

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE EXCHANGE PROJECT, MAKING CERTAIN FINDINGS OF FACT RELATED THERETO, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, ALL PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, an application submitted by Jim Guthrie of AFG Development, LLC for the development of a mixed use project on 35.4 acres consisting of multi-family residential, commercial retail, two hotels, and recreational vehicle overnight parking, a Zoning Code Amendment, and a General Plan Amendment (collectively the “Project”) was presented for consideration; and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 21000 et seq.), the State of California CEQA Guidelines (“State CEQA Guidelines”) (California Code of Regulations Title 14, Chapter 3, Sections 15000 et seq.) and the City of Riverside (“City”) CEQA Guidelines (collectively “CEQA Regulations”) an Environmental Impact Report (“EIR”) was prepared for the Project; and

WHEREAS, in accordance with the requirements of Section 15082(a) of the State CEQA Guidelines, on July 25, 2018, the City prepared and distributed a Notice of Preparation (“NOP”) to all appropriate responsible and trustee agencies and to all organizations and individuals requesting notice, stating that an EIR would be prepared for the Project; and

WHEREAS, on July 25, 2018, the NOP was sent to the State Clearinghouse (SCH No. 2018071058); and

WHEREAS, all responses to the NOP were considered in the preparation of the Draft EIR and interested agencies and individuals were contacted to secure their input; and

WHEREAS, the Draft EIR was completed and a Notice of Completion (“NOC”) and the Draft EIR was filed with the State Clearinghouse on or about January 15, 2019, in accordance with the provisions of section 15085 of the State CEQA Guidelines; and

WHEREAS, copies of the Draft EIR were also sent to various public agencies, organizations and individuals, made available at the City’s Planning Division, the Riverside Main

1 Library, SPC Jesus S. Dura Eastside Library, and on the City's website, and a Notice of
2 Availability ("NOA") of the Draft EIR was published in the Riverside Press Enterprise, a
3 newspaper of general circulation, mailed to a list of interested parties, and posted with the
4 Riverside County Clerk's Office; and

5 WHEREAS, the NOC and the NOA provided a 45-day public review period commencing
6 on January 15, 2019, and ending on March 1, 2019; and

7 WHEREAS, the City received written and oral comments from the public and responsible
8 agencies on the Draft EIR during this public comment period, as well as after the close of the
9 public comment period; and

10 WHEREAS, all comments on the Draft EIR concerning environmental issues that were
11 received during the public review period, as well as those received after the public review period,
12 were evaluated by the City as the Lead Agency in accordance with Section 15088 of the State
13 CEQA Guidelines; and

14 WHEREAS, the City Planning Commission held a duly noticed hearing on the Draft EIR
15 on March 21, 2019, and made certain recommendations to the City Council; and

16 WHEREAS, the Final Environmental Impact Report dated May 2019, for the Project
17 consists of a Draft EIR dated January 2019, comments and recommendations received on the Draft
18 EIR, responses to comments on the Draft EIR, changes to the Draft EIR, and a Mitigation
19 Monitoring and Reporting Program (collectively "FEIR"); and

20 WHEREAS, the FEIR includes comments received on the Draft EIR and written responses
21 to those comments, the focus of which is on the disposition of significant environmental issues
22 raised in the comments, as specified by CEQA Guidelines section 15088(b); and

23 WHEREAS, the FEIR contains the elements required by the CEQA Regulations, including,
24 but not limited to: (a) identification, description and discussion of all potentially significant
25 environmental effects of the proposed Project; (b) a description of mitigation measures proposed
26 to minimize potential significant environmental effects on the project identified in the FEIR; (c) a
27 description of those potential environmental effects which cannot be avoided or can be mitigated
28 but not to a level of insignificance; (d) a description of a range of reasonable alternatives to the

1 proposed Project and evaluation of the comparative merits and potential significant environmental
2 effects of the alternatives; (e) a discussion of cumulative impacts in accordance with the
3 requirements of section 15130 of the State CEQA Guidelines; (f) a discussion of growth inducing
4 impacts; (g) a discussion of significant irreversible environmental changes; (h) a discussion of
5 energy conservation; and (i) a list of all federal, state and local agencies, other organizations and
6 private individuals consulted in preparing the FEIR and the firm preparing the FEIR; and

7 WHEREAS, the City Council held a duly noticed hearing on the FEIR on June 4, 2019, at
8 which time additional written and oral testimony was received; and

9 WHEREAS, the City Council has been presented with and is familiar with the information
10 in the administrative record, including the Staff Reports and the written and verbal testimony
11 submitted thereon, and has reviewed and considered the information in the FEIR for completeness
12 and compliance with the CEQA Regulations, has independently reviewed and analyzed the FEIR
13 and has duly heard and considered the Staff Reports and all written and oral arguments presented
14 at its meeting of June 4, 2019; and

