, consistent with Figure N-10 of Title 24 of the California Code of Regulations to reduce noise impacts including barriers, and site design to locate noise-generating activities at the Project site away from the residences. For example, the Project site has been designed to minimize noise impacts on residences by eliminating dock doors on the north side of Building 2 and not including cross-dock facilities on this building. As a result, there are no truck or trailer activities and no loading and unloading between Building 2 and the residences thus significantly reducing noise sources near the residences. Nonetheless, noise impacts remain significant and unavoidable because mitigation measure **MM NOI 16** requires construction of a ten-foot noise barrier wall on private property and is not feasible because neither the City nor the Project Applicant has the authority to require its construction.

There is no evidence provided to substantiate the claim that noise will have effects on child development and resident sleep. Further, quality of life issues are not a California Environmental Quality Act (CEQA) related matter and thus not included in the DEIR analysis. Regardless, the project results in an operational noise impact at only two residences located to the northwest of the project site. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 41-C:**

The comments regarding the existing warehouses are noted. The existing warehouses referenced in the comment are separate and independent from the proposed Project and were approved by the City after undergoing their own environmental review and public hearing processes, including analysis of impacts related to aesthetics and building heights. The existence of these warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas emissions, noise, traffic, and cumulative impacts sections.

The commenter's assertion that wall height is generally limited to six feet in residential areas is correct. To further obscure views of the buildings at the Project site and reduce noise impacts, the City has authorized construction of an 8-foot tall wall adjacent to the residences pursuant to mitigation measure **MM AES 1** noted in Response to Comment 41-A above.

Further, onsite landscaping as well as the Project's grading plan will reduce aesthetic impacts to less than significant. Additionally, building walls that face the residences will be articulated with pockets of light and shadow to break up the long expanse of wall and the Project's landscape plan has been designed to provide visual appeal, functionality, and a buffer around the Project site as well as between the proposed buildings. (DEIR, pp. 5.1-7 – 5.1-9.)

Regarding the economic impacts related to homes losing their "view," this is not an environmental issue and is outside of the scope of analysis of a DEIR. According to CEQA Guidelines Section 15358(b), impacts to be analyzed in the EIR must be "related to physical

changes” in the environment, not economic conditions. CEQA Guidelines Section 15131(a) does not require an analysis of a project’s social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of use and effect. The focus of the analysis shall be on the physical changes.*

The CEQA Guidelines also provide that physical effects on the environment related to changes in land use, population, and growth rate induced by a project may be indirect or secondary impacts of the project and should be analyzed in the EIR only if the physical effects would be significant. (CEQA Guidelines Section 15358(a)(2).) Indeed, “evidence of economic and social impacts that do not contribute to or are not caused by physical changes in the environment is not substantial evidence that the project may have a significant effect on the environment.” (CEQA Guidelines, § 15064(f)(6).) The California Supreme Court has explained that “[a]n EIR is to disclose and analyze the direct and the reasonably foreseeable indirect environmental impacts of a proposed project if they are significant. . . . Economic and social impacts of proposed projects, therefore, are outside CEQA’s purview.” (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182 [citing CEQA Guidelines, §§ 15126.2, 15064(d)(3)].) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 41-D:**

The commenter’s concern regarding loss of property values is noted. It is also noted that this comment does not provide any evidence to support the speculation that the neighborhood will turn into low-end rentals if the Project is approved. With regard to CEQA requirements for analysis of economic impacts refer to Response to Comment 41-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 41-E:**

Economic Impacts: Refer to Response to Comment 41-C. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Land Use: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) Development of the Project site is also guided by the City’s *Sycamore Canyon Business Park Specific Plan* (SCBPSP), which was

adopted in 1984 by the City to encourage and provide incentives for economic development in the area. The site is designated as Industrial in the SCBPSP. (DEIR, p. 3-14.)

The proposed Project is consistent with the planned use for the site in both the GP 2025 and SCBPSP and would not conflict with these plans. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Smart Growth: The commenter notes that smart growth is the development that serves the economy, the community, and the environment. The proposed Project is consistent with the land use and zoning designations for the site and these designations were applied taking into consideration the General Plan policies concerning Smart Growth. As the Project is being constructed as a “spec” building and no specific tenant is known at this time, specific employment numbers are not available. Based on the size of the proposed buildings, the Project would result in approximately 860 to 1,335 new permanent jobs and approximately 350 to 400 temporary construction jobs. (DEIR, p. 3-43.) It is anticipated that the Project proponent would hire individuals already residing in the Project vicinity during both Project construction and operation, thus creating employment opportunities in the community.

The proposed Project would be developed adjacent to existing warehouse buildings, and set back from residential neighborhoods with landscape screening. Additionally, the proposed Project incorporates design features that connects to adjacent open space (Sycamore Canyon Wilderness Park). The Project includes a trail and a 16-space parking lot on the southeast portion of the Project site which will provide access to a fully-improved trail that will be located in an easement along the southern perimeter of Parcel 1. The parking lot and trail will provide connectivity for recreational users of the Sycamore Canyon Wilderness Park from Lance Drive in the Sycamore Canyon Business Park. (DEIR, p. 5.15-6.) Thus, the Project incorporates smart growth features to the extent feasible given that the Project is a permitted use in the GP 2025 and SCBPSP.

Noise: See Response to Comment 41-A above. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Air Quality: The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-related emissions and compared estimated emissions to the SCAQMD thresholds.

The Project’s short-term emissions are below regional and localized thresholds. However, the Project’s long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures **MM AQ 1** through **MM AQ 15**, **MM AQ 18**, and **MM AQ 19** as well as additional **MM AQ 22** through **MM AQ 25**. (DEIR, p. 5.3-27.) (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.) Hence, regional air quality

impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.) To reflect that the Project will incorporate reduced idling time, mitigation measures **MM AQ13** and **AQ 22** were modified as shown below. Because the Project incorporates a design feature to require all medium- and heavy-duty trucks entering the Project site to meet or exceed 2010 engine emissions standards, **MM AQ 23** will be revised in the FEIR as shown below. New text is shown as double underlined and the text to be deleted is shown as ~~striketrough~~.

These revisions do not change the significance conclusions of the DEIR or result in the need for additional mitigation.

**MM AQ 1:** Solar or light-emitting diodes (LEDs) shall be installed for outdoor lighting. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 2:** Indoor and outdoor lighting shall incorporate motion sensors to turn off fixtures when not in use. The site and buildings shall be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 3:** Trees and landscaping shall be installed along the west and south exterior building walls to reduce energy use. Vegetative or man-made exterior wall shading devices or window treatments shall be provided for east, south, and west-facing walls with windows. Landscaping and/or building plans shall contain these features and are subject to City verification prior to building permit issuance.

**MM AQ 4:** Light colored “cool” roofs shall be installed over office area spaces and cool pavement shall be installed in parking areas. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 5:** Energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated shall be installed in future office improvement plans. Refrigerants and heating, ventilation, and air conditioning (HVAC) equipment shall also be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. The efficiency of the building envelope shall also be increased (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption. The City shall verify tenant improvement plans include these features. The City shall verify these features are installed prior to issuance of occupancy permits.

**MM AQ 6:** Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment shall be installed. Prior to building permit issuance, the City shall verify building plans contain these features.

**MM AQ 7:** All buildings shall be designed with “solar ready” roofs that can structurally accommodate future installation of rooftop solar panels. Prior to building permit issuance, the City shall verify roofs are “solar ready.” If future building operators are providing rooftop solar panels, they shall submit plans for solar panels to the City prior to occupancy.

**MM AQ 8:** The Project’s landscaping plans shall incorporate water-efficient landscaping, with a preference for xeriscape landscape palette. Landscaping plans shall be approved by the City prior to building permit issuance.

**MM AQ 9:** All building owners shall provide education about water conservation and available programs and incentives to building operators to distribute to employees.

**MM AQ 10:** Interior and exterior waste storage areas shall be provided for recyclables and green waste. Prior to occupancy permits, the City shall verify interior and exterior storage areas are provided for recyclables and green waste. The property operator will also provide readily available information provided by the City for employee education about reducing waste and available recycling services.

**MM AQ 11:** Up to three electric vehicle charging stations shall be provided to encourage the use of low or zero-emission vehicles. Prior to building permit issuance, the City shall verify building plans contain electric vehicle charging stations.

**MM AQ 12:** Adequate bicycle parking near building entrances shall be provided at the site. Facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking) shall be provided. Prior to building permit issuance, the City shall verify building plans contain adequate bicycle parking.

**MM AQ 13:** All facilities shall post signs informing users of requirements limiting idling to ~~three~~five minutes or less in excess of pursuant to Title 13 of the California Code of Regulations, Section 2485. The City shall verify signage has been installed prior to occupancy.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

**MM AQ 15:** Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

**MM AQ 18:** Locally produced and/or manufactured building materials shall be used for at least 10% of the construction materials used for the Project. Verification shall be submitted to the City prior to issuance of a building permit.

**MM AQ 19:** “Green” building materials shall be used where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way. Verification of the feasibility or infeasibility of securing these materials shall be submitted to the City prior to issuance of a building permit.

**MM AQ 22:** The Project shall implement the following measures to reduce emissions from on-site heavy duty trucks within six months after operations commence:

- a) Post signs informing truck drivers about the health effects of diesel particulates, the requirement that CARB diesel idling times cannot exceed three minutes regulations, and the importance of being a good neighbor by not parking in residential areas.
- b) Tenants shall maintain records on its fleet equipment and vehicle engine maintenance to ensure that equipment and vehicles serving the building are in good condition, and in proper tune pursuant to manufacturer’s specifications. The records shall be maintained on site and be made available for inspection by the City.
- c) The facility operator will ensure that site enforcement staff in charge of keeping the daily log and monitoring for excess idling will be trained/certified in diesel health effects and technologies, for example, by requiring attendance at California Air Resources Board approved courses (such as the free, one-day Course #512).

**MM AQ 23:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD’s Carl Moyer Program, or other such programs that promote truck retrofits or “clean” vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. ~~If trucks older than 2007 model year will be used at a facility, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.~~

**MM AQ 24:** Any yard trucks used on-site to move trailers in or around the loading areas shall be electric in place of traditional diesel powered yard trucks.

**MM AQ 25:** The building operator shall provide signage or flyers that advise truck drivers of the closest restaurants, fueling stations, truck repair facilities, lodging, and entertainment.

SCAQMD has also developed localized significance thresholds (LSTs), which represent the maximum emissions from a project that would not cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standards. Based on the air quality analysis prepared for this Project, neither the short-term construction nor long-term operation of the Project will exceed SCAQMD LST at sensitive receptors, such as the residences, within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) Refer to Response to Comment 41-A for a discussion regarding the Project's HRA and New Modeling.

Aesthetics: Refer to Response to Comment 41-A.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 41-F:**

No unknown impacts were identified in this comment, as the issues raised were addressed in the DEIR. The DEIR addressed health risks in two places: Air Quality (Section 5.3) and Hazards (Section 5.8).

Air Quality: Refer to Response to Comment 41-A for a discussion regarding the Project's HRA.

Hazards: Because the exact tenants of the buildings are not known at this time, there is the potential that hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products to be stored and transported in conjunction with the proposed logistics center use. These hazardous materials would only be stored and transported to and from the site. Manufacturing and other chemical processing are not permitted under the provisions of the SCBPSP. (DEIR, p. 5.8-17.) As part of the Tenant Improvement Process the City requires all businesses that handle, store, and/or use hazardous materials equal to or greater than 500 pounds, 200 cubic feet and/or 55 gallons at standard temperature and pressure or 5 gallons, 50 pounds or 20 cubic feet of an EHS (Extremely Hazardous Substance) to submit their Business Emergency Plan electronically in the California Environmental Reporting System (CERS), <http://cers.calepa.ca.gov>. This is pursuant to the State mandate requiring all businesses to submit their Business Emergency Plans electronically. First time user/handlers must submit their completed business emergency plan within thirty (30) days of becoming a user/ handler. Any business who does not submit by their assigned due dates may be subject to administrative penalties. These businesses are inspected annually by the Fire Department.

Although the overall quantity of hazardous materials and waste generated in the Project area may increase because of implementation of the proposed Project, all new businesses that will handle or use hazardous materials would be required to comply with the regulations, standards, and guidelines established by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside related to storage, use, and disposal of hazardous materials. (DEIR, p. 5.8-18.) Both the federal and state governments require all businesses that handle more than a specified amount of hazardous materials to submit a hazardous material business plan (HMBP) to a regulating agency to enable a quick and accurate evaluation of each situation for an appropriate response in the event of an emergency. It is not anticipated that the tenants of the building would handle enough hazardous materials to necessitate preparation of an HMBP; however, any new business that meets the specified agency criteria would be required to submit an HMBP. Complying with the environmental regulations as required by the United States Environmental Protection Agency, the State of California, County of Riverside, and City of Riverside would minimize hazardous risks.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 41-G:**

Buffer: The City of Riverside does not have a requirement for a 1,000-foot buffer between warehouses and other land uses, and the SCBPSP does not require a 1,000-foot setbacks. Refer to Response to Comment 41-A for a discussion regarding the Project's HRA and buffers.

The proposed Project has incorporated design features to create additional landscape screening (refer to Response to Comment 41-A) as well as limiting air quality and noise impacts by not allowing dock doors on Building 2 adjacent to the residences to the north and restricting vehicles exiting the Project site to right-turns only onto Lance Drive so that outbound vehicles cannot use Dan Kipper Drive and are directed away from the residential areas to the north.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Height: The City of Riverside General Plan 2025 (the GP 2025) designates the Project site as Business/Office Park (B/OP) and the site is zoned Business and Manufacturing Park and Sycamore Canyon Business Park Specific Plan Zones (BMP-SP). (DEIR, **Figure 3-4 – Land Use Designation Map**, DEIR **Figure 3-5 – Zoning Map**.) As set forth in the Riverside Municipal Code Chapter 19.130, development in the BMP-SP zone cannot exceed 45 feet in height. (DEIR, p. 5.1-11.) The proposed Project would comply with the height restriction in the BMP-SP because Building 1 is proposed to be approximately 41 feet in height and Building 2 will be approximately 37 feet. Building 1 is also located downslope from and south of Building 2 and is not expected to be visible from the residences north of the Project site. Additionally, Building 1 is setback approximately 256 feet from the Sycamore Canyon Wilderness Park and views of the building from the park will be softened by on-site landscaping and the Conservation Area.

The northern wall of Building 2 is located 100 feet south of the residential lots north of the Project site. Within the 100-foot setback, the Project proposes 64 feet of landscaping, a 30-foot wide drive aisle (vehicles only, no trucks) and a 6-foot wide landscape area adjacent to Building 2. (DEIR, p. 3-35, **DEIR Figure 3-10 – Proposed Site Plan, DEIR Figure 3-11 – Conceptual Landscape Plan.**)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 42 – Karen Wright

Date: 11-1-16 42

Item No.: 12

FW: [External] Karen Doris Wright Comment for Nov 1 Riverside City Council evening public comments, and AGAINST PUSHING THROUGH GIGANTIC WAREHOUSES prior to Guidelines being completed Warehouse item on the Riverside Planning Board/Commission meeting on No

-----Original Message-----

From: K Wright [mailto:twodogkd@yahoo.com]  
Sent: Tuesday, November 01, 2016 11:53 AM  
To: Melendrez, Andy <ASMelendrez@riversideca.gov>; MacArthur, Chris <CMacArthur@riversideca.gov>; Perry, Jim <JPerry@riversideca.gov>; Burnard, John <JBurnard@riversideca.gov>; Alicia Robinson <arobinson@pe.com>; Gardner, Mike <MGardner@riversideca.gov>; Soubirous, Mike <msoubirous@riversideca.gov>; Davis, Paul <PDavis@riversideca.gov>; Bailey, Rusty <RBAiley@riversideca.gov>; Morton, Sherry <SMorton@riversideca.gov>  
Cc: twodogkd@yahoo.com  
Subject: [External] Karen Doris Wright Comment for Nov 1 Riverside City Council evening public comments, and AGAINST PUSHING THROUGH GIGANTIC WAREHOUSES prior to Guidelines being completed Warehouse item on the Riverside Planning Board/Commission meeting on Nov...

TO City Council and other

From Karen Doris Wright

See title

I am STONGLY AGAINST THIS PROJECT below being PUSHED at a Nov 3 Planning meeting before the guidelines are developed and am against any such project within 2000 feet of housing development or any park.

42-A

=====

Meeting Name: Planning Commission Agenda status: Final Meeting date/time: 11/3/2016 9:00 AM Minutes status: Draft Meeting location: Art Pick Council Chamber 2,140th Meeting

16-3162 1 4 PC - P14-1072 - 11-3-16 Board/Commission PLANNING CASES P14-1072, P14-1081, P14-1082, P16-0101, P16-0102, AND P16-0103: Proposal by Hillwood Enterprises L.P. and The Magnon Company to consider an Environmental Impact Report for the construction of two industrial warehouse buildings, Building 1 (1,012,995 square feet) and Building 2 (352,174 square feet), to operate as a distribution center. This proposal involves the following entitlements: 1) an amendment to the General Plan Circulation Element and to the Sycamore Canyon Business Park Specific Plan Circulation Plan to remove planned but unconstructed streets; 2) Tentative Parcel Map No. 36879 to consolidate 17 parcels into two parcels; Minor Conditional Use Permit to permit industrial buildings greater than 400,000 square feet in area; 3) Design Review of a plot plan and building elevations for the construction of two distributions centers and on-site improvements; and 4) Grading Exceptions for creation of slopes in excess of 20 feet in height and Variance to allow fewer parking spaces than required by the Zonin Code. This 76-acre property is located on the west side of No

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<https://riversideca.legistar.com/LegislationDetail.aspx?ID=2865459&GUID=3009DD36-1CCF-46CB-B1BA-8286FF240410&Options=&Search=>

File #: 16-3162 Version: 1 Name: PC - P14-1072 - 11-3-16

Type: Board/Commission Status: Agenda Ready File created: 10/18/2016 In control: Planning Commission  
On agenda: 11/3/2016 Final action:

Title: PLANNING CASES P14-1072, P14-1081, P14-1082, P16-0101, P16-0102, AND P16-0103: Proposal by Hillwood Enterprises L.P. and The Magnon Company to consider an Environmental Impact Report for the construction of two industrial warehouse buildings, Building 1 (1,012,995 square feet) and Building 2 (352,174 square feet), to operate as a distribution center. This proposal involves the following entitlements: 1) an amendment to the General Plan Circulation Element and to the Sycamore Canyon Business Park Specific Plan Circulation Plan to remove planned but unconstructed streets; 2) Tentative Parcel Map No. 36879 to consolidate 17 parcels into two parcels; Minor Conditional Use Permit to permit industrial buildings greater than 400,000 square feet in area; 3) Design Review of a plot plan and building elevations for the construction of two distributions centers and on-site improvements; and 4) Grading Exceptions for creation of slopes in excess of 20 feet in height and Variance to allow fewer p...

Attachments:

1. Report,
2. Report Exhibits 3- 8,
3. Report Exhibit 9 - Building Elevations, 4. Report Exhibit 9 - Conceptual Landscape Plan, 5. Report Exhibit 9 - Grading Exceptions Plan, 6. Report Exhibit 9 - Line of Site, 7. Report Exhibit 9 - Photo Simulations, 8. Report Exhibit 9 - Preliminary Grading Plan, 9. Report Exhibit 9 - Site Plan, 10. Report Exhibit 9 - Tentative Parcel Map, 11. Report Exhibits 10 - 12, 12. Report Exhibit 13a - Comment Letters, 13. Report Exhibit 13b - Comment Letters, 14. Report Exhibit 14 - Draft EIR, 15. PowerPoint

See report

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Karen Doris Wright

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

## **Response to Comment Letter 42 – Karen Wright**

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 42-A:**

This comment does not address the adequacy of the DEIR or raise any environmental issues. Section 15088 of the CEQA Guidelines states, “the lead agency shall evaluate comments on environmental issues received from persons who reviewed the DEIR and shall prepare a written response.” (Emphasis added.) Where a commenter submits comments that do not raise environmental issues, there is no requirement under CEQA that the City respond (*ibid.*; see also *Cleary v. County of Stanislaus* [1981] 118 Cal.App.3d.348 360 [holding that a Final EIR was adequate under CEQA where it did not respond to comments raising non-environmental issues]). The public will have an opportunity to comment on the merits of the Project itself at a Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for City Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx> This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 43 – Sherri Aurich-Hardy

43

Distributed at Planning Commission  
November 3, 2016

Agenda Item: 4  
P16-0101, P16-0102, P14-1082, p16-0103, P14-1081, P14-1072

-----Original Message-----

From: Sherri Aurich-Hardy [mailto:seah5923@sbcglobal.net]  
Sent: Wednesday, November 02, 2016 12:27 PM  
To: Morton, Sherry <SMorton@riversideca.gov>  
Subject: [External] Regarding Mega-Warehouse meeting on November 3, 2016

To Whom it May Concern:

This e-mail is for the City Planning Commission. I am sending this in case I am not able to go to the meeting tomorrow.

My concern is that there are already too many trucks on Sycamore Canyon Blvd. heading down into Riverside during to and from work hour traffic time. Not that long ago, my car and other cars had to merge with an 18-wheeler into one lane near Raceway Ford (just east of intersecting with Fair Isle), then it opens into two lanes again.

43-A

Also, I have witnessed at least once, multiple trucks lined up in the right hand lane, stopped, waiting to go into their distribution center, which leaves only one lane for on-going traffic.

43-B

If you look on the freeway near Fair Isle on/off ramp, you will many, many, many trucks going down the freeway hill into Riverside.

43-C

Also, I firmly believe, residents with backyards facing all these warehouses, will detract from the value of the home, and make it harder to sell their home. Who wants to live with a warehouse next door?

43-D

I am not for any more warehouses being built in our area. There are way too many trucks at present.

43-E

Thank you for your consideration.

Sherri Aurich-Hardy  
Abernathy Drive  
Sycamore Highlands Resident  
seah5923@sbcglobal.net

Sent from my iPad

## Response to Comment Letter 43 – Sherri Aurich-Hardy

This comment letter was received after the close of the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the State CEQA Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of August 10, 2016, to September 23, 2016, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included in the Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 43-A:**

The Project DEIR analyzed impacts from truck trips generated by the Project, and specifically evaluated existing and projected truck traffic along Sycamore Canyon Boulevard. Sycamore Canyon Boulevard is a major north-south street within the Sycamore Canyon Business Park. Designated as a 106-foot wide thru-way in the Sycamore Canyon Business Park Specific Plan (SCBPSP), the road has been designed to accommodate truck traffic. The study area of the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA), which is DEIR Appendix J, included six intersections along Sycamore Canyon Boulevard as well as the Sycamore Canyon Boulevard Interstate 215 (I-215) Southbound (SB) off-ramp. **(DEIR Figure 5.16-1 – Study Area; DEIR, p. 5.16-4.)** All intersections and the I-215 SB Sycamore Canyon Boulevard off-ramp currently operate at an acceptable level of service (LOS) in the existing condition.

The following table presents the existing average daily traffic (ADT) and the Project-generated ADT by vehicle type for Sycamore Canyon Boulevard from the I-215 SB ramps to Eastridge Avenue.

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Fair Isle Drive	I-215 Southbound Ramps	14530	400	25	200	<b>625</b>	335	4	5	14	<b>23</b>
I-215 Southbound Ramps	Dan Kipper Drive	12785	200	100	305	<b>605</b>	372	8	10	28	<b>46</b>

Segment of Sycamore Canyon Boulevard		Existing Condition (ADTs) by Vehicle Type					Project Trips Only (ADTs) by Vehicle Type				
From	To	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks	Passenger Cars	2 Axle Trucks	3 Axle Trucks	4 Axle Trucks	Total All Trucks
Dan Kipper Drive	Box Springs Boulevard	12340	200	90	295	<b>585</b>	223	4	5	14	<b>23</b>
Box Springs Boulevard	Sierra Ridge Drive	9425	150	35	330	<b>515</b>	223	4	5	14	<b>23</b>
Sierra Ridge Drive	Eastridge Avenue	10715	140	60	305	<b>505</b>	1120	148	198	526	<b>872</b>

Source: Roadway Segment Average Daily Traffic (not PCE) from Appendix C of the TIA.

Based on the table above, there are more truck trips in the existing conditions without the Project at Fair Aisle Drive off ramps than Eastridge Avenue; however, there are more 2-axle (light duty) trucks utilizing Fair Isle Drive than Eastridge Avenue. The heavier duty trucks (3-axle and 4-axle) are utilizing Eastridge Avenue. The Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

As indicated by the analysis in the TIA and DEIR, although the Project will introduce new passenger and truck trips to Sycamore Canyon Boulevard, Project-related traffic will not result in a significant degradation of LOS for this roadway.

With respect to the existing condition of trucks using Fair Isle Drive for any reason other than to turn onto Sycamore Canyon Boulevard, Chapter 10.56 of the Riverside Municipal Code prohibits the use of Fair Isle Drive, Lochmoor Drive, and Sycamore Canyon Boulevard between El Cerrito Drive and University Drive, by commercial vehicles exceeding ten thousand pounds (5 tons) gross weight. Residents observing commercial vehicles exceeding ten thousand pounds (5 tons) gross weight in locations where these restrictions are in place may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated.

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 43-B:**

Due to existing warehouse and logistics center developments within the SCBPSP, there is currently truck traffic on streets in the Project vicinity which may lead to trucks waiting to turn along Sycamore Canyon Boulevard. However, all intersections within the study area of the TIA

prepared for the Project currently operate at an acceptable level of service (LOS) in existing conditions. (DEIR, **Table 5.16-C.**)

Thus, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 43-C:**

Please see Response to Comments 43-A and 43-B.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 43-D:**

The commenter's concern regarding loss of property values is noted. It is also noted that this comment does not provide any evidence to support the speculation that the neighborhood will turn into low-end rentals if the Project is approved. In accordance with CEQA Guidelines § 15358(b), impacts to be analyzed in the EIR must be "related to physical changes" in the environment, not economic conditions. CEQA Guidelines § 15131(a) does not require an analysis of a project's social or economic effect because such impacts are not, in and of themselves, considered significant effects on the environment. Section 15131(a) states:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

With regard to economic impacts, Section 15093(a) of the State CEQA Guidelines requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects to be acceptable. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 43-E:**

This comment does not address the adequacy of the DEIR or raise any environmental issues. Section 15088 of the CEQA Guidelines states, "the lead agency shall evaluate comments on environmental issues received from persons who reviewed the DEIR and shall prepare a written response." (Emphasis added.) Where a commenter submits comments that do not raise environmental issues, there is no requirement under CEQA that the City respond (*ibid.*; see also *Cleary v. County of Stanislaus* [1981] 118 Cal.App.3d.348 360 [holding that a Final EIR was adequate under CEQA where it did not respond to comments raising non-environmental issues]). The public will have an opportunity to comment on the merits of the Project itself at a

Planning Commission hearing and at a City Council hearing. Notice of the Planning Commission and City Council hearings on this Project will be published at least 10 days prior to the hearing date in accordance with relevant provisions of the Government Code. The agenda for Planning Commission and City Council hearings can be found at: <http://riversideca.legistar.com/Calendar.aspx>

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## Comment Letter 44 – Maureen Clemens

44

Distributed at Planning Commission  
November 3, 2016

Agenda Item: 4  
P16-0101, P16-0102, P14-1082, p16-0103, P14-1081, P14-1072

-----Original Message-----

From: Maureen Clemens [mailto:maureenclemens@att.net]  
Sent: Wednesday, November 02, 2016 10:33 AM  
To: Morton, Sherry <SMorton@riversideca.gov>  
Subject: [External] City Planning Commission meeting 11/3/16

Re: Mega Warehouses in the Sycamore Canyon directly in back of residents homes.

The residents of Sycamore Highlands have reviewed the draft EIR prepared by WEBB Associates. We find there are a number of errors in the methods utilized to acquire data in the modeling performed to interpret data and in the analysis of the data required.

44-A

The air quality for one will be significantly impacted according to the report by the South Coast Air Quality Management District. Does this not mean something when considering 917 more Semi-Trucks added to the already enormous amount of trucks in the vicinity. These will be added to the already 24/7 movement and constant noise. The constant slamming of trucks hitching to trailers and the beep beep of backing up is already interrupting a nights sleep and this is heard in the entire community not just those in close proximity. Sound carries in this hill top community whether the wind is blowing or there is cloud cover. These are serious issues not to be taken lightly.

44-B

## Response to Comment Letter 44 – Maureen Clemens

*Note: This is the fourth comment letter from Ms. Clemens. She is also the author of Comment Letters 6, 10, and 11. This comment letter raises the issue of air quality and noise, which were raised in the other comment letters.*

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 44-A:**

Comment noted. The commenter does not identify the alleged errors in the methods used for data collection or in the modeling. This comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 44-B:**

Air Quality: The South Coast Air Quality Management District (SCAQMD) is responsible for monitoring air quality, as well as planning, implementing, and enforcing programs designed to attain and maintain state and federal ambient air quality standards. Accordingly, SCAQMD has developed regional thresholds that can be used to determine if a project will have significant air quality impacts. The Air Quality Report (AQ Report, Appendix B to the DEIR) modeled Project-

related emissions and compared estimated emissions to the SCAQMD thresholds using methodologies and models set forth by the SCAQMD.

The DEIR did analyze impacts related to air quality from the construction (short term) and the operations (long term) of the Project. The Project's short-term emissions are below regional and localized thresholds. However, the Project's long-term Oxides of Nitrogen (NO<sub>x</sub>) emissions of 339.39 lbs/day in the winter and 325.95 lbs/day in the summer will exceed the SCAQMD regional threshold of 55 lbs/day even after incorporation of Project design features and feasible mitigation measures. (DEIR, pp. 5.3-26, 5.3-30, 5.3-35–5.3-40.) Hence, the DEIR determined that regional air quality impacts from long-term operation are significant and unavoidable and the Project is considered to have a cumulatively considerable net increase on non-attainment pollutants in the region under applicable state and federal standards. Therefore, the impact is considered significant and unavoidable. The DEIR found that a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.3-40.)

Noise: Construction noise of up to 80 dBA L<sub>eq</sub> at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA L<sub>eq</sub> and the standard for public recreational facilities of 65 dBA L<sub>eq</sub>. (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. To reduce construction noise to the greatest extent feasible, the Project will implement mitigation measures **MM NOI 1** through **MM NOI 12**, below: (DEIR, pp. 5.12-45–5.12-46.)

**MM NOI 1:** To reduce noise impacts to the surrounding residences and Sycamore Canyon Wilderness Park, prior to any Project-related construction or site preparation, a 12-foot tall temporary noise barrier shall be installed along the Project site's northern and western property line. The barrier shall be continuous without openings, holes or cracks and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a transmission loss of at least 23 dBA to ensure construction noise levels do not exceed 75 dBA at single-family residential units located near the proposed project. Other materials providing the same transmission loss shall also be permitted with the approval of the City Planning Division.

**MM NOI 2:** To attenuate initial impact noise generated when an excavator drops rock and debris into a truck bed, heavy grade rubber mats/pads shall be placed within the bed of the trucks. These mats shall be maintained and/or replaced as necessary.

**MM NOI 3:** During all Project-related excavation and grading, construction contractors shall equip all construction equipment, fixed and mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.

**MM NOI 4:** All stationary construction equipment shall be located so that emitted noise is directed away from the residences to the north and west and from the Sycamore Canyon Wilderness Park to the west.

**MM NOI 5:** All construction equipment shall be shut off and not left to idle when not in use.

**MM NOI 6:** All equipment staging during all phases of construction shall be located in areas that will create the greatest distance between construction-related noise/vibration sources and the residences to the north and west and the Sycamore Canyon Wilderness Park to the west.

**MM NOI 7:** The use of amplified music or sound is prohibited on the Project site during construction.

**MM NOI 8:** Haul truck deliveries shall be limited to the same hours specified for construction equipment.

**MM NOI 9:** It is acknowledged that some soil compression may be necessary along the Project boundaries; however, the use of heavy equipment or vibratory rollers and soil compressors along the Project site's north and western boundaries shall be limited to the greatest degree feasible.

**MM NOI 10:** Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be shielded and noise shall be directed away from the residences to the north and west and Sycamore Canyon Wilderness Park to the west.

**MM NOI 11:** For the duration of construction activities, the construction manager shall serve as the contact person should noise levels become disruptive to local residents. A sign shall be posted at the Project site with the contact phone number.

**MM NOI 12:** No blasting shall take place on the Project site.

Even with implementation of feasible mitigation measures **MM NOI 1** through **MM NOI 12**, which will reduce construction noise by approximately 10 dBA, Project-related construction activities will result in temporary and periodic exposure of persons to and generation of noise levels in excess of standards established in the Riverside Municipal Code, which is considered a significant and unavoidable impact. (DEIR, p. 5.12-34.)

Subsequent to preparation of the DEIR, on August 18, 2016, the City of Riverside City Council adopted Ordinance 7341 amending the City's Noise Code to exempt construction noise between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

Noise levels from Project operation (i.e back up beeps and hitching/unhitching trailers), according to the modeling in the DEIR, will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation.**) To reduce

noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, below: (DEIR, p. 5.12-46.)

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

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

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling.

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**.

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement language.

With implementation of mitigation measures **MM NOI 13** through **MM NOI 15**, and **MM AQ 14**, the DEIR found noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$  at these two residences. (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**.)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate.

With the installation of a ten-foot tall noise barrier at the locations where the property owners will authorize the installation per mitigation measure **MM NOI 16**, operational noise will not exceed the City's nighttime noise standard of 45 dBA. However, because the noise barrier outlined in **MM NOI 16** would be on private property, the installation of this mitigation measure is dependent on the individual property owner authorizing the installation, not the Project Applicant. For this reason, impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 45 – Rincon Band of Luiseño Indians

45

### RINCON BAND OF LUISEÑO INDIANS Cultural Resources Department

1 W. Tribal Road · Valley Center, California 92082 ·  
(760) 297-2635 Fax:(760) 749-2639



RECEIVED

OCT 31 2016

Community & Economic  
Development Department

October 21, 2016

Patricia Brenes  
City of Riverside  
Community & Economic Development Department  
Planning Division  
3900 Main Street  
Riverside, CA 92501

**Re: P14-1072, P14-1081, P14-1082, P16-0101, P16-0102, and P16-0103**

Dear Ms. Brenes:

This letter is written on behalf of Rincon Band of Luiseño Indians. We have received your notification regarding the P14-1072, P14-1081, P14-1082, P16-0101, P16-0102 and P16-0103 Projects and we thank you for the consultation notification. The location you have identified is within the Territory of the Luiseño people.

Embedded in the Luiseño Territory are Rincon's history, culture and identity. The project is within the Luiseño Aboriginal Territory of the Luiseño people however, it is not within Rincon's Historic Boundaries. We do not have any additional information regarding this project but, we defer this project to the Pechanga Band of Luiseño Indians or Soboba Band of Luiseño Indians who are located closer to your project area.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Vincent Whipple  
Manager  
Rincon Cultural Resources Department

45-A

Bo Mazzetti  
Tribal Chairman

Stephanie Spencer  
Vice Chairwoman

Steve Stallings  
Council Member

Laurie E. Gonzalez  
Council Member

Alfonso Kolb  
Council Member

## **Response to Comment Letter 45 – Rincon Band of Luiseño Indians**

*Note: The second comment letter from the Rincon Band of Luiseño Indians; they are the author of Comment Letter 1. This comment letter is similar to Comment Letter 1.*

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 45-A:**

See Response to Comment 1-A. In summary, the City engaged in consultation with the Pechanga Band of Luiseño Indians, the Soboba Band of Luiseño Indians, and the Morongo Band of Mission Indians pursuant to Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). (DEIR, pp. 5.5-18–5.5-20.) This comment does not identify any significant new environmental issues or impacts not already addressed in the Draft Environmental Impact Report.

# Comment Letter 46 – Riverside County Flood Control & Water Conservation District

46

JASON E. UHLEY  
General Manager-Chief Engineer



1995 MARKET STREET  
RIVERSIDE, CA 92501  
951.955.1200  
FAX 951.788.9965  
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

October 25, 2016

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SKM bnd

RECEIVED

OCT 31 2016

Community & Economic  
Development Department

City of Riverside  
Planning Department  
3900 Main Street  
Riverside, CA 92522

Attention: Patricia Brenes

Re: PM 36879, P14-1072, P14-1081, P14-1082,  
P16-0102, P16-0103

The District does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check city land use cases, or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

46-A

The District has not reviewed the proposed project in detail and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities nor are other facilities of regional interest proposed.

### GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

46-B

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy.