15 WHEREAS, the City has made the written findings set forth in Findings of Fact and
16 Statement of Overriding Considerations (“Findings/SOC”) attached hereto as Exhibit “A” and
17 incorporated herein by reference, for each potentially significant environmental impact identified
18 in the FEIR pursuant to State CEQA Guidelines Section 15091 based upon all of the evidence in
19 the administrative record, including, but not limited to the FEIR, written and oral testimony given
20 at meetings and hearings, and submission of testimony from the public, organizations and
21 regulatory agencies, and has determined that the Findings contain a complete and accurate
22 reporting of the environmental impacts and mitigation measures associated with the Project, as
23 well as complete and accurate reporting of the unavoidable impacts and benefits of the Project;
24 and

25 WHEREAS, approval of the Project will result in significant effects which are identified
26 in the FEIR that cannot be avoided or substantially lessened; and

27 WHEREAS, the City has stated in writing the specific reasons to support its action to
28 approve the Project, despite its significant environmental impacts, based on the FEIR and other

1 information in the record, including in the Findings/SOC set forth in Exhibit “A” attached hereto;
2 and

3 WHEREAS, the City Council certifies that (1) the FEIR for the Project has been completed
4 in compliance with CEQA; (2) that the FEIR was presented to the City Council, and that the City
5 Council reviewed and considered the information contained in the FEIR prior to making a decision
6 on the Project; and (3) the FEIR reflects the City’s independent judgment and analysis, and has
7 reviewed and considered all comments received during the public review process and at the public
8 hearings; and

9 WHEREAS, the City Council found that the Project identified in the FEIR incorporated
10 alterations or mitigation measures that avoid or substantially lessen potentially significant
11 environmental effects associated with the Project to the fullest extent feasible; and

12 WHEREAS, in accordance with the requirements of the CEQA Regulations, a Mitigation
13 Monitoring and Reporting Program was prepared that identified (i) all feasible measures required
14 to mitigate potentially significant impacts, and (ii) standards and requirements contained in
15 Ordinances and State Laws with which the Project will be required to comply, which Mitigation
16 Monitoring and Reporting Program is attached hereto as Exhibit “B” and incorporated herein by
17 reference; and

18 WHEREAS, the City has not received any comments or additional information that
19 constitutes substantial new information requiring recirculation under Public Resources Code
20 section 21092.1 and State CEQA Guidelines section 15088.5; and

21 WHEREAS, all requirements of the CEQA Regulations have been satisfied by the City in
22 the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects
23 of the Project have been adequately evaluated.

24 NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Riverside,
25 California, and making the following findings, as follows:

26 Section 1: The above recitals are hereby found and determined to be true and correct and
27 are hereby incorporated herein as if stated in full.

28 Section 2: The City Council hereby makes the following findings and conclusions:

1 (a) The FEIR for the Project has been completed and processed in compliance with the
2 requirements of CEQA;

3 (b) The FEIR was presented to the City Council, and the City Council, as the decision
4 making body for the City, reviewed and considered the information contained in
5 the FEIR and the administrative record as a whole, which includes, but is not
6 limited to, staff reports, testimony and information received, and scientific and
7 factual data presented in evidence during the review process, prior to approving the
8 Project; and

9 (c) The FEIR reflects the City's independent judgment and analysis.

10 Section 3: The City Council hereby finds that any changes to the FEIR in response to
11 comments received on the Draft EIR merely clarify, amplify or make insignificant modifications
12 to an already adequate EIR pursuant to CEQA Guidelines Section 15088.5(b) and that no
13 significant new information has been received that would require recirculation.

14 Section 4: The City Council finds that the Findings/SOC set forth in Exhibit "A," attached
15 hereto and incorporated by reference herein as if stated in full, are supported by substantial
16 evidence in the administrative record and are hereby adopted by the City Council.

17 Section 5: Potential environmental effects have been studied and, except as stated in
18 Section 8 below, there is no substantial evidence in the record, as a whole, that supports any
19 argument that the Project, as designed and mitigated, may cause a significant effect on the
20 environment. No facts, reasonable assumptions predicated on facts, testimony supported by
21 adequate factual foundation, or expert opinion supported by facts has been submitted that refute
22 the conclusions reached by the FEIR, studies, data and reports. Nor does anything in the record
23 alter the environmental determination, as presented, based upon investigation and independent
24 assessment of those studies, data and reports. No new significant impacts have been raised by any
25 commenting individual or entity, nor has any significant new information been added to the FEIR
26 that would require recirculation under State CEQA Guidelines section 15088.5.

27 Section 6: The FEIR dated May 2019, for the Project reflects the independent judgment
28 of the City based upon the findings and conclusions stated in the FEIR, staff reports, and in

1 consideration of testimony and information received, and scientific and factual data presented in
2 evidence during the review process.