46-C

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

46-D

Very truly yours,

HENRY OLIVO  
Engineering Project Manager

c: Riverside County Planning Department  
Attn: Kristi Lovelady

## **Response to Comment Letter 46 – Riverside County Flood Control & Water Conservation District**

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 46-A:**

The City appreciates the Riverside County Flood Control Districts’ (District) review of the Draft Environmental Impact Report (DEIR) and notes that this Project would not be impacted by the District’s Master Drainage Plan facilities; nor are there facilities of regional interest proposed. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 46-B:**

Comment noted. Since the Project would disturb more than 1 acre of land, the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) Statewide General Construction Permit (Order No. 09-09-DWQ). The permit requires preparation of an effective Storm Water Pollution Prevention Plan (SWPPP), which describes erosion and sediment control best management practices (BMPs) to prevent stormwater pollution during construction. The SWPPP will be prepared by a qualified SWPPP developer and implemented onsite by a qualified SWPPP practitioner. (DEIR, p. 5.9-22.) Additionally, in accordance with the County of Riverside Municipal Separate Storm Sewer System (MS4) NPDES Permit, all new construction is required to implement permanent BMPs, such as water quality basins, vegetated swales, and other stabilization measures to minimize the potential for erosion and related impacts to water quality. For projects that are not served by an existing city storm drain system and must discharge stormwater to natural water features, the cities and Regional Water Quality Control Board (RWQCB) require that each project retain stormflows such that the amount of stormwater discharged from the basin does not exceed pre-existing conditions to downstream erosion. The proposed Project and much of the *Sycamore Canyon Business Park Specific Plan* area will drain to an existing 120-inch storm drain in Eastridge Avenue prior to discharge into a series of regional marshes, which will reduce off-site erosion. Clearance for grading, recordation or other final approval would not be given until the City has

received evidence that a NPDES Permit has been granted. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 46-C:**

Comment noted. The Project site is not located within a Federal Emergency Management Agency (FEMA) mapped floodplain. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 46-D:**

Comment noted. The Project site contains three jurisdictional features, as detailed in Section 5.4 (Biological Resources) of the DEIR. Mitigation Measure **MM BIO 5** requires the following (DEIR, p. 5.4-31):

**MM BIO 5:** Prior to any ground disturbing activities within jurisdictional waters, the Project proponent shall obtain the necessary authorization from the regulatory agencies for proposed impacts to jurisdictional waters. Impacts to jurisdictional waters shall require authorization by the corresponding regulatory agency. Authorization may include, but is not limited to, a Section 404 permit from the U.S. Army Corps of Engineers, a Section 401 Water Quality Certification from the local Regional Water Quality Control Board, and Section 1602 Streambed Alteration Agreement from California Department of Fish and Wildlife. Project-specific impacts to jurisdictional waters shall be mitigated by the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the Regional Water Quality Control Board, where applicable.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 47 – SoCalGas

47



Estefania Sanchez  
Program Assistant 3

9400 Oakdale Blvd  
Chatsworth, CA 91311

ESanchez5@SEUContractor.com

December 8, 2016

City of Riverside  
Community & Economic  
Development Department  
Planning Division  
3900 Main Street  
Riverside, CA 92501

**Email:** Patricia Brenes - pbrenes@riversideca.gov

**Subject:** Notice of Public Hearing  
Applicant: Hillwood Enterprises L.P. and the Magnon Company  
Project Location: Northwest corner of Sierra Ridge Drive and Lance Drive

**DCF:** 1771-16NC1288

The Transmission Department of SoCalGas does not operate any facilities within your proposed improvement. However, SoCalGas **Southeast** Distribution Region may maintain and operate facilities within your project scope.

47-A

To assure no conflict with the **Southeast** Distribution's pipeline system, please contact them at (714) 634-5067.

Sincerely,

Estefania Sanchez  
Program Assistant 3  
ESanchez5@SEUContractor.com

December 8, 2016

1 of 1

## **Response to Comment Letter 47 – SoCalGas**

*Note: This is the second comment letter from SoCalGas. It is identical to Comment Letter 2, which was received from SoCalGas on August 15, 2016.*

### **Response to Comment 47-A:**

As discussed in Response to Comment 2-A, the Applicant has contacted the Southeast Distribution Division of SoCalGas and received confirmation from SoCalGas<sup>1</sup> that the Project will not conflict with SoCalGas' existing pipeline facilities in the area and, as such, no changes are needed to the proposed Project.

The City appreciates SoCal Gas' review of the Draft Environmental Impact Report (DEIR) and notes that there are no facilities within the Project Site.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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<sup>1</sup> Confirmation was provided via email from Randolph Darnell on November 9, 2016.

## Comment Letter 48 – Roberto Passoni

**From:** [robertopassoni@sbcglobal.net](mailto:robertopassoni@sbcglobal.net) [mailto:[robertopassoni@sbcglobal.net](mailto:robertopassoni@sbcglobal.net)]  
**Sent:** Tuesday, December 13, 2016 9:17 PM  
**To:** Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)>  
**Cc:** Alec Gerry <[alec.gerry@ucr.edu](mailto:alec.gerry@ucr.edu)>  
**Subject:** [External] Response: Opposition to the Proposed Mega-Warehouses

48

Dear Ms. Patricia Brenes,

After reviewing the detailed response regarding the proposed project, I feel as though my concerns have not been addressed, and as such I am requesting further clarification.

48-A

1. Comment 24-E: Comment regarding aesthetic effect.

It is obvious that when I discussed the negative aesthetics, I was referring to the fact that there are features on the existing warehouses that have already had a negative influence on the aesthetic of the residential properties. This is in-fact a recent and clear example of how the proposed project will continue to negatively affect the aesthetics of the neighborhood.

Although different, this project will be constructed with the same typology in mind and will be used for same activity as the existing warehouses. It will also be approved by the same department as the previous warehouses. Thus, results will remain the same: the aesthetic value of some of the residential properties will be destroyed.

The response provided stating that cannot consider the negative aesthetic features that the previous warehouses have had on the neighborhood, is not a valid response, rather it appears that you are attempting to avoid the discussion.

2. Comment 24-G: Comment regarding financial impact.

It is a mistake not to consider the negative affect that this proposed warehouse will have on the value of our houses. The values of our houses will drop significantly, as was evident in the houses sold after the implementation of the most recent warehouse. This has a clear and direct effect on the quality of life of the Riverside Sycamore Highland residents. It should be the city of Riverside's first priority to ensure that the quality of life for Riverside residents is assured. However, it appears as though Community and Economic Development Department: Planning Division is an independent entity and does not care about making the quality of life for the Riverside residents a priority. I urge that the department work as an advocate for us, instead of working against us.

48-B

3. Comment 24-A through 24-D: Comment regarding noise level.

The current noise level deriving from the existing warehouses is extreme and cannot be used as a baseline to determine the current level of background noise. In other words, due to the existing noise, it is clear that adding new warehouses would increase the noise level to a minimal amount. However, due to the fact that the current noise level is unacceptable, it must be resolved before calculating the effects of the noise produced by the proposed warehouses. Any additional noise level must be prevented, as the current noise level is already intolerable.

48-C

The proposed solutions to mitigate the noise resulting from the construction do not

48-D

<p>adequately address the long-term issues. It is evident that there are many flaws to this proposed warehouse from the very beginning. As a resident of Riverside Sycamore Highland, I do not feel confident that the proposed solutions to mitigate the noise during construction or operations will be satisfactory. Instead, I think it will only create more disturbances and stressors.</p>	↑ 48-D cont.
<p>Every night at 9 PM Eastridge Ave seems to be a private parking lot for trucks with their engines running, waiting their turn to enter Ralph distribution center. And inside hundreds of trailers are parked in an open space most of them with refrigeration units hook up to external electrical outlet and backing up three times before completing their loads (example of noise: Beep...Beep...Beep...Beep...Beep).</p>	48-E
<p>Both I and the residents in Sycamore Highland have called to make several complaints regarding the current disruptions, yet not action has been taken, therefore how can you guarantee the rules put in place will be implemented to the fullest? Therefore I do not feel confident that the mitigation solutions proposed will be followed-through.</p>	48-F
<p>The DEIR has a nice chapter on noise level but unfortunately it is confusing and unclear. a. It starts defining decibel measurements (CNEL, Ldn, Lmax) but then most of the symbols refers to different units, such as Leq, Lmax G, LminD, and even the city code listed decibel but only related to a generic max level of noise. Not all the time it is clear what to compare to understand limitations.  The existing noise level definition does not make sense (on page 5.12-5 of the DEIR). According to the report, it states absurdities such as, "predominant noise sources are [...] barking dogs, construction activity." Then a few sentences later it describes barking dogs as "occasional noise." This is unclear to the readers, including myself.  Let me attempt to be as clear as possible. I as a resident for the past 16 years have never been awoken in the middle of the night by what the report describes as "predominant noise." Instead, I am awoken every night by the noise that comes from the industrial land uses, which ironically enough the report describes as "occasional."  In order to provide you with some factual information, I have decided to test this out myself. It cannot be defined professional but results requires some consideration.</p>	48-G
<p>The very rare times that the existing activities are quiet, the surrounding noise level from the open window of my bedroom (6071 Bannock Dr, facing the Sycamore Park) is approximately Leq=27 to 29 dB at 10PM. With activities in operation it goes to up to 42 to 48 dB with an average from 10PM to 8AM of approximately 44 dB. The corresponding Lmax is typically 8 to 9 dB higher than the related Leq. Stating that the noise created by the existing activities as "occasional" is a clear false statement that needs to be corrected. The current statement hides the fact that the existing activities are producing excessive noise, which residents have reported numerous times but such complaints have not been dealt with by the city. In addition, it lowers the impact the noise produced from the new proposed activities would have in the community. Before proceeding with this kind of test analysis the City of Riverside should intervene to force the existing activities to reduce the noise they are generating to a maximum of 2 to 3 db above the normal real surrounding noise.</p>	
<p>b. The DEIR show results of a simulation that is also unclear.  The simulation results are only valid if the input data and constraints are properly accounted for. Even assuming that the geometrical and physical properties are correct, the final results could be targeted by a wrong localization of the noise sources, their values and background noise level. So it is not clear why no noise sources are located only on the West-side of Building 1 but only on the North-side of Building 2 right under the proposed noise adsorbing wall and on Southeast corner of Building 1, which is, from our neighborhood, the farthest and behind the building itself. The unprotected area at the west side of Building 1 is mysteriously quiet for that simulation.  Also it is not clear the effect of back-up beepers. Right now these are producing a noise jump of 7-10 dB of the Leq bringing at night the Lmax even over 50 Db but then I see impossible very low values on Table 5.12-7 of the report unless the noise is for the beeper only and therefore a useless value. The noise source is defined as a 67.9 DbA at 10 feet. Is this correct? For sure this is not the right number if the estimated noise will be similar to the one produced by the Ralph distribution center activities with their hundreds of trailers moved around.  So in my opinion the simulation is far away from representing any future noise prediction. A multiple different locations of the noise source and a higher number of the produced noise should be used to determine the real worse possible scenario.</p>	48-H
<p>4. Conclusion  In conclusion, the proposed solutions to the proposed warehouses do not adequately address the pertinent issues that will result from them. The DEIR report is confusing and so are the mitigation solutions.</p>	48-I

Noise coming from existing activities is excessive and has to be reduced before proceeding to the comparative test. The proposed noise reduction solutions do not make sense.

48-J

Beeper kept 5 db higher than surrounding noise? At what distance? At any surrounding noise?

48-K

Trucks not equipped with noise reduction instrument are forbidden to enter? Based on what law? Who is going to enforce it? What are the penalties? And next door warehouse are free to operate?

Trailers with refrigeration units are to be hooked up to external electrical power? Quantity is not addressed. We are adding hundreds to hundreds and compressors running them are not quiet.

48-L

Two properties will cooperate to develop the best wall? Cooperate or forced? And the others including the one are already suffering? Sorry again I made a mistake to refer to an existing one year old project of the same development.

Remedies proposed for construction period? That is really the smallest of the problem but it is addressed in very details.

48-M

I think the city of Riverside has wasted resources and (our) money to present "solutions" that are only saying "trust us the new constructions will be fine".

48-N

Somehow I always thought that The Community and Economic Development Department: Planning Division would have had more of a consideration of the impact that the existing warehouses have on the environment and on the lives of the residents in Riverside.

It would be unjust to ignore the valid concerns that we, as the residents of Riverside, are sharing with you.

Sincerely,

Roberto Passoni

Sycamore Highland resident

Click [here](#) to report this email as spam.

## **Response to Comment Letter 48 – Roberto Passoni**

*Note: This is the second comment letter from Mr. Passoni; he is also the author of Comment Letter 24. This comment letter raises issues of aesthetics, air quality, and noise. Aesthetics and noise were raised as issues in Mr. Passoni's previous letter.*

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, "the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public's request.) Accordingly, nothing in CEQA "requires the lead agency to respond to comments not received within the comment periods" (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 48-A:**

As stated in Response to Comment 24-E, the existing warehouses are separate and independent from the proposed Project and were each approved by the City after undergoing their own environmental review process that included analysis of potential aesthetic and other impacts. The commenter's opinion that existing warehouses have already had a negative influence on the aesthetic of the residential properties is noted.

The comment makes the following statement "The response provided stating [sic] that cannot consider the negative aesthetic features from the previous warehouses have had on the neighborhood is not a valid response, rather it appears that you are attempting to avoid the discussion." Response to Comment 24-E does not state or even imply that the existing warehouse may not be considered. The last sentence of the first paragraph of Response to Comment 24-E states:

The existence of the CT Sycamore Center Project warehouses is addressed in the proposed Project's environmental analysis, specifically, in the aesthetics, air quality, greenhouse gas, emissions, noise, traffic, and cumulative impacts sections. (FEIR, p. 2.24-9.)

The discussion of aesthetic impacts is not avoided as asserted by the comment. The DEIR contains a thorough analysis of aesthetic impacts. The existing visual character of the area surrounding the Project site is the basis for this analysis because it is the change in the aesthetics of the area resulting from the proposed Project that is evaluated in Section 5.1 – Aesthetics of the Draft Environmental Impact Report (DEIR). In describing the visual character of the Area surrounding the Project site, the DEIR states:

The area surrounding the Project site is typified by varied topography intermixed with graded/disc'd and developed land. The Sycamore Canyon Wilderness Park is west of the Project site. This natural open space park is characterized by rugged terrain, with granitic outcroppings, streambeds, and steep drainages. The Box Springs Mountains are located northeast of the Project site and are visible from the Project area. The Sycamore Canyon Wilderness Park and the peaks of Box Springs Mountain are considered notable scenic vistas for the City (GP 2025 FPEIR, 5.1-2). (DEIR, p. 5.1-2.)

The Sycamore Canyon Business Park, where the Project site is located, is primarily characterized by large-scale light industrial uses, which includes warehouses and distribution centers. Construction was recently completed for five light industrial buildings encompassing approximately 230,420 square feet of office space and warehouse use<sup>1</sup> north of Dan Kipper Drive between the Project site and Sycamore Canyon Boulevard. Existing single-family and multi-family residential uses, within the *Sycamore Highlands Specific Plan* area, are located immediately north and northwest of the Sycamore Canyon Business Park. (See **Figure 5.1-1 – Surrounding Area.**) (DEIR, p. 5.1-2)

With regard to whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings (DEIR Threshold C), the DEIR states:

The proposed Project will change the Project site from vacant property with rolling terrain and a drainage feature into a modern logistics center with two buildings, paved surfaces, manufactured slopes, perimeter walls and fencing, a trail, Fire Access/Parks Maintenance Road, and a permanent Mitigation Area, which represents a change from the existing textures, colors, and forms of the Project site in its undeveloped state. However, the proposed Project is being developed as intended per the GP 2025, the *Sycamore Canyon Business Park Specific Plan*, and the Zoning Code. As previously discussed, there are no unique visual resources at the Project site. The Project site contains areas of illegally-dumped materials near the current northern terminus of Lance Drive and at other locations throughout the site, which creates a visual blight in the area. Implementation of the Project will remove these materials and eliminate this nuisance. The site will be developed with manicured landscaping and logistics structures that will be designed, as mitigated, with aesthetic treatments intended to be visually attractive with the use of color and architectural articulations. The area surrounding the Project site to the northwest and north is residential, and the areas to the east and south are developed with industrial, manufacturing, and warehousing center uses. The Sycamore Canyon Wilderness Park is located to the west of the Project site. The residences adjacent to the Project site currently have a view of existing industrial areas to

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<sup>1</sup> Refer to City Planning Cases P14-1053 and P14-1054.

the south and east of the proposed Project. Some of the homes to the west of the Project site have limited views of the Sycamore Canyon Wilderness Park. (DEIR, p. 5.1-13.)

[...]

...construction of the Project would change the foreground views of the Project site from vacant land with an ephemeral drainage to a developed condition consisting of landscaping and two concrete tilt-up buildings with associated vehicle and trailer parking consistent with the types of uses permitted by the GP 2025, *Sycamore Canyon Business Park Specific Plan*, and Zoning Code. The Project's proposed Mitigation Area will relocate and revegetate the existing ephemeral drainage; thus the visual quality of that feature will be retained and relocated to the western portion of the Project site. (See **Figure 3-10 – Conceptual Landscape Plan**). Because the proposed Project's buildings will be consistent with other large-scale logistics and industrial uses adjacent to the east and south of the Project site, as well as industrial uses visible in the distance, the proposed Project will not introduce a new type of use or new type of construction to the Project area. Once constructed the Project will remove the remnants of prior uses (i.e. the rocks) and eliminate the illegal dumping that has occurred. For these reasons, Project development will not substantially degrade the existing visual character or quality of the Project site or its surroundings. Nonetheless, to minimize the appearance of the Project and ensure the Project is consistent with the Zoning Code, the Trails Master Plan, the Park and Recreation Master Plan, the *Sycamore Canyon Business Park Specific Plan*, and the *Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat Management Plan and Updated Conceptual Development Plan*, several mitigation measures are included in Section 5.1.6. (DEIR, p. 5.1-27.)

The Project will implement the following the following mitigation measures to reduce potential aesthetic impacts to less than significant.

**MM AES 1:** To provide separation between the Project site and the adjacent residential uses and to be consistent with the wall constructed on the project located east of the Project site and north of Dan Kipper Drive, the developer shall install an 8-foot tall wall constructed of two-sided decorative masonry material along the Project site's northern property line and that portion of the Project's westerly property line adjacent to existing residential uses. As part of the Design Review process and prior to the issuance of a grading permit, the Project developer shall submit a revised site plan showing the 8-foot tall wall and the proposed materials and decorative treatment for such wall to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. (DEIR, pp. 5.1-31–5.1-32.)

**MM AES 2:** For consistency with the Sycamore Canyon Wilderness Park Management Plan, the Project developer shall install fencing along the western boundary of the Project site. The fence and gate shall be constructed per the specifications of the City of Riverside Parks, Recreation, and Community Services Department Standard Detail No. 5520 and specifications. If the developer chooses to install a taller fence, a maximum 8-foot high fence is permitted. Note that increased fence height may require increased post, footing and rail sizes, which shall be engineered and stamped approved by a structural engineer. As part of Design Review and prior to the issuance of a grading permit, the developer shall submit a revised site plan showing this fence, the modified standard detail (if a fence taller than 8 feet is proposed), and specifications to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. (DEIR, p. 5.1-32.)

**MM AES 3:** If the Project developer wants to construct a private 8-foot tall tubular steel fence along the northern boundary of the trail, such fence shall be installed a minimum of three-feet from the edge of the trail and clear of the Fire Access/Parks Maintenance Road easement. If the Project developer chooses to construct said private fence, as part of Design Review and prior to the issuance of a grading permit the developer shall submit a revised site plan showing this fence as a separate graphic fence line and a materials board showing the proposed design and materials to the Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. If the Project developer chooses not to construct this private fence, this mitigation measure does not apply. (DEIR, p. 5.1-32.)

**MM AES 4:** In order to screen views of the parking lot, loading docks, and trailer parking areas from the public right-of-way, the on-site fencing securing the trailer parking areas and the metal, manual operated gates that permit access to these areas shall incorporate an opaque layer (i.e. mesh or screening) that will withstand wind loads of 85 miles per hour. As part of Design Review and prior to the issuance of a grading permit, a revised site plan and materials board showing the proposed screening shall be submitted to the Community and Economic Development Department, Planning Division for review and approval. (DEIR, p. 5.1-32.)