3 Section 7: The City Council Finds that the FEIR dated May 2019, has fully examined the
4 environmental impacts of the Project and, based on the information in the administrative record,
5 including the analysis in the FEIR, has determined that the impacts on aesthetics, agricultural and
6 forestry resources, air quality (except for conflicting with an applicable air quality plan, violation
7 of air quality standards, and cumulative impacts), biological resources, cultural resources, energy
8 conservation, geology and soils, hazards and hazardous materials, hydrology and water quality,
9 land use and planning, mineral resources, noise, population and housing, public services,
10 recreation, transportation and traffic (except as cumulative impacts), tribal cultural resources, and
11 utilities and service systems either have no impact, are less than significant or are potentially
12 significant but that with mitigation the impacts are reduced to less than significant based on the
13 Findings/SOC set forth in Exhibit “A” attached hereto and incorporated herein by reference, as
14 well as the findings and analysis contained in the FEIR (collectively “Findings”). The Findings
15 are supported by substantial evidence contained therein as well as in the record, and as such, said
16 Findings are hereby adopted by the City Council.

17 Section 8: The City Council finds that the FEIR dated May 2019, has fully examined the
18 environmental concerns associated with the Project and, based on the information in the
19 administrative record, including the analysis in the FEIR, has determined that the following
20 significant impacts, identified in the FEIR, cannot be mitigated to a level of insignificant: air
21 quality (conflicts with an applicable air quality plan, violation of air quality standards, and
22 cumulative impacts) greenhouse gas emissions, transportation and traffic (cumulative impacts).
23 As explained in attached Exhibit “A” Findings/SOC, the City Council finds pursuant to Public
24 Resources Code section 21081(a)(3) that specific economic, legal, social, technological or other
25 considerations make infeasible additional mitigation measures or alternatives that would
26 substantially lessen such impacts. The City Council further finds, pursuant to Public Resources
27 Code section 21081(a)(1) and as explained in the Findings/SOC (Exhibit “A”) that changes or
28

1 alterations have been incorporated into the Project which mitigate or avoid those significant
2 impacts identified in the FEIR to the fullest extent feasible.

3 Section 9: With the exception of the impacts identified in Section 8 above, the City Council
4 finds that, the Project, including all mitigation measures, conditions, permits and approvals will
5 not have any other significant adverse unmitigated impacts on the environment. Potential
6 environmental effects have been studied and there is no substantial evidence in the record, as a
7 whole, that supports any argument that the Project, as designed and mitigated, would cause a
8 significant effect on the environment, except as to the impacts identified in Section 8. No facts,
9 reasonable assumptions predicated on facts, testimony supported by adequate factual foundation,
10 or expert opinion supported by facts has been submitted that refute the conclusions reached by the
11 FEIR, studies, data and reports. Nor does anything in the record alter the environmental
12 determination, as presented, based upon investigation and independent assessment of those studies,
13 data and reports

14 Section 10: The City Council finds that four (4) alternatives, including the No Project
15 Alternative, were identified and analyzed in the FEIR and all were rejected as failing to meet most
16 of the Project objectives (No Project Alternative and Alternative 2), as not sufficiently reducing
17 environmental impacts as compared to the Project (Alternatives 2, 3, and 4), and/or as infeasible,
18 due to specific economic, legal, social technological and other considerations (all alternatives).
19 These grounds are contained in the entirety of the administrative record, including the FEIR, the
20 attached Exhibit "A" Findings/SOC, and the written and verbal testimony. Specifically:

- 21 (a) Alternative – No Project. This Alternative was rejected because it fails to meet all
22 of the Project objectives to: increase the type and amount of housing available,
23 consistent with the goals of the City's Housing Element; increase the number of
24 hotel rooms in the City; respond to a growing need of RV parking for short-term
25 visitors; provide amenities for the surrounding neighborhood in the form of a
26 commercial center with provisions for a farmers market, live entertainment, and
27 special events; use land resources more efficiently by providing well-planned, infill
28 development on a currently vacant site; create a mixed-use development consistent

1 with the City's Smart Growth principles; and increase commercial, retail, and
2 restaurant space in the City. No visitor-serving uses on-site would be provided to
3 the Northside neighborhood. This Alternative is infeasible because it fails to meet
4 the City General Plan Objective H-2 and its policies of increasing the diversity in
5 housing types in the City by providing live-work units, and smart growth housing.

6 (b) Alternative 2 – Develop the Site Pursuant to Current Underlying Zoning. This
7 alternative would reduce significant and unavoidable impacts and reduce impacts
8 to the resources areas listed above, compared to the proposed project, but fails to
9 meet six of seven project objectives at all, and only halfway meets the remaining
10 one project objective. Feasibility may also be determined from the desirability of
11 the measure or alternative from a policy standpoint, as reasonably determined by
12 the City Council. The infeasibility of this residential-only alternative is shown from
13 the fact that the site has remained a vacant parcel for an extended time, despite
14 being favorably located adjacent to residential and school uses. This alternative is
15 also infeasible because it fails to meet the City General Plan Objective H-2 and its
16 policies of increasing the diversity in housing types in the City by providing live-
17 work units, and smart growth housing. Alternative 2 was rejected as it partially
18 meets only one project objective, fails to meet any of the others, is apparently
19 infeasible for residential-only development, and is infeasible for policy and other
20 considerations

21 (c) Alternative 3 – Mixed-Use Development with Lower Residential Density.
22 Alternative 3 would reduce some environmental impacts, but would still result in
23 significant and unavoidable impacts to air quality, greenhouse gas emissions, and
24 traffic and would have similar impacts in a majority of the resource areas.
25 Alternative 3 was rejected as a project alternative on the following grounds, each
26 of which individually provides sufficient justification for rejection of this
27 alternative: (1) inability to avoid significant environmental impacts, and (2) failure
28 to meet the project objective of increasing the type and amount of housing available

1 in the City. This alternative is also rejected as infeasible determined from the
2 desirability of the measure or alternative from a policy standpoint, in that it conflicts
3 with the City's General Plan Objective H-2 of increasing the diversity in housing
4 types in the City by providing multi-family residences, live-work units, and smart
5 growth housing.

- 6 (d) Alternative 4 – No Riverside County Flood Control and Water Conservation
7 District and Riverside County Transportation Authority Lease Area Development.
8 This alternative would not meet the project objective of providing amenities for the
9 growing need of RV parking and would reduce the number of hotels rooms
10 provided under the proposed project. Alternative 4 was rejected because: (1) it does
11 not implement the project objectives; (2) it does not avoid significant environmental
12 impacts; and, it is infeasible, determined from the desirability of the measure or
13 alternative from a policy standpoint, because it would strand the RCFCWCD
14 property and the Lease Land from future useful development, with no attendant
15 benefit. The RCFCWCD property, which is of mediocre environmental value, is
16 being replaced through mitigation by higher-quality and higher-functioning
17 environmental land. Satisfying fewer project objectives without environmental
18 benefit, and stranding ruderal, mediocre value property without environmental
19 benefit, do not support feasibility in contrast to a superior project.

20 Section 11: The FEIR dated May 2019, for the Project has been completed and processed
21 in compliance with the requirements of the CEQA Regulations (both state and local), and based
22 on the entirety of the administrative record is hereby certified.

23 Section 12: The City Council has balanced the benefits of the adoption of the Project
24 against its unavoidable environmental impacts and has determined that for the reasons set forth
25 below, the economic, legal, social, technological and other benefits of the Project outweigh the
26 unavoidable adverse environmental effects which have been identified in attached Exhibit "A"
27 Findings/SOC and the adverse environmental effects are therefore considered acceptable. Some
28 of the benefits of implementing and approving the Project are summarized as follows:

1 (a) The project would promote the City's General Plan Objective LU-71 by
2 establishing needed amenities in the Northside neighborhood and giving residents access to a
3 commercial center with restaurants, farmers markets, and live entertainment.

4 (b) The project would provide 482 residential units and help the City reach its
5 remaining RHNA need of 3,801 units of moderate and above moderate affordability.

6 (c) The project would increase the diversity in housing types in the City by providing
7 multi-family residences and live-work units within a mixed-use development, which would
8 promote the City's General Plan Objective H-2.

9 (d) The project would increase the number of hotel rooms in the Riverside area and
10 provide an additional revenue source for the City.

11 (e) The project would provide 23 RV parking spaces to respond to the growing need
12 for permitted RV and short-term parking in the City.

13 (f) The project would promote the City's Smart Growth principles and policies in
14 General Plan Objective LU-8 by implementing a mixed-use development, including 12 live-work
15 units, along a strategic transportation corridor approximately one mile from downtown Riverside.

16 (g) The project would add more restaurant, retail, and commercial space in the City to
17 serve residents and increase revenue for the City.

18 (h) The project would develop a vacant lot with a well-planned, infill development in
19 a location that is strategic for development, pursuant to General Plan Policy LU-8.1.

20 (i) The project would install a sidewalk along the Orange Street frontage consistent
21 with the arterial street classifications in the General Plan, and improve pedestrian safety by creating
22 a cohesive right-of-way along Orange Street.

23 (j) The project would appropriately utilize the site's unusual characteristics of being
24 adjacent to two freeways, by developing the site with business uses the benefit from freeway
25 connectivity and residential developments that can make commutes more efficient.

26 These findings are supported by substantial evidence and the data to support these
27 overriding considerations are found throughout the FEIR, the supporting comments and responses
28 section of the FEIR, and by information throughout the administrative record.

1 Section 13: Specific environmental, economic, social, legal, technical and other
2 considerations and benefits derived from the development of the Project override and make
3 infeasible any alternative to the Project or further mitigation measures beyond those incorporated
4 into this Project.

5 Section 14: The City Council further finds that the Project will provide numerous
6 benefits to the City, as stated in Section 12 above, which outweigh its unavoidable environmental
7 impacts and therefore adopts the Statement of Overriding Considerations set forth more fully
8 Exhibit “A” attached hereto and incorporated herein by reference.