**MM AES 5:** To provide safe and controlled pedestrian and bicycle access to the Sycamore Canyon Wilderness Park in a manner consistent with the design and materials of the fence in mitigation measure **MM AES 2**, the Project developer shall:

- a. Construct the proposed trail and access gates consistent with the City of Riverside Parks, Recreation, and Community Services Department trail and gates details and specifications and subject to the review and approval by the City of Riverside Parks, Recreation, and Community Services Department, As part of Design Review and prior to the issuance of a grading permit, a revised

site plan that identifies this standard and shows the Parks, Recreation, and Community Services Department Standard Trail Construction detail shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.

- b. Install a galvanized steel swing arm gate access gate that locks in the open and closed positions at the trail and parking lot driveway entry. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for this gate and Standard Detail No. 5110 shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.
- c. Install pedestrian/bicycle gates between the trail and parking lot and the beginning of the trail and between the western terminus of the trail and the Sycamore Canyon Wilderness Park per the City's standard pedestrian/bicycle gate. These gates shall be minimum 4-feet wide and constructed of material to match Standard Detail No. 5520 identified in mitigation measure **MM AES 2**. The pedestrian/bicycle gates shall be lockable in the open and closed position. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the detail for these gates shall be submitted to the City of Riverside Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval.
- d. Install Parks, Recreation, and Community Services Department Standard PVC trail fence along the northern side of the trail in-between the Fire Access/Parks Maintenance Road and along those portions of the southern side of the trail where the grade drops 3 feet or more. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that references the Standard 3-rail PVC fence detail only and includes Parks, Recreation, and Community Services Department Standard PVC trail fence shall be submitted to the Parks, Recreation, and Community Services Department for review and approval.
- e. Install Parks, Recreation, and Community Services Department standard trail sign at the Project's western property line and at the proposed parking lot on Lot B of Tentative Parcel Map 36879. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that includes a note that states "PRCSD standard trail sign" and Parks, Recreation, and Community Services Department standard trail sign detail 12 shall be submitted to the Parks, Recreation, and Community Services Department for review and approval. (DEIR, pp. 5.1-33–5.1-34.)

**MM AES 6:** To provide access for fire and parks maintenance vehicles consistent with the intent of the Sycamore Canyon Wilderness Park Stephens' Kangaroo Rat

Management Plan and Updated Conceptual Development Plan, the Project developer shall:

- a. Design and construct the Fire Access/Parks Maintenance Road per the City of Riverside Fire Department requirements, including but not limited to, providing a 36,000 pound wheel load. As part of Design Review and prior to the issuance of a grading permit, the Fire Access/Parks Maintenance Road detail shall be submitted to the Community and Economic Development Department, Planning Division, the Parks, Recreation, and Community Services Department, and the City Fire Department for review and approval.
- b. Install vehicular gates between the vehicular access road on the south end of the Project site and the eastern terminus of the Fire Access/Parks Maintenance Road and between the western terminus of the Fire Access/Parks Maintenance Road and the Sycamore Canyon Wilderness Park. The vehicular gates shall be double galvanized steel swing arm gates a minimum of 12-feet in width and provided with a Knox padlock. The gates shall lock in the open and closed positions per Park Standard Detail No. 5110. The gate at the western property line shall be constructed to match Standard Detail No. 5520. As part of Design Review and prior to the issuance of a grading permit, a revised site plan that shows the details of these gates and Park Standard Detail No. 5110 shall be submitted to the Community and Economic Development Department, Planning Division and the Parks, Recreation, and Community Services Department for review and approval. (DEIR, p. 5.1-34.)

**MM AES 7:** To ensure there is adequate clearance for the fire vehicles, prior to building permit issuance the landscape plans shall be revised to relocate the trees shown on the trail and the Fire Access/Parks Maintenance Road such that all trees shall be setback from the trail and Fire Access/Parks Maintenance Road easements a minimum of 5 feet. Once planted, the developer shall maintain all trees such that a minimum 13.5-foot vertical clearance over the Fire Access/Parks Maintenance Road and a minimum 8.5-foot vertical clearance over the trail is provided and maintained. The revised landscape plans shall be designed per the City's Water Efficient Landscape and Irrigation Ordinance adopted on December 1, 2015 (<http://aquarius.riversideca.gov/clerkdb/0/doc/215696/Page1.aspx>). The revised landscape plans shall be reviewed and approved by City Design Review staff and Western Municipal Water District as part of Design Review prior to the issuance of a grading permit. (DEIR, p. 5.1-34.)

**MM AES 8:** To ensure that all roof-mounted equipment shall be adequately screened, prior to the issuance of a grading permit as part of the Design Review process, the proposed screening shall be reviewed and approved by Design Review staff. (DEIR, p. 5.1-35.)

**MM AES 9:** To offset the long expanses of wall surfaces on Building 1 and Building 2, prior to the issuance of a grading permit as part of the Design Review process, revised architectural plans and elevations shall be submitted for review and approval by the City of Riverside Design Review staff.

- a. The revised architectural plans and building elevation for the west elevation of Building 1 shall include some of the same elements used on the front elevation to offset the long (1,394 feet) expanse of wall surface, including providing design techniques like those at the office areas on every corner of Building 1. The new design shall implement articulation to create pockets of light and shadow.
- b. The revised architectural plans and building elevation for the north elevation of Building 2 shall be articulated in the same manner as the front elevation and shall include the same elements used on the east elevation to offset the long (978 feet) expanse of wall surface. The exterior features provided at the office areas shall be provided on every corner of Building 2. The new design shall implement articulation to create pockets of light and shadow. (DEIR, p. 5.1-35.)

**MM AES 11:** In order to avoid the appearance of a flat wall, as part of the Design Review process prior to the issuance of a grading permit, revised plans showing the incorporation of design features such as articulation and the use of color on the 14-foot-tall wall proposed along the east side of the truck parking and loading docks east of Building 1 shall be submitted for review and approval by Design Review staff. (DEIR, p. 5.1-35.)

To clarify that there will be no Project-related light spill onto the residential backyards north of the Project site, mitigation measure **MM AES 10** will be revised in the FEIR as follows:

**MM AES 10:** To ~~eliminate~~ reduce light spill and glow into the residential backyards to the north, lighting mounted on the north wall of Building 2 shall be placed on this wall as low as feasible to provide the required security lighting.<sup>2</sup>

The Project will also implement mitigation measure **MM HAZ 4** as shown below.

**MM HAZ 4:** The following additional MARB-required risk-reduction Project design features shall be incorporated into Project design:

- o The Project will not include:
  - Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an

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<sup>2</sup> Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

- airport, other than an FAA-approved navigational signal light, visual approach slope indicator, or FAA-approved obstruction lighting;
  - Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport;
  - Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area;
  - Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation; or
  - Although such uses are not anticipated, in Building 1: Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, places of assembly, noise sensitive outdoor nonresidential uses and hazards to flight are prohibited.
- Any outdoor lighting that is installed will be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. All outdoor lighting will be downward facing;
  - March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result;
  - No skylights will be included;
  - Exterior walls will consist of 8-inch-thick solid grouted, 4-hour rated concrete masonry;
  - Building roof will consist of structural steel columns and steel roof structure framing elements, including structural steel decking;
  - Use of windows will be limited to only the structures' main entrances;
  - The structure will incorporate an enhanced fire sprinkler system to exceed California Fire Code requirements; and
  - The structure will include emergency exits that exceed the exit requirements set forth by the Riverside County Fire Code by approximately 15 to 20 percent.
  - The applicant will not propose any uses prohibited or discouraged in Compatibility Zones C1 or D. (DEIR, pp. 5.1-35–5.1-36.)

The revision to mitigation measure **MM AES 10** does not constitute significant new information, as defined by State *CEQA Guidelines* Section 15088.5, that would require recirculation of the DEIR. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-B:**

With regard to Response to Comment 24-G and the commenter's opinion that the EIR consider the potential negative effect that the proposed Project may have on the value of homes in the Project vicinity, see Response to Comment 24-F.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-C:**

Refer to Response to Comment 24-A for a discussion regarding existing noise levels.

The statement that the current noise level cannot be used as a baseline to determine the current level of background noise and that any existing noise impacts must be resolved before calculating effects of Project-generated noise is incorrect. An EIR evaluates the change between an existing condition (i.e., current background noise) and the change resulting from a proposed project. For noise impacts, Noise Thresholds C and D of the City's CEQA Checklist require analysis in the EIR to identify the potential for a "substantial increase in [permanent, temporary, or periodic] ambient noise levels in the project vicinity *above levels existing without the project.*" (DEIR, p. 5.12-18, emphasis added.) The term "substantial," as used in this regard, is not defined in most environmental compliance guidelines. Because most people only notice a change in the noise environment when the difference in noise levels is around 3 dBA CNEL. A 5 dBA change (i.e., increase or decrease) in noise levels is required before any noticeable change in community response would be expected. (DEIR, p. 5.12-38.) Therefore, for purposes of this threshold, a clearly perceptible increase (+5 dBA) in noise exposure of sensitive receptors is considered substantial. (DEIR, p. 5.12-38.)

The DEIR appropriately identified the existing noise levels in the Project area, determined the noise that would be generated by the proposed Project, and incorporated mitigation measures to reduce Project-generated noise. CEQA does not require a project proponent to mitigate or correct for existing conditions not related to a proposed project.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-D:**

The 12 mitigation measures identified in the DEIR to reduce construction noise (see below) are not intended to reduce the Project's long term operational noise impact. Mitigation measures **MM NOI 1** through **MM NOI 12** (listed in Response to Comment 24-A) are included in the DEIR because construction noise of up to 80 dBA  $L_{eq}$  at the westerly property line will exceed the City's daytime exterior standard for residential property of 55 dBA  $L_{eq}$  and the standard for public recreational facilities of 65 dBA  $L_{eq}$ . (DEIR, p. 5.12-22.) These standards were in effect at the time of the Notice of Preparation for this DEIR. It is important to note that on August 18, 2016 (taking effect 30-days later), Ordinance 7341 was adopted by the City Council of the City of Riverside, amending the City's Noise Code to exempt construction noise between the hours

of 7:00 a.m. and 7:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. of Saturdays from the standards of the Noise Code.

To mitigate long-term impacts from operational noise, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15**.

**MM NOI 13:** To reduce noise associated with the use of back-up alarms, either ambient-sensitive self-adjusting backup alarms or manually adjustable alarms shall be used on all equipment in use on the Project site that requires a backup alarm. Ambient-sensitive self-adjusting backup alarms increase or decrease their volume based on background noise levels. The alarm self-adjusts to produce a tone that is readily noticeable over ambient noise levels (a minimum increment of 5 decibels is typically considered readily noticeable), but not so loud as to be a constant annoyance to neighbors. Close attention shall be given to the alarm's mounting location on the machine in order to minimize engine noise interference, which can be sensed by the alarm as the ambient noise level. These alarms shall be mounted as far to the rear of the machine as possible. An alarm mounted directly behind a machine radiator will sense the cooling fan's noise and adjust accordingly.

If manually-adjustable alarms are used, each alarm shall be set at the beginning of each day and night shift. The manual setting feature eliminates the machine mounting location problem of the ambient-sensitive self-adjustable backup alarms. Alternatively, back-up movements can be supervised with a guide and flagging system. (DEIR, p. 5.12-46.)

**MM NOI 14:** To reduce operational noise at the residences located west of the Project site, no trucks shall use the northern access road or regular sized vehicle sized parking areas at Building 2 for site access, parking, queuing, or idling. (DEIR, p. 5.12-46.)

**MM NOI 15:** A restriction of nighttime use between the hours of 10:00 PM to 7:00 AM shall be implemented for the portion of the loading area and trailer parking located just south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**. (DEIR, p. 5.12-46.)

With implementation of the above mitigation measures (**MM NOI 13** through **MM NOI 15**), operational noise from the proposed Project will not exceed the City's nighttime noise standard of 45 dBA for all receptors except at two residences located northwest of the Project site. Because these residences area at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, below, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 DBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**.) However, because the noise barrier specified in **MM NOI 16** would be on private property, the installation of this mitigation

measure is dependent on the two individual property owners, not the Project Applicant. For this reason, the DEIR determined impacts are significant and unavoidable with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, p. 5.12-48.)

**MM NOI 16:** Prior to finalization of building permit, the temporary 12-foot noise barrier shall be removed and the Project applicant shall work with City Design Review staff and the property owners of receptor location 3 (6063 Bannock) and receptor location 4 (6066 Cannich) to determine the design and materials for a noise barrier that is mutually acceptable to the Project Applicant, City Design Review staff, and the property owners. The noise barrier shall be ten-foot high installed at the top of the slope of the residential properties west of the Project site. The designed noise screening will only be accomplished if the barrier's weight is at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. Noise control barrier may be constructed using one, or any combination of the following materials: masonry block; stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; glass (1/4 inch thick), or other transparent material with sufficient weight per square foot; or earthen berm.

Prior to the issuance of a Certificate of Occupancy for the Project, the Project applicant shall construct said noise barrier provided all of the property owners upon whose property the barrier is proposed to be constructed provide written authorization for such construction. The Project applicant shall provide written notice to the property owners of its intent to commence wall construction at least 90-days prior to the anticipated construction date. If all of the property owners do not authorize the construction of the wall in writing, including providing the applicant with all requisite legal access to the affected properties, within 60 days of applicant's written notice, the applicant shall instead pay to the property owners the equivalent cost to construct the wall, based on applicants good faith estimate. (DEIR, p. 5.12-47.)

The commenter's lack of confidence that the Project's proposed noise mitigation measures will not satisfactory is noted. It is also noted that this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with "good faith, reasoned analysis." (CEQA Guidelines, §15088(c).) These responses "shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

A legally binding Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is included in Section 4 of the FEIR. The mitigation measures shall be implemented by the Project Applicant during Project construction and operation. The MMRP gives the City the authority to ensure that all feasible, agreed-upon mitigation measures are implemented. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-E:**

With regard to the commenter's observation that trucks are idling on Eastridge Avenue, residents can call 311 and their complaint will be routed to the Traffic Department and Police Department so that the appropriate response can be coordinated. Complaints regarding illegally idling trucks idling are to be directed to the Air Resources Board (ARB). To report an illegally idling vehicle, an individual may call ARB at 1-800-END-SMOG or email [helpline@arb.ca.gov](mailto:helpline@arb.ca.gov) with the following information:

- Date and time you saw the violation
- Location (cross streets or address, and city) of the incident
- License plate number from the front of the truck, including state
- DOT, MC and MX number from side of door
- Company name and any identifying marks on the truck
- Details about the observed idling violation

If requested, calls or email will be kept anonymous.<sup>3</sup>

With regard to transportation refrigeration units (TRUs), electrical hookups will be provided at the Project site, and only TRUs with electric standby capabilities will be allowed at the Project site, as set forth in the lease agreement and mitigation measure **MM AQ 14**. (DEIR, pp. 5.12-28, 5.12-46.)

**MM AQ 14:** Electrical hookups shall be installed at all loading docks to allow transport refrigeration units (TRUs) with electric standby capabilities to plug in when TRUs are in use. Trucks incapable of using the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement. The City shall verify electrical hookups have been installed prior to occupancy and shall confirm lease agreement includes such language.

Noise associated with back-up beepers at the Project site will be reduced through implementation of mitigation measure **MM NOI 13** listed in Response to Comment 24-A, which requires the use of ambient-sensitive self- or manual-adjusting back up alarms. (DEIR, pp. 5.12-31, 5.12-46.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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<sup>3</sup> Source: <https://www.arb.ca.gov/msprog/truck-idling/factsheet.pdf>

**Response to Comment 48-F:**

Residents can call 311 and their complaint will be routed to the Code Enforcement Department, Traffic Department and Police Department so that the appropriate response can be coordinated.

With regard to compliance with the mitigation measures identified in the DEIR, see Response to Comment 48-D.

The commenter's lack of confidence that the Project's proposed noise mitigation measures is addressed in Response to Comment 48-E.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-G:**

The commenter expresses uncertainty over the definition of several noise analysis terms, known as noise descriptors defined in the DEIR and reproduced below:

- $L_{eq}$  Equivalent Continuous Noise Level, a level of steady state sound that in a stated time period, and a stated location, has the same A-weighted sound energy as the time-varying sound (DEIR Appendix I, p. 55). The average noise levels over a period of minutes or hours is usually expressed at dBA  $L_{eq}$ , or the equivalent noise level for that period of time. For example,  $L_{eq(3)}$  would represent a 3-hour average. When no period is specified, a one-hour average is assumed. (DEIR Appendix I, Appendix A.) As used in the DEIR,  $L_{eq}$  refers to the noise level averaged over a one-hour period.
- $L_{max}$  The single highest recorded noise level event during monitoring (DEIR, p. 5.12-7).
- $L_{min}$  The single lowest recorded noise level event during monitoring (DEIR, p. 5.12-7).
- $L_2, L_8, L_{50}, L_{90}$  A-weighted Noise Levels at 2 percent, 8 percent, 50 percent, and 90 percent, respectively, of the time period. (DEIR Appendix I, Appendix A.)

Different noise descriptors are used for different purposes. The base exterior noise standards identified in DEIR **Table 5.12-E – Riverside Municipal Code Exterior Nuisance Sound Levels** and **Table 5.12-F – Riverside Municipal Code Interior Nuisance Sound Levels** are in  $L_{eq}$ . In addition to the “base” daytime and nighttime noise standards identified in **Tables 5.12-E and 5.12-F**, the City's Noise Ordinance also includes several other noise level criteria that are based on the percentage of time a particular noise level is exceeded over a measurement period. These criteria are represented by the  $L_{max}$ ,  $L_{50}$ ,  $L_{25}$ ,  $L_8$  and  $L_2$  criteria. (DEIR, p. 5.12-28.)

Section 7.25.010 of the Riverside Municipal Code provides criteria that apply to any exceedance of the limits present in DEIR **Table 5.12-E**. These criteria are primarily used for the purposes of code enforcement, but are discussed in the DEIR to outline the parameters by which a noise exceedance would be evaluated. (DEIR, p. 5.12-16.) The following table shows the noise descriptor applicable to each Riverside Municipal Code Section 7.25.010 A

Riverside Municipal Code Section 7.02.010 A	Noise Descriptor
1. The exterior noise standard of the applicable land use category, up to 5 decibels, for a cumulative period of more than 30 minutes in any hour; or	L <sub>50</sub> because 30 minutes represents 50 percent of one hour
2. The exterior noise standard of the applicable land use category, plus 5 decibels, for a cumulative period of more than 15 minutes in any hour; or	L <sub>25</sub> because 15 minutes represents 25 percent of one hour
3. The exterior noise standard of the applicable land use category, plus 10 decibels, for a cumulative period of more than 5 minutes in any hour; or	L <sub>8</sub> because 5 minutes represents 8 percent of one hour
4. The exterior noise standard of the applicable land use category, plus 15 decibels, for the cumulative period of more than 1 minute in any hour; or	L <sub>2</sub> because 1 minute represents approximately 2 percent of one hour
5. The exterior noise standard for the applicable land use category, plus 20 decibels or the maximum measured ambient noise level, for any period of time.	L <sub>max</sub> because this is the maximum for any period of time

Regarding noise descriptors with a letter, when L<sub>max</sub> or L<sub>min</sub> are shown with a letter (i.e., L<sub>max</sub><sup>G</sup> or L<sub>min</sub><sup>D</sup>), such as in DEIR **Table 5.12-B – Existing Noise Levels in Project Vicinity**, the letter corresponds to a note for that table. Using Table 5.12-B as an example, the “c” in L<sub>max</sub><sup>c</sup> refers to the note that states “<sup>c</sup> The single highest recorded noise level event during monitoring.” (DEIR, p. 5.12-7.) The notes are provided in the tables to direct the reader to the data source or to define the contents of the table.