9 Section 15: The City Council finds that all significant environmental impacts from
10 implementation of the Project have been identified in the FEIR and, with the implementation of
11 the mitigation measures set forth in the Mitigation Monitoring and Reporting Program contained
12 in Exhibit “B” attached hereto and incorporated herein by reference, will be mitigated to a less-
13 than-significant level, with the exception of the impacts identified in Section 8 above. The City
14 Council hereby adopts the Mitigation Monitoring and Reporting Program for the Project to
15 implement the policies, goals and implementation measures identified in the FEIR as necessary to
16 preclude the need for further mitigation measures. Said Mitigation Monitoring and Reporting
17 Program, contained in the FEIR and attached hereto as Exhibit “B”, is hereby incorporated as part
18 of the approval of the City Council for the adoption of the Project.

19 Section 16: The City Council hereby finds that the locations of documents and other
20 materials which constitute the record of proceedings upon which its decision is based are the
21 Community & Economic Development Department, Planning Division and the City Clerk’s Office
22 located at 3900 Main Street, Riverside, California 92522, and the custodian of such records shall
23 be the Community & Economic Development Director and the City Clerk, respectively.

24 ADOPTED by the City Council this _____ day of _____, 2019.

25
26
27 _____
28 WILLIAM R. BAILEY, III
 Mayor of the City of Riverside

1 Attest:

2
3 _____
4 COLLEEN J. NICOL
5 City Clerk of the City of Riverside

6 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
7 foregoing resolution was duly and regularly introduced at a meeting of the City Council on the
8 ____ day of _____, 2019, by the following vote, to wit:

9 Ayes:

10 Noes:

11 Abstain:

12 Absent:

13 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of
14 the City of Riverside, California, this ____ day of _____, 2019.

15
16 _____
17 COLLEEN J. NICOL
18 City Clerk of the City of Riverside

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EXHIBIT A

**CEQA FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS**

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EXHIBIT B
MITIGATION MONITORING AND REPORTING PROGRAM

EXHIBIT A

CEQA FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM

This document includes the following sections:

- I. Introduction to CEQA Findings of Fact
- II. Location and Custodian of the Record
- III. Findings for Impacts Identified as Significant but Mitigated to a Less than Significant Level
- IV. Findings for Impacts that are Significant and Unavoidable
- V. Findings Regarding Cumulative Impacts
- VI. Findings Regarding Significant Irreversible Environmental Changes
- VII. Findings Regarding Growth Inducing Impacts
- VIII. Findings Regarding Alternatives
- IX. Findings Regarding No Need for Recirculation
- X. Statement of Overriding Considerations
- XI. Mitigation Monitoring and Reporting Program

I. INTRODUCTION TO CEQA FINDINGS OF FACT

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., “CEQA”) and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the City of Riverside, as the lead agency for the Exchange Project (project). These Findings of Fact pertain to the Final Environmental Impact Report (“EIR”), State Clearinghouse #2018071058.

A. PROJECT LOCATION

The project site is currently vacant, except for a concrete flood control channel which bisects the site, and located in the northwestern section of the City of Riverside, and is bounded generally by Orange Street to the west, Strong Street to the north, State Route (SR) 60 to the south and Interstate 215 (I-215) to the east. The project site comprises the following parcel numbers:

- | | |
|---------------|---------------|
| ▪ 209-151-029 | ▪ 209-020-061 |
| ▪ 209-151-036 | ▪ 209-020-062 |
| ▪ 209-020-022 | ▪ 209-060-023 |
| ▪ 209-020-047 | ▪ 209-060-027 |
| ▪ 209-020-048 | ▪ 209-060-029 |
| ▪ 209-020-059 | ▪ 209-070-015 |
| ▪ 209-020-060 | |

B. PROJECT DESCRIPTION SUMMARY

The proposed project consists of a mixed-use development of multi-family residential dwelling units, multi-tenant commercial buildings, a vehicle fueling station, a drive-thru restaurant, two

hotels, a Recreational Vehicle (RV) overnight parking component, and on-site activities (e.g., farmers market, outdoor entertainment).

The residential portion of the project will be constructed on approximately 18.4 acres on the northern half of the project site and includes a total of 482 one-, two- and three- bedroom residential units in 21 three-story buildings. Project plans identify 479,773 square feet of residential space, resulting in a density of 26.2 dwelling units per acre. A total of 886 vehicle parking spaces are proposed for the residential use.

The commercial/retail, vehicle fueling station and drive-thru restaurant portion of the project would be located on approximately 7.6 acres on the southwest corner of the project site and includes a total of 49,000 square feet of multi-tenant lease space for restaurant and commercial retail tenants spread across 8 single-story buildings. The retail areas would generally operate 12 to 15 hours a day, with the exception of the proposed gas station, which would operate 24 hours a day. A total of 417 parking stalls are proposed for the commercial component of the project.