As stated in the DEIR, the predominant noise sources characterizing the Project site and the surrounding area recorded *during the noise monitoring period* (emphasis added) are residential noise, barking dogs, and construction activity. (DEIR, p. 5.12-5.) Barking dogs are both an occasional noise and a predominant noise source because barking is not a consistent source of noise; rather there were many occasional dog barks recorded during the monitoring period, making them a predominant source of noise as well. Similarly, industrial noise is reported as “occasional” in the DEIR because industrial noise consists of punctuated periods of noise, followed by less noisy periods. Thus, even if these noises occur repeatedly throughout the

night, they are still correctly characterized as “occasional” in the DEIR because they are not constant.

With regard to the commenter’s self-reported noise measurements, insufficient information is provided to assess the accuracy or meaning of these measurements. Nonetheless, the commenter’s 10 p.m. measured  $L_{eq}$  of 27 to 29 dB recorded by the commenter is below both the monitored noise measurements reported in DEIR **Table 5.12-C – Existing 24-Hour Noise Levels in Project Vicinity** the City’s nighttime noise standard of 45 dBA. The commenter’s reported measurements of 42-48 dB with an average from 10 p.m. to 8 a.m. of approximately 44 dB is slightly higher than the monitored results in **Table 5.12-C** for certain hours; however, the 44 dB average is below the City’s nighttime noise standard of 45 dBA. The commenter’s measured  $L_{max}$ , is below the City’s nighttime  $L_{max}$  of 65 dBA.

In response to the commenter’s assertion that citizen complaints have not been addressed, see Response to Comment 48-F.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 48-H:**

The noise analysis in the DEIR (DEIR Section 5.12) and the NIA (DEIR Appendix J) consists of explanatory text and numerous figures so that the technical analysis may be understood by the reader. Because of the topographical differences between the Project site and the location of the residences, the NIA, the SoundPLAN Noise Model was used to model construction and operational noise at over 30 receptors in the vicinity of the Project site. SoundPLAN was used for this analysis because this model can consider the differences in topography between a noise source and a receptor. (DEIR, p. 5.12-22). For the NIA, the topography of the Project site, the location of the Project’s proposed buildings, (Building 1 and Building 2) and the location of the residences surrounding the Project site, both first and second floor were entered into the model. The output from the modeling runs are presented in the DEIR and NIA as a series of figures and explained in the text of these documents. The figures in the DEIR and NIA show the footprints of proposed Building 1 and Building 2, the location of the truck parking area, the docks, the vehicle parking area, and the residences to the north and northwest of the Project site.

Project operations will generate noise from vehicle movements within the proposed parking areas, idling trucks, loading and unloading activities, trash compactors and rooftop HVAC systems. The dominant operational noise will generally include noise associated with semi-trucks (tractor-trailers) entering and exiting the Project site and accessing dock areas, removal and hook-up of trailers, occasional truck air brakes, and vehicles associated with employees. The dock doors and trailer parking areas were modeled as area sources with a sound pressure level of 65 to 67 dBA. (DEIR, p. 5.12-24, **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation**, **Figure 5.13-6 – Operational Noise Levels (Leq) With Mitigation**.)

There are no dock doors on the north side of Building 2, the side of the building closest to the residences, to reduce noise impacts to the residences from the proposed Project. Thus, there are no noise sources modeled for this location at the Project site. Noise associated with dock doors and trailer parking is modeled along the west side of Building 1. At the southeast corner of Building 1, a HVAC and trash compactor, parking lot, and dock doors and trailer parking were modeled as noise sources. (DEIR, **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation**, **Figure 5.13-6 – Operational Noise Levels (Leq) With Mitigation**.)

Noise levels from Project operation will not exceed the City's daytime residential exterior noise standard of 55 dBA  $L_{eq}$  at any of the residences adjacent to the Project site. (DEIR, p. 5.12-26, DEIR **Figure 5.12-5 – Operational Noise Levels (Leq) No Mitigation**.) To reduce noise from nighttime operations, the Project will implement mitigation measures **MM NOI 13** through **MM NOI 15** and **MM AQ 14**, see Response to Comment 48-C. (DEIR, p. 5.12-46.) With implementation of these mitigation measures, noise from nighttime operations at the Project site will be reduced to acceptable levels for all receptors except two residences located northwest of the Project site. Because these two residences are at a higher elevation than the Project site, a noise barrier as described in **MM NOI 16**, see Response to Comment 48-D, is required to reduce nighttime noise to below the City's nighttime noise standard of 45 dBA  $L_{eq}$ . (DEIR, pp. 5.12-26–5.12-28, 5.12-47, DEIR **Figure 5.12-6 – Operational Noise Levels ( $L_{eq}$ ) with Mitigation**.)

Assuming 10 dB of noise reduction with windows open, the noise levels from back-up beepers at the interior of adjacent residences will be approximately 44 dBA  $L_{max}$ , which will not exceed the City's maximum daytime or nighttime interior noise standards of 55 dBA  $L_{max}$  and 45 dBA  $L_{max}$ , respectively, as set forth in Section 7.35.010 A.5. One additional backup beeper was modeled in **Figure 5.12-7 – Back Up Beeper Operational Noise Levels ( $L_{max}$ ) with No Mitigation** to represent the worst-case scenario above what is expected and accounted for in the operational noise models. Noise associated with back-up beepers will be reduced through implementation of mitigation measure **MM NOI 13** listed below, which requires the use of ambient-sensitive self- or manual-adjusting back up alarms. (DEIR, pp. 5.12-31, 5.12-46.)

The rooftop HVAC equipment was modeled as a point source placed on top of the structures' roofs. For modeling purposes, the noise model SoundPLAN's reference sound power level of 85 dB was used. Five trash compactors, as shown on the Project's site plan (**Figure 3-10 – Proposed Site Plan**) were modeled using a sound pressure level of approximately 67.9 dBA at a distance of 10 feet, was utilized to represent each trash compactor. Usage factors were applied to the trash compactors as they are not expected to be utilized more than once per hour. (DEIR, p. 5.12-26.)

The commenter's opinion that the results of the noise modeling in the DEIR and NIA do not represent any future noise prediction is noted. It is also noted that this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. With regard to opinions without support, refer to Response to Comment 48-D.

Therefore, the DEIR sufficiently modeled worst case scenarios to quantify the predicted noise impacts of operation of the proposed Project. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-I:**

Although there will be significant and unavoidable impacts related to air pollution and noise, even with feasible mitigation incorporated, as well as significant and unavoidable impacts related to traffic, the City has discretion to approve a Statement of Overriding Considerations and move forward with the Project, Section 15093(a) of the State *CEQA Guidelines* requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects to be acceptable.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-J:**

Noise coming from existing activities is part of the existing noise environment for the proposed Project and it is not the responsibility of the Project applicant to reduce the existing noise levels. With regard to the assertion that existing noise must be reduced before Project-related noise is evaluated refer to Response to Comment 48-C.

**Response to Comment 48-K:**

Back-up alarms are required for safety purposes. Mitigation measure **MM NOI 13** (listed in Response to Comment 48-D) requires all equipment in use on the Project site that requires a backup alarm to use either ambient-sensitive self-adjusting back up alarms or manually adjustable alarms. The mitigation measure further states that the tone of the back-up alarm be set so as to be readily noticeable, over ambient noise levels; thus it is expected these alarms will be set a minimum of 5 dBA over the ambient noise level at the time the backup movement is occurring. Mitigation measure **MM NOI 13** also offers an option of using a guide and flagging system instead of a backup alarm. (DEIR, 5.12-46.)

With regard to enforcement of the mitigation measures, refer to the discussion of the MMRP under Response to Comment 48-D.

With regard to existing warehouses, the Project applicant has no control over those operations.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-L:**

In response to the commenter's question if trucks with refrigeration units are to be hooked to electrical power, the answer is yes as required by mitigation measure **MM AQ 14**. Refer to

Response to Comment 48–E. Therefore, noise from refrigeration units will be reduced to less than significant (DEIR, pp. 5.12-28–5.12-29).

With regard to the commenter’s question whether the owners of the two properties will cooperate or be forced to accept the noise barrier, it is assumed that the commenter is referring to installation of the noise barrier and cooperation between the homeowners and Project proponent to develop an acceptable and attractive solution per mitigation measure **MM NOI 16**. As discussed in Response to Comment 48-D and stated in the DEIR, because neither the Project applicant nor the City has the authority to require the installation of the noise barrier in mitigation measure **MM NOI 16**, this measure is infeasible and the DEIR concluded that operational noise impacts would be significant and unavoidable. (DEIR, pp. 1-47–1-48, 5.12-28, 5.12-34, 5.12-48, 6-29.) Mitigation measure **MM NOI 16** requires the Project proponent to *work with* (emphasis added) City Design Review staff and the property owners. However, participation is at the sole discretion of the owners of the property identified in mitigation measure **MM NOI 16**.

With regard to other property owners surrounding the Project site, the analysis in the DEIR and NIA indicate that with implementation of mitigation measures **MM NOI 13** through **MM 15** and **MM AQ 14** (listed in Response to Comment 24-A), Project-related operational noise would not exceed the City’s daytime or nighttime noise standards at all receptors except the two locations identified in mitigation measure **MM NOI 16**. (DEIR, p.5.12-48.) Thus, no additional mitigation is proposed.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 48-M:**

With regard to construction noise, refer to Response to Comment 24-A.

**Response to Comment 48-N:**

With regard to the existing warehouses, refer to Response to Comment 24-A.

This comment letter along with all of the other comment letters received and the responses to the comment letters will be provided to decision-makers and become part of the Project’s record.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 49 – Noah M. Holznecht

**From:** Noah [<mailto:nmholz000@hotmail.com>]  
**Sent:** Wednesday, December 14, 2016 10:03 PM  
**To:** Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)>  
**Cc:** [alecgerry@sbcglobal.net](mailto:alecgerry@sbcglobal.net); [maureenclemens@att.net](mailto:maureenclemens@att.net)  
**Subject:** [External] Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042

49

Noah M. Holznecht  
1481 Sutherland Drive  
Riverside, California 92509

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

Attn: Patricia Brenes, Principal Planner

Re: the proposed project of the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042

I am speaking only for myself as a homeowner in the Sycamore Highlands community.

49-A

I have previously sent a written testimony regarding opposition to the proposed project of the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042. I am requesting, as a resident, the planning department address a conflict in response to residents regarding the inconsistencies in the determined significant and unavoidable impact to the residential area adjacent to State Clearinghouse (SC) No. 2015081042. According to by the Draft Environmental Impact Report (DEIR) and the City Planning Commission the Project cannot feasibly mitigate the significant environmental impacts to Air Quality, Noise, and Transportation/Traffic.

In the City Planning Commission official response to residents regarding the significant and unavoidable impact:

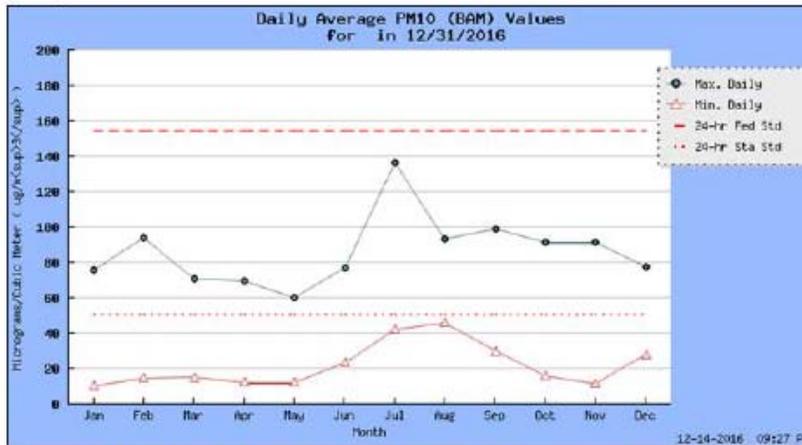
49-B

"Although there will be significant and unavoidable impacts related to air pollution and noise, even with feasible mitigation incorporated, the City has discretion to approve a Statement of Overriding Considerations and move forward with the Project. Section 15093(a) of the State CEQA Guidelines requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the

adverse environmental effects to be acceptable."

The City Planning Commission's direct response to residents is in conflict with the previous statement. In the City Planning Department response to residents, "the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation." This comment was in numerous response to the letters of residents in addressing the concerns related to the adverse health risks associated with significant and unavoidable impacts related to air pollution and noise.

How is it feasible to have significant and unavoidable impacts, yet claim the Project will not expose residents to adverse impacts? In reviewing the Air Quality and Meteorological Information (AQMIS2) retrieved from the California Environmental Protection Agency, Air Resources Board our community is already exceeding the state standard level for PM-10, an emissions factor. As shown in the graph below, we are consistently exceeding the state standards. In following the DEIR, the Project will generate more PM-10 creating a larger impact on our air quality.



In looking for a City resolution, I found the literature titled "50 Ways to Cleaner Air," sponsored by the City of Riverside's website under *A Clean Air Vision*. The literature recommends ways to reduce particulate matter or PM-10 pollution and protect yourself. One suggestion is speak up for cleaner air and support action for healthy air. In supporting an action for healthy air, again, I ask the City Planning Commission to address my concerns for air quality without contradiction and inconsistency in response to my previous comments.

Thank you for your consideration.

Noah M. Holzknicht

From: Noah <[nmholz000@hotmail.com](mailto:nmholz000@hotmail.com)>  
Sent: Tuesday, October 25, 2016 12:14 PM  
To: [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)  
Cc: [alecgerry@sbrglobal.net](mailto:alecgerry@sbrglobal.net); [maureenclmens@att.net](mailto:maureenclmens@att.net)  
Subject: Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042

Noah M. Holzknicht  
1481 Sutherland Drive  
Riverside, California 92507

City of Riverside  
Community & Economic Development  
Department, Planning Division  
3900 Main Street, 3rd Floor  
Riverside, California 92522  
Attn: Patricia Brenes, Principal Planner

↑ 49-B  
cont

49-C

49-D

Included is a copy of my "public comment" that I plan on reading at today's meeting regarding the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042. I encourage you to read these concerns and share them with all others that are part of this significant decision.

49-E

I am speaking only for myself as a homeowner in the Sycamore Highlands community. I have previously sent a written testimony regarding opposition to the proposed project of the Sycamore Canyon Business Park Buildings 1 and 2, State Clearinghouse (SC) No. 2015081042. I am requesting, as a resident, the council addresses the City Planning departments inability to ensure the City's 2008, adopted Good Neighbor Guidelines, Resolution No. 21734, be adhered to. The City has failed in securing a health risk assessment be conducted for the area affected and does not support the Guidelines goals "to minimize the impacts of diesel emissions associated with distribution centers greater than 400,000 square feet."

As stated in the Guidelines adopted by the City of Riverside, "Diesel exhaust is responsible for about 70 percent of the total cancer risk from air pollution" (City of Riverside, 2008, p. 2). This is further supported by "30 years of extensive evidence linking air pollution to mortality and respiratory morbidity in humans" (Sapkota et al., 2012, p. 369). Scientific evidence indicates support in the need to conduct a health risk assessment. State Clearinghouse (SC) No. 2015081042 has known diesel emissions exposure for the affected areas within the proposed development; this should have signified to the City Planning office that a health risk assessment needed to be completed to ensure the City upheld the adoption of the Guidelines made by the City in 2008.

How will the City compensate residents for this notable disregard that will establish an increase in adverse health implications for an entire community? Will the City compensate residents and their families who are afflicted with symptoms directly resulting from diesel emissions poisoning? Or provide care for children born with cognitive deficits as a consequence of the increased toxins created by the significant impact that has been determined in the Draft Environmental Impact Report (DEIR) of State Clearinghouse (SC) No. 2015081042.

49-F

According to ordinance no. 7328, the City of Riverside's adopted Code of Ethics and Conduct, "The people of the City of Riverside expect their public officials to comply with both the letter and spirit of the laws ..." (p. 2), moreover, that city representatives "aspire to meet the highest ethical standards in the conduct of their responsibility as a public official of the City of Riverside" (p. 2). With the aforementioned in mind, I demand that the council uphold the Good Neighbor Guidelines and the City's adopted Code of Ethics and Conduct in rejecting State Clearinghouse (SC) No. 2015081042.

49-G

Thank you for your time and consideration.

Click [here](#) to report this email as spam.

## **Response to Comment Letter 49 – Noah M. Holzknacht**

*Note: This is the second comment letter from Mr. Holzknacht. He is also the author of Comment Letter 23. This comment letter raises the issue of air quality and noise, which was raised in the previous comment letter.*

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 49-A:**

The commenter’s statement that the Project cannot feasibly mitigate the significant environmental impacts to air quality, noise and transportation/traffic is correct. This statement was addressed in response to the previous comment letter received from this commenter. Please refer to Response to Comment 23-A.

Although the Project will have significant impacts, pursuant to *State* CEQA Guidelines Section 15093, the City may adopt a Statement of Overriding Considerations to move forward with the Project if specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 49-B:**

The commenter takes issue with the identification of significant and unavoidable impacts related to air quality and the following quote from the Response to Comments: “the Project will not result in the exposure of sensitive receptors to substantial pollution concentrations during Project construction or operation.” This quote relates specifically to the conclusion of the Health Risk Assessment (HRA) prepared for the Project. The findings of the HRA are discussed in Response to Comment 23-B.

Conversely, significant and unavoidable impacts to air quality are a result of a projected exceedance of the South Coast Air Quality Management District (SCAQMD) regional significance threshold for nitrous oxide (NO<sub>x</sub>) during long-term operation of the Project, as discussed in Response to Comment 23-A.

**Response to Comment 49-C:**

As disclosed in the DEIR, the Project site is located within a portion of the South Coast Air Basin (“the Basin”) that is designated as nonattainment for PM-10 by the state. (DEIR, p. 5.3-10.) To determine localized impacts to sensitive receptors in SCAQMD-defined Source Receptor Area (SRA) 23, which includes the Project site, SCAQMD has developed Localized Significance Thresholds (LSTs). The non-attainment PM-10 and PM-2.5 pollutant measurements are derived using an air quality dispersion model to back-calculate the emissions that would be necessary to worsen the existing violation in the Project vicinity, using the allowable change in concentration thresholds approved by the SCAQMD. Therefore, the tabulated LSTs represent the maximum mass emissions from a project that would not cause or contribute to an exceedance of state or federal ambient air quality standards (AAQS) for the above pollutants, and were developed based on ambient concentrations of these pollutants for each SRA in the Basin. (DEIR, p. 5.3-27.)

Based on the LST analysis, neither the short-term construction nor the long-term operation of the Project will exceed the SCAQMD LST at any sensitive receptors within the Project vicinity for any criteria pollutants. (DEIR, p. 5.3-29.) Additionally, as discussed in Response to Comment 23-B, none of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. (DEIR, pp. 5.3-33 – 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.) Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation.

Thus, although the regional significance threshold for NO<sub>x</sub> will be exceeded and regional air quality impacts will be significant and unavoidable (see Response to Comment 23-A), localized air quality impacts and resultant health impacts to nearby residents and sensitive receptors will be less than significant. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 49-D:**

The City’s publication “50 Ways to Cleaner Air” identifies 50 ways that citizens can reduce their own impacts to air quality in the City. The commenter is correct that one suggestion is to speak up for cleaner air and support action for healthy air, and the City appreciates your review of the DEIR.

The “50 Ways to Cleaner Air” publication identifies a number of energy saving recommendations. The Project incorporates the following project design features to reduce Project-related emissions:

As described in DEIR Section 3.2.5 (Sustainability Features), the Project will meet or exceed all applicable standards under California’s Green Building Code (CalGreen) and Title 24. This will be accomplished by incorporating, at a minimum, the following sustainability features or other features that are equally efficient: (DEIR, pp. 3-40–3-43.)

### Energy Efficiency

- Design building shells and components, such as windows, roof systems and electrical systems, to meet California Title 24 Standards for nonresidential buildings.
- Design buildings to provide CalGreen Standards with Leadership in Energy and Environmental Design (LEED) features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.
- Install efficient lighting and lighting control systems. Solar or light-emitting diodes (LEDs) will be installed for outdoor lighting. The site and buildings will be designed to take advantage of daylight, such that use of daylight is an integral part of the lighting systems in buildings. Lighting will incorporate motion sensors that turn them off when not in use.
- Use trees and landscaping on west and south exterior building walls to reduce energy use.
- Install light colored “cool” roofs over office area spaces and cool pavements.
- For future office improvement, install energy efficient heating and cooling systems, appliances and equipment, and control systems that are Energy Star rated.
- For future office improvement, refrigerants and HVAC equipment will be selected to minimize or eliminate the emission of compounds that contribute to ozone depletion and global warming. Ventilation and HVAC systems will be designed to meet or exceed the minimum outdoor air ventilation rates described in the American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHREA) standards and/or per California Title 24 requirements.
- For future office improvement, implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces). This includes installation of insulation to minimize heat transfer and thermal bridging and to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Provide vegetative or human-made exterior wall shading devices or window treatments for east, south, and west-facing walls with windows.
- Incorporate Energy Star rated windows, space heating and cooling equipment, light fixtures, appliances, or other applicable electrical equipment.

### Renewable Energy

- Design buildings to have “solar ready” roofs that will structurally accommodate later installation of rooftop solar panels. Building operators providing rooftop solar panels will submit plans for solar panels prior to occupancy.

### Water Conservation and Efficiency

- Create water-efficient landscapes in compliance with the City’s Water Efficient Landscape and Irrigation Ordinance 19.570.
- Surface parking lots will be landscaped in accordance with City standards to reduce heat island effect.
- Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls and sensors for landscaping according to the City’s Water Efficient Landscape and Irrigation Ordinance 19.570, which complies with the California Department of Water Resources Model Efficient Landscape Ordinance.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Provide education about water conservation and available programs and incentives to the building operators to distribute to employees.

### Solid Waste Measures

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).
- Provide interior and exterior storage areas for recyclables and green waste, and adequate recycling containers located in public areas.
- The property operator will provide readily available information provided by the City for employee education about reducing waste and available recycling services.

### Transportation and Motor Vehicles<sup>1</sup>

- Limit idling time for commercial vehicles to no more than ~~three~~five minutes.

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<sup>1</sup> To further reduce emissions, the idling time has been reduced to three minutes, which less than the idling time permitted by Title 13 of the California Code of Regulations, Section 2485 (DEIR. P. 5.3-37) and the Project will incorporate a design feature requiring all medium- and heavy-duty truck entering the Project site to meet or exceed 2010 engine emissions standards. These changes will be reflected in the FEIR. Deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text).

- All medium and heavy duty diesel trucks that enter the Project site shall that meet or exceed 2010 engine emission standards as specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative shall be permitted to enter the Project site. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.
- Provide up to three electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
- Provide bicycle parking per the CalGreen Code Standards including short-term bicycle parking (Section 5.710.6.2.1) and long-term bicycle parking (Section 5.710.6.2.2).
- Designate parking (per Section 5.710.6.3) for 10 or more vehicular parking spaces, for any combination of low-emitting, fuel-efficient and carpool/vanpool vehicles as shown in Table 5.106.2.2 of CalGreen Building Code Division 5.1.
- The Building Operator will support and encourage ridesharing and transit for the construction crew.

#### On-Site Equipment and Loading Docks

- The Project will require building operators (by contract specifications) to turn off equipment, including heavy-duty equipment, motor vehicles, and portable equipment, when not in use for more than 5 minutes. Truck idling shall not exceed 5 minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than 5 minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
- Electrical hookups will be installed at all loading docks in order to allow transport refrigeration units (TRUs) with electric standby capabilities to use them where TRUs are in use. Trucks incapable of utilizing the electrical hookups shall be prohibited from accessing the site as set forth in the lease agreement.
- Service equipment (i.e., forklifts) used within the site shall be electric or compressed natural gas-powered.

#### Construction

- Require construction equipment to turn off when not in use.
- Use locally produced and/or manufactured building materials for at least 10% of the construction materials used for the Project.

- Use “green” building materials where feasible, such as those materials that are resource efficient and recycled and manufactured in an environmentally friendly way.
- During grading, heavy-duty construction equipment (i.e., excavators, graders, scrapers, dozers, tractor/loader/backhoes, etc.) shall be CARB/U.S. Environmental Protection Agency Tier 3 certified.

Because the Project’s design features are also listed as mitigation measures (DEIR, p, 5.3-35), the requirement for all medium and heavy duty vehicles entering the Project site to meet or exceed 2010 engine emissions standards has also been included as a mitigation measure for consistency with other project design features that were also included as mitigation. Accordingly, mitigation measure **MM AQ 17** will be renumbered to **MM AQ 17a** and **MM AQ 17b** will be added to DEIR page 5.3-37.

**MM AQ 17b:** All medium and heavy duty diesel trucks entering logistics sites shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Facility operators shall maintain a log of all trucks entering the facility to document that the truck usage meets these emission standards. This log shall be available for inspection by City staff at any time.

The addition of this mitigation does not raise any new significant environmental effects of the project but merely clarifies and makes an insignificant modification to the EIR to include a project design feature that the Project will require the use newer truck engines than is currently required by law; Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

#### **Response to Comment 49-E:**

The allegation in this comment that the City failed to secure a health risk assessment (HRA) per the City’s Good Neighbor Guidelines is incorrect. As discussed in Response to Comment 23-B, a Screening HRA was prepared in June 2016 (included in Appendix B of the DEIR) and a Refined HRA was prepared in November 2016 (included as Attachment A.1 of the Final EIR) to evaluate cancer and non-cancer risks associated with the proposed Project. Subsequently, on December 23, 21016, SCAQMD prepared a letter requesting updated modeling (hereinafter referred to as the “New Modeling”). The New Modeling was prepared following the SCAQMD guidance and the results documented in a January 9, 2017 letter responding to the December 23, 2016 SCAQMD letter (included as Attachment A.2 to the FEIR).

None of the SCAQMD cancer or non-cancer thresholds are exceeded as a result of Project construction or operation for workers or residents within the proposed Project vicinity. According to the June Screening HRA, the November Refined HRA, and the New Modeling, none of the cancer or non-cancer thresholds will be exceeded as a result of Project operation for workers or residents within the Project vicinity. In fact, the estimated maximum cancer risk

reduced from 5.3 in one million as reported in the June HRA (DEIR, **Table 5.3-J**) to 4.87 in one million in the vicinity of the Project as a result of the New Modeling. The New Modeling was transmitted to SCAQMD for review on January 9, 2017. On January 18, 2017, SCAQMD transmitted an email to the City indicating they have no further comments on the HRA analysis. Therefore, the Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation. (DEIR, pp. 5.3-33 – 5.3-34; FEIR Attachment A.1; FEIR Attachment A.2.)

The New Modeling does not constitute significant new information that would require recirculation of the DEIR pursuant to CEQA Guidelines, § 15088.5 because there are no new significant impacts identified. In-fact, there is a reduction in the impacts as a result of additional analysis performed at the request of and in accordance with SCAQMD Guidance. Therefore, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

**Response to Comment 49-F:**

As discussed in Responses to Comments 23-B and 49-E, the results of the June Screening HRA, the November Refined HRA, and the New Modeling indicate that implementation of the proposed Project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation.

**Response to Comment 49-G:**

The City adopted *Good Neighbor Guidelines Siting New and/or Modified Warehouse/Distribution Facilities* to provide the City and developers with a variety of strategies that can be used to reduce diesel emissions from heavy-duty trucks that deliver goods to and from warehouse and distribution centers, such as the proposed Project. (DEIR, p. 5.3-16.) As discussed in Response to Comment 23-B and DEIR Appendix M, the proposed Project is consistent with all of the goals and strategies outlined in the City's *Good Neighbor Guidelines*. (DEIR Appendix M, pp. M-66–M-72.) Because each Project and property have different characteristics and circumstances, the City's *Good Neighbor Guidelines* do not include recommendations regarding setbacks between distribution center buildings and adjacent residential uses. Rather, it recommends that a HRA be prepared for any warehouse project within 1,000-feet of residential properties. As discussed in Responses to Comment 23-B and 49-E, a HRA was prepared and the results indicate that implementation of the Proposed project will not result in the exposure of sensitive receptors to substantial pollutant concentrations during Project construction or operation.

## Comment Letter 50 – Richard Drury, Lozeau Drury LLP

50



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rebecca@lozeaudrury.com

December 14, 2016

*Via Email and US Mail*

Chairperson Barry C. Johnson  
City of Riverside Planning Commission  
c/o Community & Economic Development Department  
Planning Division  
3900 Main Street, 3<sup>rd</sup> floor  
Riverside, CA 92522  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

Patricia Brenes, Principal Planner  
City of Riverside  
Community & Economic Development Department  
Planning Division  
3900 Main Street, 3<sup>rd</sup> floor  
Riverside, CA 92522  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

**Re: Sycamore Canyon Business Park Buildings 1 and 2  
Final Environmental Impact Report (SCH No. 2015081042)**

Dear Chairperson Johnson, Members of the Planning Commission and Ms. Brenes:

I am writing on behalf of Laborers International Union of North America, Local Union No. 1184 and its members living in Riverside County (collectively "LIUNA" or "Commenters") regarding the Final Environmental Impact Report ("FEIR") prepared for the Sycamore Canyon Business Park Buildings 1 and 2 (SCH No. 2015081042) ("Project").

After reviewing the FEIR, we conclude that the document fails as an informational document, fails to impose all feasible mitigation measures to reduce the Project's impacts, and fails to respond adequately to comments. Commenters request that the City of Riverside ("City") address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

**RECEIVED**

DEC 20 2016

Community & Economic  
Development Department

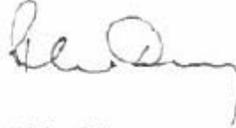
50-A

Sycamore Canyon Business Park Buildings 1 and 2  
December 14, 2016  
Page 2

We reserve the right to supplement these comments at public hearings concerning the Project. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

↑  
50-A  
cont.

Sincerely,



Richard Drury

## **Response to Comment Letter 50 – Richard Drury, Lozeau Drury LLP**

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 50-A:**

The Final Environmental Impact Report (FEIR) had not been published at the time this comment letter was drafted. Responses to comments received by the City as of November 4, 2016 were available as part of the materials provided to the Planning Commission for its November 15, 2016 meeting. It is assumed that this comment is referring to the responses to comments.

The commenter provides no evidence, substantial or otherwise, that the DEIR or responses to comments are inadequate or requires significant new information. The DEIR and responses to comments were prepared in accordance with the requirements of the *State CEQA Guidelines* and the City’s local guidelines for implementing CEQA and contains a thorough analysis of the Project’s potential environmental impacts to all of the environmental issues in Appendix G of the *State CEQA Guidelines*. The revisions to the DEIR will be identified in Section 3 – Errata to Draft EIR of the FEIR to clarify and amplify the discussion in the DEIR.

Recirculation of an Environmental Impact Report (EIR) prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR (DEIR) for public review and comment, but before the FEIR is certified by the lead agency. (CEQA Guidelines, § 15088.5.) As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Recirculation of a DEIR is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, § 15088.5 (a), (b).) None of the responses to comments contain new information that would require recirculation.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR or responses to comments.

## Comment Letter 51 – Alec Gerry

**From:** Alec Gerry [<mailto:alecgerry@sbcglobal.net>]  
**Sent:** Wednesday, December 14, 2016 5:39 PM  
**To:** Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)>  
**Cc:** Sycamore Highlands <[sycamorehighlands@yahoo.com](mailto:sycamorehighlands@yahoo.com)>  
**Subject:** [External] Comment for Planning Commission Meeting Thursday morning

51

City of Riverside  
Community Development Department, Planning Division  
Attn: Patricia Brenes, Principal Planner, [pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

Ms. Brenes,

I am responding to the Planning Department's response to my initial comments on the DEIR for the Mega-warehouses proposed for the Sycamore Canyon Business Park.

51-A

While there are very many issues and significant impacts related to this proposed development, I will limit this response to just two so that Planning Commission members can read through the document:

1) I indicated in my initial letter that noise from existing warehouses was already too high and exceeded the nighttime noise limit of 45 dB, and that the noise consultant appears to have deliberately selected the quietest nights and positions to measure noise that we currently have. The Planning Department confirms that "locations that would be quieter were intentionally selected" as that this was a good thing for residents since it was "change in noise levels" from the project that are important

*I disagree!! It is not the change in noise levels that wakes residents up each night. It is the actual volume of noise. And when the noise consultants measured noise at 52 dB and higher already at our property lines when warehouses are currently 800-2500 feet away, how can there be less noise when an even larger warehouse with more vehicles is built only 100 feet away. **This does not pass the common sense test!***

2) The Planning Department indicates that the traffic analysis for Sycamore Canyon Blvd was performed by a registered professional traffic engineer. In this analysis, the Traffic Engineer assumes that only 5% of trucks will travel north on the street past two apartment complexes. This assumption is based upon no good evidence. And in fact, there is evidence that half or more of the trucks will actually travel on this road. The Planning Department published vehicle counts from Sierra Ridge road that show considerably more than 5% of vehicles travel to the north – truck drivers will follow this same path to avoid impacted traffic areas.

51-B

*The City of Riverside traffic engineer should be asked to "ground-truth" the statement that only 5% of trucks from the proposed warehouse will go past the apartments to the north. If this value is considerably higher, which I believe it is, then the health risk assessment performed by the developer is also based upon incorrect data.*

51-B  
cont.

Alec Gerry  
6017 Cannich Road  
Riverside, CA 92507

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## Response to Comment Letter 51 – Alec Gerry

*Note: This is the fifth comment letter from Mr. Gerry. He is also the author of Comment Letters 14, 15, 40, and 41. This comment letter raises the issues of noise and traffic as did the previous letters.*

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2013, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 51-A:**

This comment reiterates the commenter’s concerns addressed in Comment Letters 14 and Response to Comment Letter 41.

As discussed in Response to Comment 14-A, the purpose of ambient noise measurements is to provide a basis for the comparison of noise with and without the Project. An environmental impact report is prepared to evaluate the change between existing conditions and the condition resulting from a specific project. For noise impacts, Noise Thresholds C and D of the City’s CEQA Checklist require analysis in the EIR to identify the potential for a “substantial increase in [permanent, temporary, or periodic] ambient noise levels in the project vicinity *above levels existing without the project.*” (DEIR, p. 5.12-18, emphasis added.) The term “substantial,” as used in this regard, is not defined in most environmental compliance guidelines. For reference, noise analysis methodology is accurate only to the nearest whole decibel and most people only notice a change in the noise environment when the difference in noise levels is around 3 dBA CNEL. A 5 dBA change (i.e., increase or decrease) in noise levels is required before any noticeable change in community response would be expected (GP 2025 FPEIR, p. 5.11-26). Therefore, for purposes of this threshold, a clearly perceptible increase (+5 dB) in noise exposure of sensitive receptors is considered substantial (DEIR, p. 5.12-38). For these reasons, by selecting quieter locations at the Project site to measure the existing noise environment, anticipated change in the noise attributable to the proposed Project would be greater when compared to the existing noise.

The comment does not reference where in the DEIR it is stated that there will be less noise with the Project. Thus, it is assumed that this comment is in reference to **Table 5.12-J – Pre- and Post-Project Noise Levels in (CNEL)** on pages 5.12-39–5.12-40 of the DEIR. This table is

reporting the mitigated operational noise levels. That is, the operational noise generated by the proposed Project with: (i) the construction of an eight foot tall masonry wall on the northern boundary and that portion of the western boundary adjacent to the residential uses (mitigation measure **MM AES 1**); (ii) a restriction on nighttime use for the portion of the loading area and trailer parking located south of Building 2 and within 360 feet of the western property line as shown on **Figure 5.12-6 – Operational Noise Levels (Leq) with Mitigation (MM NOI 15)**; (iii) and the installation of a 10-foot tall noise barrier at the top of the slope at 6066 Cannich Road and 6063 Bannock Drive (**MM NOI 16**). Additionally, once completed, the buildings proposed at the Project site will cut down (i.e. block) the amount of noise reaching the residences from the other warehouses and distribution centers in the Sycamore Canyon Business Park. Refer to Response to Comment 41-A for a listing of all of noise mitigation measures that will be implemented by the proposed Project.

### **Response to Comment 51-B:**

This comment does not provide any substantial evidence to support use of a different trip distribution (i.e. the trip directional orientation of Project-generated traffic) than what was used in the *Revised Traffic Impact Analysis for the Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) and the DEIR and as such, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

Nonetheless, as discussed in Response to Comment 14-B, the TIA was prepared by a registered professional traffic engineer with local experience and expertise in traffic modeling. The trip distribution used in the TIA is based on professional engineering judgement and was approved by the City as part of the scoping agreement. (See Appendix A of the TIA.) Factors taken into consideration in developing the trip distribution model include: the existing roadway system, existing traffic patterns, and existing and future land uses. The Project will prevent passenger car and truck egress onto Dan Kipper Drive by installing small barriers (referred to as “pork chops”) at all three Project driveways that will block left-out turns onto Lance Drive. (DEIR pp. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **DEIR Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **DEIR Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**). From the intersection of Sierra Ridge Drive and Sycamore Canyon Boulevard,

outbound vehicles will either turn north or south to travel to I-215 or other surrounding roadways. (DEIR, pp. 5.16-26.) From the intersection of Sierra Ridge Drive/Sycamore Canyon Road, it is approximately 0.7 miles to the Eastridge-Eucalyptus interchange and approximately 0.9 miles to the Fair-Isle/Box Springs interchange. Additionally, the Eastridge-Eucalyptus interchange is geometrically easier for trucks to turn at than the Fair Isle-Box Springs interchange. The Eastridge-Eucalyptus interchange is a single point interchange (SPI) which has large sweeping radii for all turning movements. The Fair Isle-Box Springs interchange is a partial diamond/partial hook ramp design with relatively small radii for many turning movements. For these reasons, it is reasonable to expect that more trucks will use the Eastridge-Eucalyptus interchange.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

## Comment Letter 52 – Pete Staylor

From: Pete [<mailto:dadswaycool@aol.com>]  
Sent: Thursday, December 15, 2016 8:06 AM  
To: [dadswaycool@aol.com](mailto:dadswaycool@aol.com); Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)>  
Subject: [External] RE: Sycamore Highlands comments

52

Good Morning Patricia, As a follow-up to the email I sent last night \_ just in the last hour my cameras caught 2 truck drivers urinating on the street on Cottonwood Ave. Thursdays are typically much lighter traffic wise and even though trucks are not backed up we still see illegal and indecent behavior from truck drivers. Please feel free to call me if you have any questions. Thanks. Pete

52-A

Sent from AOL Mobile Mail

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On Wednesday, December 14, 2016 Pete <[dadswaycool@aol.com](mailto:dadswaycool@aol.com)> wrote:

Good Evening Patricia,

I am writing to voice my opposition to the plans to build a mega warehouse/s in the Sycamore Highlands area. Specifically in reference to the 17 parcels of land that is being changed into 2 parcels. Not only is this ill advised due to the proximity to the housing tract, it is also extremely ill advised due to the distribution traffic issues that already exist in the area. Any further additions to the traffic that is already causing gridlock several times a day on Sycamore and on the 60/215 interchange will just bring more traffic issues that already are out of control.