Two hotel buildings would be located on approximately 7.4 acres, near the southeast corner of the project site. The proposed RV Parking is located in the southeast corner of the project site, closest to the I-215/SR 60 interchange, adjacent to the proposed hotels. The RV Parking would contain 23 RV spaces and 12 standard spaces, for a total of 35 RV parking spaces. The two, four-story hotels would total 130,000 square feet and contain 229 guest rooms. The hotels would operate independently of each other. The hotels and RV Parking would operate 24 hours a day. A total of 229 parking spaces are proposed for the two hotels.

The proposed development includes provisions for live entertainment and events and a farmers market to serve the proposed residences and surrounding community. The live entertainment would occur within the courtyard in the center of Buildings P1 through P4. The events would occur on occasion, on Fridays, Saturdays, or Sundays. Events could include farmers market, outdoor entertainment, car shows (demonstration only) and similar type events.

Vehicular access to the project site would be provided by one driveway entrance located east of the site along La Cadena Drive, and two driveways located along the northwest boundary of the site on Orange Street. Residents would primarily access the site through the entrances located at La Cadena Drive and the northern-most driveway along Orange Street; retail customers and hotel visitors would primarily access the site through the driveways along Orange Street.

C. PROCEDURAL COMPLIANCE WITH CEQA

The City of Riverside published a Draft EIR on January 15, 2019, and completed a Final EIR in compliance with CEQA requirements. As allowed for in CEQA Guidelines §15084(d)(2), the City retained consultants to assist with the preparation of the environmental documents. Acting as lead agency, the City has directed, reviewed and edited as necessary all material prepared by the consultants, and such material reflects the City's independent judgment. In general, the preparation of the EIR included the following key steps and public notification efforts.

- A 30-day scoping process began with the City's issuance of the Notice of Preparation (NOP) of an EIR on July 25, 2018. The NOP was filed with the State Clearinghouse on July 25, 2018, which started a 30-day comment period that ended August 24, 2018. The City noticed and held an EIR scoping meetings during the 30-day comment period to receive perspective and

input from agencies, organizations and individuals on the scope and content of the environmental information to be addressed in the EIR. The EIR scoping meeting was held on August 2, 2018, at the Springbrook Clubhouse at 1011 Orange Street, Riverside, California.

- The City issued the Draft EIR by filing a Notice of Completion (NOC) with the State Clearinghouse on January 15, 2019. The Notice of Availability for the Draft EIR was published in the Press Enterprise and distributed to a variety of government agencies, organizations and interested parties, including: local jurisdictions, tribal governments, state and federal agencies, resource agencies, water districts and boards, transportation agencies, community groups and organizations, business organizations, chambers of commerce, universities and school districts, senior/aging organizations, interested parties and members of the public. The Draft EIR was also posted on the City's website and made available for review at the Riverside Main Library and SPC. Jesus S. Duran Eastside Library.
- The Draft EIR was available for a 45-day public review period beginning January 15, 2019 and ending March 1, 2019. The City held a public Planning Commission hearing on March 21, 2019, which discussed findings and information within the Draft EIR.
- Following close of the public review period, the City revised the Draft EIR in response to comments received during the public review period and provided written responses addressing all significant environmental issues raised. Revisions made to the Draft EIR are shown throughout the Final EIR in strikethrough and underline text.
- As part of its Final EIR, the City responded to all timely written comments on the Draft EIR, and provided written responses to all public agencies that timely commented on the Draft EIR, consistent with the legal requirement that such agencies be provided written responses at least 10 days prior to any lead agency action to certify the EIR. A public City Council hearing was held on June 4, 2019, to consider certification of the Final EIR and approval of the project.

D. INCORPORATION OF FINAL EIR BY REFERENCE

The Final EIR is hereby incorporated by reference into these Findings of Fact. The Final EIR consists of three volumes:

1. Comments and Responses to Comments on the Draft Environmental Impact Report (Vol. I),
2. Text Revisions to the Draft EIR (Vol. I),
3. Mitigation Monitoring and Reporting Program (Vol. I),
4. Draft Environmental Impact Report, January 2019 (Vol. II), and
5. Draft Environmental Impact Report Appendices, January 2019 (Vol. III).

E. REQUIREMENTS FOR CEQA FINDINGS

Pursuant to Public Resources Code §21081 and CEQA Guidelines §15091, no public agency shall approve or carry out a project for which an EIR has been certified, which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more of the following findings with respect to each significant impact.

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

For purposes of the third of these possible findings, the CEQA Guidelines define “feasible” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” (CEQA Guidelines §15364) Thus, a decision-making body may reject a mitigation measure or project alternative as infeasible if the measure or alternative fails to meet this definition. Importantly, the courts understand the legal concept of infeasibility to encompass both (i) the ineffectiveness of a particular alternative or mitigation measure in promoting the agency’s underlying project purpose and objectives and (ii) the desirability of the measure or alternative from a policy standpoint, as reasonably determined by the decision makers. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000-1001; *San Diego Citizenry Group v. County of San Diego* (2013) 2129 Cal.App.4th 1, 17-18.)