52-B

Let me explain... For the past 30 months I have managed a distribution facility on the corner of Sycamore Canyon Blvd and Cottonwood Avenue. In my experience of managing distribution facilities over the past 30 years I have never seen such an out of control truck traffic problem such as I have seen here on Cottonwood Ave. The Smart & Final facility operates a distribution center just down the street from me at the end of Cottonwood Ave and they have 800 to 1,000 trucks per week come in and out of their facility. Because of the number of trucks trying to get into their facility at one time, the back ups can run down the entire street and cause trucks to sit for 15 minutes to well over an hour at times. All of this waiting time gives cause to the bad behavior I have witnessed over the past 2 years. When drivers have to sit and wait for any length of time, many of them will get out of their vehicles and urinate on the street. I know this sounds crass and as gross as it sounds, I have dozens of videos that my surveillance cameras have captured of this type of behavior. I also have hundreds of pictures showing trucks stopped or parked illegally on Cottonwood Ave, along with pictures showing the back ups that often go the length of the street.

Up until recently the truck back ups on Cottonwood would overflow onto Sycamore Canyon which caused my employees to be late to work multiple times because they had to find another way to access our property. A recent adjustment to their receiving procedures has made a slight difference in the traffic flow, but has not made any difference to driver behaviors in the area. Smart & Final opens up their parking lot sometimes to allow up to 15 trucks enter their property keeping them from backing up on Sycamore. This "horseshoe" maneuver as they call it has not reduced the number of trucks in the area and they still will back up beside my building where the bad behavior is observed almost every day of the week.

Both the City of Riverside Staff and Smart & Final Staff have been made aware of these problems and unfortunately the issues of trucks backing up and very bad behavior on the part of drivers waiting to come into the Smart & Final facility has not changed. I understand that a traffic study was conducted by the Riverside Traffic Department and this study basically stated that there was very little impact to the surrounding business. This study was a shameful example of turning a blind eye to a serious problem so someone does not have to deal with it. My work neighbors and I are witness to the traffic and bad behavior issues each and every day. Furthermore, I recently installed surveillance cameras that show an entirely different picture from the traffic study submitted by Gilbert Hernandez of the

52-C

city traffic department. I welcome you or anyone from the city to come to my facility and view pictures and videos of what happens on a street that has 800 to 1,000 trucks a week pass through it. And, I state for the record; if the city and business that invites the traffic cannot control the behaviors of their drivers who show a total lack of regard for the posted laws and lack any decency regarding urinating in public...how in the world will this kind of behavior be contained once there are another 800 to 1,000 trucks PER DAY in the area?

52-C  
cont

I already have issues with drivers looking for parking places to sleep, do paperwork or call for their next assignment, or just wait until their appointment times. I have had to install locking gates and added thousands of dollars worth of lighting as I have tried to keep trucks out of my parking lots all hours of the day and night. Adding more traffic into the area is a BAD, BAD idea as we cannot even control what is already present. Our quality of life stinks already because of the amount of truck traffic we are subjected to. And I can honestly state that if I would have known about the traffic situation here on Sycamore and Cottonwood prior to moving here from Chino over 2 years ago, I would not have made the move.

Again, I invite anyone from the city to spend some time at my facility to witness what happens out here.

Thanks for listening.

Respectfully, Pete Staylor      Facility Manager  
Standard Textile Inc  
Western Distribution Center  
6980 Sycamore Canyon Blvd  
Riverside, Ca. 92507  
cell # (513) 807-7082

## **Response to Comment Letter 52 – Pete Staylor**

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” The original comment period of July 21, 2016, to September 25, 2016, was extended to October 7, 2016, in response to requests by members of the public to provide additional time for review of the DEIR. Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final Environmental Impact Report (FEIR). Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 52-A:**

This comment, which describes video of trucks waiting along Cottonwood Avenue to access existing sites in the Project vicinity, particularly the Smart and Final warehouse, and truck drivers behaving inappropriately, is noted. It is also noted that the City is aware of this situation and working with the operator of the warehouse in question to remedy this situation. Persons observing illegal parking and/or illegal and indecent behavior may call 311 to report the incident. The 311 call will be routed to the Traffic Department and Police Department so that the appropriate response may be coordinated.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

### **Response to Comment 52-B:**

The commenter’s opposition to the proposed Project is noted.

With regard to illegally parked vehicles, refer to Response to Comment 52-A. Cottonwood Avenue is approximately one-half mile south of the Eastridge-Eucalyptus Interstate 15 (I-15) interchange and approximately one mile south of the Project site. (DEIR, **Figure 5.16-1 – Study Area**.) Thus it is not anticipated that trucks accessing the Project site will be using Sycamore Canyon Boulevard between Cottonwood Avenue and Eastridge Drive. (Refer to DEIR **Figure 5.16-5 – Project Trip Distribution (Trucks-Outbound)** and DEIR **Figure 5.16-6 – Project Trip Distribution (Trucks-Inbound)**.) For these reasons the Project is not expected to exacerbate the existing condition at the intersection of Sycamore Canyon Boulevard and Cottonwood Avenue.

### **Response to Comment 52-C:**

The traffic study referenced in this comment is not identified. The statement regarding the traffic study that “This study was a shameful example of turning a blind eye to a serious problem so someone does not have to deal with it” represents an opinion, but does not

provide any explanation, information, or specific examples or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

To evaluate the impacts of project-related traffic, the *Revised Traffic Impact Analysis, Sycamore Canyon Industrial Buildings 1 & 2* (TIA) was prepared in accordance with the *City of Riverside Traffic Impact Analysis Preparation Guide*, December 2014. The TIA is included as Appendix J of the Draft Environmental Impact Report, Sycamore Canyon Business Park Buildings 1 and 2, SCH No. 2015081042 (hereinafter the DEIR.)

In consultation with City staff and the approved TIA Scoping Agreement (included as Appendix A to the TIA), the TIA evaluated the effect of Project-generated traffic on nine local intersections and six freeway on- and off-ramps under the following scenarios.

- Existing (baseline) plus Project (E+P) (2015);
- Existing plus traffic from 2% ambient growth (ambient) plus Project (E+A+P) (2018) with and without improvements; and
- Existing plus ambient plus Project plus traffic from cumulative development projects (E+A+P+C).

All local intersections will operate at an acceptable LOS with Project-generated traffic under each of the above scenarios. (DEIR, pp. 5.16-29–5.16-30, 5.16-33–5.16-34, 5.16-38–5.16-45, 5.16-56–5.16-57.)

With regard to the freeway on- and off-ramps, because the LOS will be exceeded as a result of ambient growth and cumulative development, i.e., without the Project, the Project’s contribution is considered significant for the following ramps: (DEIR, pp. 5.16-31–5.16-32, 5.16-34–5.16-48, 5.16-56–5.16-57.)

- I-215 Northbound off-ramp at Eastridge-Eucalyptus during the PM peak hour for the Existing plus Ambient Growth plus Project condition.
- I-215 Northbound on-ramp at Fair Isle-Box Springs during the AM and PM Peak hours for the Existing plus Ambient Growth plus Cumulative Development plus Project condition (Cumulative).

To restore satisfactory operations to the freeway ramps, the Riverside County Transportation Commission (RCTC) I-215 North Project and one mainline mixed flow lane for northbound I-

215 at Fair Isle Drive-Box Springs Drive on-ramp are required to be completed. However, because the freeway facilities are under the jurisdiction of Caltrans and no mechanism to contribute fair share toward a required improvement is currently available, Project impacts are considered significant and unavoidable until improvements are funded or constructed with feasible mitigation and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, pp. 5.16-56–5.16-57.)

Because uses similar to the proposed Project have resulted in trucks queuing on public streets, the TIA and DEIR include a queuing analysis. The Project proposes 24-hours a day, seven-days a week operations (24/7). This means trucks arriving at the Project site would be able to enter and not have to wait for the operator to open the gates. If the Project was not a 24/7 operation, the potential for truck queuing on public streets is the highest in the morning when it is expected that multiple trucks arrive at the Project site prior to the gates opening. The queuing capacity for Building 1 is approximately 32 to 35 trailer trucks, which is greater than the anticipated number of trucks expected to arrive at Building 1 during AM Peak Hours. Therefore, the queuing capacity of Building 1 will not be exceeded as shown in the DEIR on **Figures 5.16-10 – Site Queuing Analysis with 53’ Trailer Trucks** and **5.16-11 – Site Queuing Analysis with 48’ Trailer Trucks**. Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, there is designated commercial vehicle parking on portions of Box Springs Boulevard in proximity to the Project site that may be used. (DEIR, p. 5.16-49.)

The second full paragraph on page 5.16-49 of the DEIR incorrectly described commercial vehicle parking on Sycamore Canyon Boulevard. This paragraph will be revised in the FEIR as follows:

“The queuing capacity for Building 2 is approximately five to six trailer trucks, which is less than the anticipated number of trucks expected to arrive at Building 2 during AM Peak Hours (9 trailer trucks). Although it is possible that during the AM Peak Hours the queuing capacity for Building 2 will be exceeded by three to four trailer trucks, this should not result in trucks queuing or parking on the residential streets in proximity to the Project site because there is designated commercial vehicle parking on ~~Sycamore Canyon Boulevard and~~ portions of Box Springs Boulevard. Per Riverside Municipal Code 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. There are only five ~~six~~ streets in the City where commercial vehicle, commercial trailers, and semi-trailers may be parked: Atlanta Avenue, Box Springs Boulevard, Marlborough Avenue, Northgate Street, and Palmyrita Avenue, ~~and Sycamore Canyon Boulevard~~. Parking on Lance Drive and Sierra Ridge Drive is not permitted.” (DEIR, p. 5.16-49.)

Per Riverside Municipal Code 10.52.155(a), it is unlawful to park commercial vehicles (with a gross vehicle weight of 10,000 pounds or more) and all commercial trailers or semi-trailers on any public street, highway, road or alley within the City except in specific locations designated by the City Traffic Engineer and identified by signs indicating commercial vehicle parking is allowed. Persons who notice trucks where restrictions are in place can call 311 and will be routed to both the Traffic Department and the Police Department so that these agencies can coordinate the appropriate response. People are encouraged to call 311 because it is a centralized system that ensures that staff can be efficiently dispatched to mitigate the situation without creating duplication among City staff responses.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 53 – South Coast Air Quality Management District

53



### South Coast Air Quality Management District

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

SENT VIA E-MAIL AND USPS:  
[twhite@riversideca.gov](mailto:twhite@riversideca.gov)

December 23, 2016

53-A

Mr. Ted White, City Planner  
City of Riverside - Community and Economic Development  
3900 Main Street,  
Riverside, CA 92522

#### Draft Health Risk Assessment (HRA) for the DEIR for the Proposed Sycamore Canyon Business Park Buildings 1 and 2 Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the draft HRA, which was prepared in response to SCAQMD staff comments (dated October 5, 2016<sup>1</sup>). SCAQMD staff reviewed the draft HRA and have concerns that the assumptions used in the analysis have resulted in an under-estimation of the estimated health risks. The following comments are meant as guidance on the HRA for the lead agency and the SCAQMD staff recommends incorporating these comments into the revised HRA and in the Final EIR.

The SCAQMD staff is concerned that the draft HRA has underestimated the cancer risk from the proposed project. These comments on the draft HRA were discussed with City of Riverside planning staff and the CEQA and HRA consultants to the City in a meeting with SCAQMD staff on December 22, 2016. In the draft HRA, the lead agency used the AERMOD dispersion model to estimate diesel particulate matter (DPM) concentrations from the diesel vehicles generated by the proposed project and used the 2015 revised OEHHA guidelines to estimate the health risks to both residents and workers in the project vicinity. The 2015 revised OEHHA guidelines have been incorporated into SCAQMD health risk assessment procedures for Rules 1401, 1401.1, and 212<sup>2</sup> and are used by SCAQMD for projects where SCAQMD is the CEQA lead agency. SCAQMD staff recommends the lead agency revise the draft HRA based on the following comments:

1. In the draft HRA, the lead agency used the mean breathing rates to calculate a weighted average breathing rate. Consistent with SCAQMD's Risk Assessment Procedures<sup>3</sup>, SCAQMD staff recommends the lead agency use the 95<sup>th</sup> percentile breathing rates and the other parameters such as fraction of time at home, exposure frequency, and age specific factor, which can be found on Table 9.1 of SCAQMD Risk Assessment Procedures, Attachment M<sup>4</sup>.
2. In the draft HRA, the lead agency averaged the DPM emissions from trucks for the 30-years of exposure and used that emission rate to estimate the health risks. This is not an appropriate methodology to estimate emissions using the 2015 revised OEHHA guidelines. The 2015 revised OEHHA guidelines acknowledge that children are more susceptible to the exposure to air toxics and have revised the way cancer risks are estimated to take this into account. Since the emissions from the project generated trucks get cleaner with time due to existing regulations, it would not be

<sup>1</sup> Available online at <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/october/deirsycamore.pdf>

<sup>2</sup> Risk Assessment Procedures can be found online at <http://www.aqmd.gov/home/permits/risk-assessment>

<sup>3</sup> Available online at <http://www.aqmd.gov/docs/default-source/planning/risk-assessment/riskassprocjune15.pdf>

<sup>4</sup> Available online at <http://www.aqmd.gov/docs/default-source/permitting/attachment-m.pdf>

Ted White

Page 2

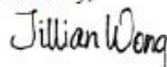
December 23, 2016

appropriate to average out the emissions over the 30-year exposure duration since this would underestimate the health risks to children who would be exposed to higher DPM concentrations during the early years of project operation. Therefore, SCAQMD staff recommends that the DPM emissions for each year of operation be applied to each of the corresponding age bins (i.e. emissions from Year 1 of project operation should be used to estimate cancer risks to the third trimester to 0 year age bin; Year 1 and 2 of project operation should be used to estimate the cancer risks to the 0 to 2 years age bins; and so on).

3. In the draft HRA, the lead agency only included 5 minutes of idling for each truck at the loading docks. However, SCAQMD staff recommends 15 minutes of idling be included in the HRA. This was included as Comment #5 on our previous comment letter<sup>5</sup> (dated October 5, 2016). The draft HRA should be revised to include 15 minutes of idling.
4. In the draft HRA, the lead agency used discrete receptors placed at the residential structures to estimate the cancer risks. SCAQMD staff recommends that the lead agency revise the HRA using a receptor grid of no more than 100-meter spacing over the existing residences and areas zoned or planned for residential development. Furthermore, receptor locations should be placed at the boundaries of the residential property and not the residential structure. Placing receptors on the residential structure underestimates cancer risks to the residents. At the December 22<sup>nd</sup> meeting, it was agreed that since the residential properties directly adjacent to the proposed project were of a higher elevation, the sloped area within the property boundary would not be representative of residential risk since the residents would not have access to that area. Therefore, for the proposed project, it would be appropriate to place the receptors and receptor grid along the physical fence line of the residential properties closest to the proposed project (i.e. to include the backyard areas).
5. SCAQMD staff recommends following the U.S. EPA's haul road methodology when modeling the on-site and off-site truck movement.

Based on the December 22<sup>nd</sup> meeting, the City's HRA consultant noted that they will be revising the HRA to incorporate all the recommendations detailed here. If the health risks in the revised HRA exceed the SCQMD's CEQA significance thresholds, the increase in health risk can be reduced by accelerating the introduction of cleaner trucks through a project requirement that all heavy duty trucks generated by the project will be required to meet or exceed the U.S. EPA's 2010 heavy duty engine emission standards or be powered by natural gas, electricity, or other diesel alternative. SCAQMD staff looks forward to reviewing the revised HRA and continuing to work with the City's planning staff. Please contact me at (909) 396-3176, if you have any questions regarding these comments.

Sincerely,



Jillian Wong, Ph.D.  
Planning and Rules Manager  
Planning, Rule Development & Area Sources

SN:JW  
RVC160811-02  
Control Number

<sup>5</sup> Available online at <http://www.aqmd.gov/docs/default-source/ceqa/comment-letters/2016/october/deirsycamore.pdf>

53-A  
cont.

## **Response to Comment Letter 53 – South Coast Air Quality Management District**

### **Response to Comment 53-A:**

The City appreciates the South Coast Air Quality Management District (SCAQMD) continued comments and guidance on the DEIR and Health Risk Assessment (HRA). Pursuant to this Comment letter, the Project agreed to accelerate the introduction of cleaner trucks by requiring that all medium and heavy duty trucks visiting the site to meet or exceed 2010 engine emissions standards or be powered by natural gas, electricity or other diesel alternative. The City instructed the HRA Consultant to conduct additional modeling consistent with the SCAQMD guidance and comments and to include the use of the 2010 engine emissions at opening year (New Modeling). A Technical Memorandum responding to SCAQMD's comments and including the revised EMFAC runs, emissions calculations, and risk calculation worksheets and the New Modeling results were submitted to the SCAQMD by the City on January 9, 2017 and are included as Attachment A.2 to the Final EIR.

The results of the New Modeling performed in accordance with SCAQMD recommendations indicate that the maximum lifetime risk estimate (30 year exposure) to any residential use in the vicinity of the Project is 4.87 in one million. (FEIR, Attachment A.2.) This does not exceed the SCAQMD's threshold of 10 in one million and is less than the risk of 5.3 in one million reported on page 5.3-34 of the DEIR.

The New Modeling does not change the findings of the DEIR and does not constitute significant new information that would require recirculation of the DEIR. (CEQA Guidelines, § 15088.5.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

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## Comment Letter 54 – RK Engineering Group, Inc.