The City of Riverside has made one or more of these specific written findings regarding each significant impact associated with the project. Those findings are presented below, along with a presentation of facts in support of the findings. The City certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed. These findings are based on substantial evidence contained in the totality of the administrative record before the City, including, but not limited to, the Final EIR supporting evidence cited herein.

A full explanation of the environmental findings, conclusions, and mitigation measures referenced herein can be found in the Draft EIR and Final EIR; and these Findings hereby incorporate by reference the discussions and analyses in those documents. In making these Findings, the City hereby ratifies, adopts, and incorporates those discussions and analyses, adopting them as the City’s own.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which the City of Riverside’s Findings of Fact are based are located at 3900 Main Street, Riverside, California. The custodian of these documents is Brian Norton, Senior Planner. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and CEQA Guidelines § 15091(e).

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the Project consists of the following documents, among others:

- The Notice of Preparation and all other public notices issued by the City of Riverside and in conjunction with the project.
- The Draft and Final EIRs, including appendices and technical studies included or referenced in the Draft and Final EIRs.

- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR.
- All comments and correspondence submitted to the City of Riverside with respect to the Project.
- The Mitigation Monitoring and Reporting Program (MMRP) for the project.
- All Findings and resolutions adopted by the City of Riverside decision makers in connection with the project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by Rincon Consultants, Inc., consultants to the City of Riverside.
- All documents and information submitted to the City of Riverside by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date that the City approved the project.
- Any documentary or other evidence submitted to the City of Riverside at such information sessions, public meetings, and public hearings.
- Matters of common knowledge to the City of Riverside, including but not limited to applicable federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings of Fact, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code § 21167.6(e).

III. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The City Council hereby finds that the following mitigation measures, which are identified in the EIR and will reduce the following otherwise significant environmental impacts to a less than significant level, have been required in or incorporated into the Project. ***The findings below are for impacts where implementation of the Project would result in significant environmental impacts that would be reduced to less than significant following mitigation. These findings are based on the discussion of impacts in the detailed impact analyses in Section 4.1 through Section 4.14 and Section 5 of the EIR, as well as relevant responses to comments in the Final EIR.***

Except where specifically otherwise noted below, the following statutory finding applies to all of the impacts described in this section (III):

Changes or alterations have been required in, or incorporated into, the project which mitigate the significant effects on the environment (to less than significant levels). (See Pub. Resources Code § 21081(a)(1).)

The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

A. AIR QUALITY

1. Compliance with Air Quality Standards

Threshold 2: Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Finding: Construction of the proposed project could result in the temporary generation of air pollutants that would affect local air quality. Mitigation would be required to reduce short-term emissions of ROG during the construction phase and reduce maximum daily emissions of PM₁₀ and PM_{2.5} during site preparation. This impact is less than significant with mitigation. (DEIR pp. 4.2-16 through 4.2-19)

Explanation: Project construction emissions of NO_x, CO, PM₁₀, and PM_{2.5} would not exceed SCAQMD thresholds, assuming adherence to SCAQMD Rule 403 and 1113, as seen in Table 4.2-7 of the Draft EIR. Assuming the site would balance, as stated in section 2.5.11 of the Draft EIR, the Air Quality Study (included as Appendix B to the Draft EIR) calculated emissions from dust based on the equipment list included in the modeling since each piece of equipment is presumed to make a certain number of equipment passes and can only move a certain amount of dirt per day, and disclosed a reasonable, and likely overstated, evaluation of the Project's potential impacts related to air quality emissions. In addition, the following condition of approval has been added to the project, "On-site grading shall conform to the proposed grading plans; all soil shall balance on-site."

However, maximum daily emissions of ROG generated during the architectural coating phase, would be approximately 97.0 during construction in 2022, which would exceed SCAQMD thresholds and result in a potentially significant impact. Mitigation Measure AQ-1 reduces ROG emissions by requiring the use of "Super-Compliant" low VOC paints which contain no more than 10 grams of VOC per liter. The use of these paints during construction will reduce ROG emissions to below SCAQMD thresholds, as seen in Table 4.2-9 in Section 4.2 of the Draft EIR, and reduce impacts to less than significant.