54



traffic engineering • transportation planning  
acoustical engineering • parking studies  
air quality & greenhouse gas analysis

December 29, 2016

Ms. Hannah Bentley  
BLUM COLLINS LLP  
707 Wilshire Boulevard, 48th Floor  
Los Angeles, CA 90017

**RECEIVED**

JAN 09 2017

Community & Economic  
Development Department

**Subject: Sycamore Canyon Industrial Buildings 1 & 2 Traffic Impact Analysis and DEIR Review, City of Riverside**

Dear Ms. Bentley:

### Introduction

RK ENGINEERING GROUP, INC. (RK) has reviewed the Sycamore Canyon Industrial Buildings 1 & 2 Project Transportation Analysis report and Draft EIR prepared by Albert A. Webb Associates, dated May 2016. The purpose of this review was to identify any particular traffic transportation issues related to the development of the Sycamore Canyon Industrial Buildings 1 & 2 Project.

54-A

The project is proposed to consist of approximately 1,012,995 square feet of high-cube warehouse in "Building 1" and approximately 362,174 square feet of high-cube warehouse in "Building 2" on 72 acres. The project is located at the northwest corner of Lance Drive and Sierra Ridge Drive in the City of Riverside. Access would be provided at three (3) primary driveways located along Lance Drive. The two (2) northerly driveways are in very close proximity to Dan Kipper.

The traffic study procedures appear to be consistent with the City of Riverside Traffic Impact Analysis Preparation Guide dated January 2016. It should be noted that a "Scoping Agreement for Traffic Impact Study" was not provided as part of this review. However, the major issue with the analysis was that it did not utilize Dan Kipper as a major access route to/from the project or have full access at the intersection with Sycamore Canyon Boulevard. This intersection currently has full access and should be considered in both the Level of Service and Traffic Signal Warrant Analysis.

54-B

The traffic study analyzed a total of nine (9) study area intersections and six (6) roadway segments. The intersection of Dan Kipper at Sycamore Canyon Boulevard was analyzed without full access which currently exists. The study evaluated the following study scenarios:

1. Existing Plus Project Conditions (Year 2015)
2. Existing Plus Ambient Growth Plus Project Conditions (Year 2018)

4000 westerly place, suite 280  
newport beach, california 92660  
tel 949.474.0809 fax 949.474.0902  
www.rkengineer.com

3. Existing Plus Ambient Growth Plus Project w/ Improvements (Year 2018)
4. Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (Year 2018)
5. Existing Plus Ambient Growth Plus Cumulative Plus Project w/ Improvements (Year 2018)

54-B  
cont.

It should be noted that the traffic impact study analyzed a project consisting of 420,604 square feet for Building 2. However, the latest proposed site plan consists of 362,174 square feet for Building 2. As a result, the traffic impact study calculated a larger project when compared to the latest site plan.

54-C

Due to the fact that the proposed project is designated as a high-cube warehouse, the City traffic guidelines require additional analysis for "truck intensive" uses. As a result, the trip generation for the project utilized the required ITE 9<sup>th</sup> Edition Trip Generation Manual and the 2003 City of Fontana Truck Trip Generation Study. The TIS applied the appropriate PCE (passenger car equivalent) factor to the vehicle trip generation.

While the traffic study provided a comprehensive review of existing and future conditions without and with the project, several significant issues remain with respect to traffic impacts from the project.

54-D

#### Comments

1. The project's outbound trip distribution does not add any traffic to Dan Kipper Drive. Also, there is no project northbound left turn trip distribution to the intersection of Sycamore Canyon Boulevard at Dan Kipper. This is very unrealistic, since these movements are currently available. A large percentage of trucks and passenger cars will likely utilize Dan Kipper Drive to access the surrounding roadway system from the project. The intersection of Dan Kipper at Sycamore Canyon Boulevard currently provides for all turning movements. Dan Kipper Drive may require mitigation measures (i.e. traffic signal, striping, etc.) if the outbound and inbound project trip distribution is more realistically analyzed. As a result, the traffic study **grossly underestimates** the amount of traffic on Dan Kipper Drive at Sycamore Canyon Boulevard. The TIS should provide a realistic and logical trip distribution percentage to Dan Kipper Drive in order to fully calculate the traffic impacts from the project.
2. The project's inbound trip distribution underestimates the amount of traffic to Dan Kipper Drive. The TIS calculates 20% passenger cars and 5% of trucks utilizing Dan Kipper Drive to access the project. This calculation is unrealistic. Dan Kipper Drive provides direct access to the projects two northerly driveways. As a result, a larger percentage of vehicles will utilize Dan Kipper Drive. The TIS should provide a realistic and logical inbound trip distribution percentage to Dan Kipper Drive in order to fully calculate the traffic impacts for the project.

54-E

3. Page 2-3 of the TIS states that utilizing Dan Kipper Drive for egress "would not be advantageous for the project and for the City" due to "future nearby development area, the existing and future geometry of the intersection and nearby intersections." The TIS also claims that "no vehicle type restrictions are proposed for the project driveways on Lance Drive and all project driveways are expected to be utilized by both passenger cars and trucks." How will the project prohibit vehicles from utilizing Dan Kipper Drive, since this is the shortest path to Sycamore Canyon Boulevard for much of the project's traffic?

54-F

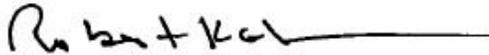
**Conclusions**

RK has reviewed the Sycamore Canyon Industrial Buildings 1 & 2 Project Transportation Analysis report. Based upon this review, RK has identified several significant items that need further evaluation prior to the review of the project. An adequate vehicle inbound and outbound trip distribution onto Dan Kipper Drive is essential for accurately calculating the potential traffic impacts for the project.

RK appreciates this opportunity to review the Sycamore Canyon Industrial Buildings 1 & 2 Project. If you have any questions regarding this study, please call me at (949) 474-0809.

54-G

Sincerely,  
RK ENGINEERING GROUP, INC.



Robert Kahn, P.E.  
Principal

Registered Civil Engineer 20285  
Registered Traffic Engineer 0555



Rogier Goedecke  
President

## Response to Comment Letter 54 – RK Engineering Group, Inc.

### **Response to Comment 54-A:**

The commenter's description of the proposed Project is correct. Building 1 will have two driveways along Lance Driveway and Building 2 will have one driveway along Lance Drive. Building 1 and Building 2 will have full ingress and partial right-out only egress at each of the individual project driveways. (DEIR, p. 5.16-26.) This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft Environmental Impact Report (DEIR).

### **Response to Comment 54-B:**

The Scoping Agreement for Traffic Impact Study was provided as Appendix A to the *Revised Traffic Impact Analysis for Sycamore Canyon Industrial Buildings 1 & 2* (the TIA) prepared in May 2016 by Albert A. Webb Associates and included as Appendix J to the DEIR.

As stated in Response to Comment 54-A, the Project will limit egress from the site to right-turns only thus directing traffic exiting the site to the south and away from Dan Kipper Drive. After preliminary analysis of the possibility of using Dan Kipper Drive as a point of egress for passenger cars and/or trucks, it was determined based on future nearby development of the area, the existing and future geometry of the intersection of Sycamore Canyon Boulevard and Dan Kipper Drive, that it would not be advantageous for the City to allow trucks and vehicles exiting the Project egress onto Dan Kipper Drive. Therefore, based on the project design features to limit egress traffic to only right turns, the traffic analysis assumes trip distribution of vehicles as shown in DEIR **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 – Project Trip Distribution (Trucks – Outbound)**. (DEIR, p. 5.16-10.)

The Project will limit passenger car and truck egress onto Dan Kipper Drive by posting signs at all Project driveways that indicate only right turns onto Lance Drive are permitted. In addition to signage, small barriers will be placed at all three driveways which will aid in limiting left-out turns onto Lance Drive. (DEIR, p. 5.16-26.) This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 – Project Trip Distribution (Trucks – Outbound)**). Approximately 20% of inbound passenger car trips to the Project site and 5% of inbound truck trips will turn right from Sycamore Canyon Boulevard onto Dan Kipper Drive (see **Figure 5.16-6 – Project Trip Distribution (Trucks – Inbound)** and **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**).

This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

**Response to Comment 54-C:**

The commenter correctly summarizes the methodologies used to prepare the TIA for the proposed Project. Because the TIA analyzed a larger building footprint than the currently proposed Project, actual Project impacts will be less than what is anticipated in the study. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

**Response to Comment 54-D:**

As discussed in Response to Comment 54-B and Response to Comment 54-C, the Project will be designed and conditioned to prohibit outbound traffic from using Dan Kipper Drive. According to the trip distribution models developed for the Project's TIA, approximately 20% of inbound passenger car trips to the Project site and 5% of inbound truck trips will utilize Dan Kipper Drive to access the site (see **Figure 5.16-6 – Project Trip Distribution (Trucks – Inbound)** and **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**). The analyzed trip distributions were approved by City staff and do not underestimate the amount of Project traffic on Dan Kipper Drive.

Because Project egress onto Dan Kipper Drive will be restricted and because relatively small percentages of inbound truck and passenger car trips to the site are anticipated to use Dan Kipper Drive, traffic impacts from the Project to this roadway have been fully quantified and disclosed. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

**Response to Comment 54-E:**

The Traffic Impact Analysis (TIA) determined the directional orientation of traffic by evaluating existing and proposed land uses, existing roadway system, and existing traffic patterns within the vicinity of the Project site. The directional distribution for the proposed Project traffic analyzed passenger cars and trucks separately as shown on DEIR **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**, **Figure 5.16-5 Project Trip Distribution (Trucks – Outbound)**, and **Figure 5.16-6 Project Trip Distribution (Trucks – Inbound)**. (DEIR, p. 5.16-10.)

According to the trip distribution models developed for the Project's TIA, approximately 20% of inbound passenger car trips to the Project site and 5% of inbound truck trips are anticipated to utilize Dan Kipper Drive to access the site (see **Figure 5.16-6 – Project Trip Distribution (Trucks – Inbound)** and **Figure 5.16-4 – Project Trip Distribution (Passenger Cars – Inbound)**). This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

**Response to Comment 54-F:**

As discussed in Response to Comment 54-B, the Project will limit passenger car and truck egress onto Dan Kipper Drive by posting signs at all Project driveways that indicate only right turns onto Lance Drive are permitted. In addition to signage, small barriers will be placed at all three driveways which will aid in limiting left-out turns onto Lance Drive. (DEIR, p. 5.16-26.)

This will force both outbound (i.e. leaving the Project site) passenger cars and trucks to turn south onto Lance Drive to Sierra Ridge Drive and then east on Sierra Ridge Drive to Sycamore Canyon Boulevard (see **Figure 5.16-3 – Project Trip Distribution (Passenger Cars – Outbound)**, and **Figure 5.16-5 – Project Trip Distribution (Trucks – Outbound)**). The City has conditioned the Project to deploy coordinated traffic signal timing improvements to encourage traffic flow to and from the Eastridge - Eucalyptus Interstate 215 interchange.

There will be no restrictions on trucks or passenger cars using Dan Kipper Drive to access the Project site. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

**Response to Comment 54-G:**

This comment does not provide any substantial evidence to support use of a different trip distribution than what was used in the TIA and the DEIR and as such, this comment represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (*Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

The City appreciates RK Engineer’s review of the DEIR. This comment does not identify any significant new environmental issues or impacts not already addressed in the DEIR.

## Comment Letter 55 – NAIOP



www.naiople.org

# 55

December 15, 2016

Planning Commission  
City of Riverside  
3900 Main St.  
Riverside, CA 92501

Dear Chairman Parker and Planning Commission Members,

I respectfully request your approval of Sycamore Canyon's Industrial Park Buildings 1 and 2.

NAIOP, the Commercial Real Estate Development Association, is the leading organization for developers, owners and investors of office, industrial, retail and mixed-use real estate. With over 15,000 members, NAIOP is the expert in market demand, business and economic opportunities for nonresidential development.

Industrial development would benefit future business opportunities, boosting economic growth for the City of Riverside. The Specific Plan for Sycamore Canyon industrial park was approved decades ago in 1984. This project is the final piece of the 35 million square feet industrial business park.

The City has Good Neighbor Guidelines to properly plan and design industrial facilities between land uses. This project meets the recommendations in the City's Good Neighbor Guidelines, while still promoting jobs and City revenue.

Our request for approval of this project comes from more than 40 years of commercial real estate development experience, as well as partnerships with municipalities around the country. We have assisted countless cities in developing efficient, sustainable and productive real estate projects that provide pride and benefits to residents and members of the community for years to come.

Thank you for your consideration.



Robert Evans  
Executive Director  
Inland Empire Chapter

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Paige Fulmer West, Fulmer Construction  
Trevor Hahvesse, DCT Industrial  
Jimmie Herrick, Stewart Title of California  
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**NAIOP INLAND EMPIRE STAFF**  
Robert Evans, Executive Director  
Deven Sullit, Executive Assistant

55-A

## **Response to Comment Letter 55 – NAIOP**

This comment letter was received outside the comment period for the public review of the Draft Environmental Impact Report (DEIR). Section 15088(a) of the California Environmental Quality Act (CEQA) Guidelines states, “the lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments.” (Originally the comment period was from August 10, 2016, to September 23, 2016; however, it was then extended to October 7, 2016, pursuant to the public’s request.) Accordingly, nothing in CEQA “requires the lead agency to respond to comments not received within the comment periods” (Pub. Res. Code, § 21092.5(c); see also *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1111). Comments received by the City outside the comment period have been included within this Final EIR. Although not required by CEQA, the City has included this letter and reviewed the letter to verify that it does not raise new environmental issues related to the DEIR.

### **Response to Comment 55-A:**

The City appreciates the time NAIOP took to share its thoughts on the Project. This comment discusses the benefits the Project would bring to the City and does not raise or identify any environmental issues or impacts. The comment is noted by the City.

## Comment Letter 56 – South Coast Air Quality Management District

*Note: This email from the South Coast Air Quality Management District (SCAQMD) is in response to their review of the New Modeling, which was prepared in response to SCAQMD Comment Letter 53.*

56

**From:** Jillian Wong <jwong1@aqmd.gov>  
**Sent:** Wednesday, January 18, 2017 5:53 PM  
**To:** White, Ted; Patricia Brenes  
**Cc:** Mark Ostoich; Cheryl DeGano; Jack Cheng; Susan Nakamura; Jill Whynot  
**Subject:** RE: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Hi Ted,

SCAQMD staff has reviewed the Revised HRA and we have no further comments on the analysis.

Thanks,  
Jillian Wong, Ph.D.  
Planning & Rules Manager  
South Coast AQMD  
21865 Copley Drive,  
Diamond Bar, CA 91765  
Direct: 909-396-3176  
Fax: 909-396-3640

Note: the entire email chain  
is comment 56-A

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**From:** White, Ted [<mailto:TWhite@riversideca.gov>]  
**Sent:** Thursday, January 12, 2017 6:04 PM  
**To:** Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)>; Jillian Wong <[jwong1@aqmd.gov](mailto:jwong1@aqmd.gov)>  
**Cc:** Mark Ostoich <[Mark.Ostoich@greshamsavage.com](mailto:Mark.Ostoich@greshamsavage.com)>; Cheryl DeGano <[cheryl.degano@webbassociates.com](mailto:cheryl.degano@webbassociates.com)>; Jack Cheng <[jcheng@aqmd.gov](mailto:jcheng@aqmd.gov)>  
**Subject:** RE: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Hi Jillian,

Happy new year! Would you mind providing us with a timeframe for your review and comment? We have an internal deadline to have the Final EIR complete by Friday, January 20<sup>th</sup> (next Friday). In order to get the FEIR complete, we need time to plug your response into our Responses to Comments document, staff report etc. We are hopeful that you would be able to provide any further comments (or that there are no further comments) to us by end of day, Wednesday, January 18<sup>th</sup>. If this isn't feasible, it would be helpful to know sooner than later.

Thanks in advance.

**Ted White, AICP**  
City Planner | City of Riverside  
Community & Economic Development Department  
tel: 951.826-5108  
[twhite@riversideca.gov](mailto:twhite@riversideca.gov)

---

**From:** Brenes, Patricia  
**Sent:** Wednesday, January 11, 2017 2:19 PM  
**To:** Jillian Wong

Cc: White, Ted; Mark Ostoich; Cheryl DeGano; Jack Cheng  
Subject: RE: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Jillian - We appreciate your responsiveness and look forward to your response.

Thanks again,

**Patricia Brenes**  
Principal Planner  
Community & Economic Development Department  
Planning Division  
3900 Main Street, Third Floor  
Riverside, CA 92522  
Tel: 951-826-2307  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

56-A cont.

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From: Jillian Wong [<mailto:jwong1@aqmd.gov>]  
Sent: Wednesday, January 11, 2017 12:21 PM  
To: Brenes, Patricia <[PBrenes@riversideca.gov](mailto:PBrenes@riversideca.gov)>  
Cc: White, Ted <[TWhite@riversideca.gov](mailto:TWhite@riversideca.gov)>; Mark Ostoich <[Mark.Ostoich@greshamsavage.com](mailto:Mark.Ostoich@greshamsavage.com)>; Cheryl DeGano <[cheryl.degano@webbassociates.com](mailto:cheryl.degano@webbassociates.com)>; Jack Cheng <[jcheng@aqmd.gov](mailto:jcheng@aqmd.gov)>  
Subject: [External] RE: Sycamore Canyon Project - Response to Comment and Modeling Files

Thanks Patricia. We will review the revised HRA and get to you with any comments we might have.

Jillian Wong, Ph.D.  
Planning & Rules Manager  
South Coast AQMD  
21865 Copley Drive,  
Diamond Bar, CA 91765  
Direct: 909-396-3176  
Fax: 909-396-3640

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From: Brenes, Patricia [<mailto:PBrenes@riversideca.gov>]  
Sent: Monday, January 9, 2017 5:45 PM  
To: Jillian Wong <[jwong1@aqmd.gov](mailto:jwong1@aqmd.gov)>  
Cc: White, Ted <[TWhite@riversideca.gov](mailto:TWhite@riversideca.gov)>; Mark Ostoich <[Mark.Ostoich@greshamsavage.com](mailto:Mark.Ostoich@greshamsavage.com)>; Cheryl DeGano <[cheryl.degano@webbassociates.com](mailto:cheryl.degano@webbassociates.com)>  
Subject: Sycamore Canyon Project - Response to Comment and Modeling Files

Hi Jillian – Attached for your review and approval is the response to comments and below is the link to the updated modeling as requested at our last meeting. Please feel free to contact me if you need additional information to conduct your review. Following is the link:

<https://www.dropbox.com/s/x0zalo7065j7w2u/New%20Modeling%20HRA%20File%20for%20SCAQMD%20SCBP.zip?dl=0>

Thank you,

**Patricia Brenes**

Principal Planner  
Community & Economic Development Department  
Planning Division  
3900 Main Street, Third Floor  
Riverside, CA 92522  
Tel: 951-826-2307  
[pbrenes@riversideca.gov](mailto:pbrenes@riversideca.gov)

56-A



Click [here](#) to report this email as spam.

## **Response to Comment Letter 56 – SCAQMD**

### **Response to Comment 56-A:**

The City appreciates SCAQMD staff working with City staff on the Project's Health Risk Assessment (HRA) and thanks SCAQMD for their quick review. The City notes that SCAQMD has no further comments on the Revised HRA, including the updated modeling (submitted on January 9, 2017) referred to as the New Modeling and included in the FEIR as Attachment A.2.