Localized significance thresholds (LSTs) represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal or state ambient air quality standard at the nearest sensitive receptor. The sensitive receptors nearest the project site are single-family residences, Calvary Baptist Church, and Fremont Elementary School. The nearest receptor, a single-family residence, is approximately 16 feet north of the project boundary. Consistent with SCAQMD LST methodology, a 25-meter receptor distance was utilized in the air quality analysis. As seen in Table 4.2-8, the project would not exceed SCAQMD LSTs for NO_x or CO. PM₁₀ and PM_{2.5} emissions would be approximately 10.66 and 6.53, which would exceed the maximum daily LST during site preparation activities. Mitigation Measure AQ-2 requires watering the project site at two-hour watering intervals (i.e., four times per day) or using a movable sprinkler system to ensure a soil moisture content of 12 percent is maintained. Maintaining a soil moisture content of 12 percent will reduce fugitive dust generated by construction equipment during site preparation and grading. With the implementation of Mitigation Measure AQ-2, PM₁₀ and PM_{2.5} emissions will be below SCAQMD thresholds as seen in Table 4.2-10 in Section 4.2 of the Draft EIR, and reduce impacts to less than significant. Implementation of Mitigation Measure AQ-1 and AQ-2 will reduce construction air quality impacts to a less than significant level.

The following mitigation measures will be implemented:

AQ-1 Super-Compliant Low VOC Paint. During the architectural coating phase of construction, the project shall utilize "Super-Compliant" low VOC paints formulated to exceed the regulatory VOC limits put forth by SCAQMD Rule 1113. Super-Compliant low VOC paints shall contain no more than 10 grams of VOC per liter. Alternatively, the applicant may utilize tilt-up concrete panels that do not require architectural coatings.

AQ-2 Site Preparation and Grading Watering. During site preparation and grading activity phases of construction, all actively graded areas shall be watered at two-hour watering intervals (i.e., four times per day) or a movable sprinkler system shall be in place to ensure a minimum soil moisture of 12 percent is maintained. Moisture content shall be verified with the use of a moisture probe by the grading contractor four times per day during grading activities.

The City finds that Mitigation Measures AQ-1 and AQ-2 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that, pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue.

With implementation of Mitigation Measure AQ-1, ROG emissions would be reduced to 70.1 lbs/day, which is less than the 75 lbs/day SCAQMD regional threshold. Through implementation of Mitigation Measure AQ-2, PM10 emissions would be reduced to 8.0, and PM2.5 emissions would be reduced to 5.2, which are less than the SCAQMD LST's of 10 and 6 lbs/day respectively. For the foregoing reasons and the reasons discussed in the EIR, impacts associated with this issue are considered less than significant with the incorporation of mitigation. (DEIR, pp. 4.2-16 – 4.2-19)

B. BIOLOGICAL RESOURCES

1. Candidate, Sensitive, or Special Status Species and Habitats

Threshold 1: Would the project have a significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Implementation of the project could result in direct or indirect impacts to Burrowing Owl through removal of ground cover and habitat, and from construction during the breeding season. Impacts would be less than significant with mitigation incorporated. (DEIR pp 4.3-13 to 4.3-14)

Explanation: The project site contains disturbed areas and low-growing vegetation that provides potential habitat for burrowing owls; the project site is in a Multiple Species Habitat Conservation Plan (MSHCP) survey area for burrowing owl, which means the species is known to occur in the region. No burrowing owl or signs of burrowing owl use were detected during surveys of the site and a habitat assessment for the burrowing owl determined low potential exists for the species to occur, based on a lack of burrows. However, with the presence of suitable habitat on the project site there is a potential for burrowing owl to move into the area. Pre-construction surveys and avoidance measures pursuant to Objective 6 of the MSHCP Species Conservation Objectives for burrowing owl would ensure avoidance and/or minimization of potential impacts.

Implementation of Mitigation Measures BIO-1(a) through BIO-1(b) would reduce potential impacts to Burrowing Owls during construction activities by requiring preconstruction surveys and avoidance measures if Owls are found on-site or in the immediate vicinity. These measures would reduce impacts regarding impacts to sensitive species to a less than significant level by avoiding impacts to individual burrowing owl in accordance with the guidelines in the MSHCP. (DEIR pp 4.3-13 to 4.3-14)

The following mitigation measures will be implemented:

BIO-1(a) Burrowing Owl Preconstruction Survey. Pre-construction presence/absence surveys for burrowing owl shall be conducted in the survey area where suitable habitat is present prior to ground disturbance in new areas, throughout the construction phase of the project. Pre-construction surveys shall be conducted by a qualified biologist in the development footprint and a 500-foot buffer no more than 30 days prior to grading or other significant site disturbance. The surveys should be conducted in accordance with the most recent CDFW and California Burrowing Owl Consortium guidelines. A burrow shall be considered occupied when there is confirmed use by burrowing owl based on observations made by a qualified biologist. If owls are not found to be occupying habitat in the survey area during the pre-construction survey, the proposed disturbance activities may proceed. Take of active nests shall be avoided.

BIO-1(b) Burrowing Owl Avoidance Measures. If owls are discovered on and/or within 500 feet of the proposed project site, avoidance measures shall be developed in compliance with the MSHCP and in coordination with the CDFW and/or Western Riverside County Regional Conservation Authority. Such measures will include but not be limited to the following:

- Burrowing owls shall not be disturbed on-site and/or within a 500-foot buffer between February 1 and August 31 to avoid impacting nesting.
- Prior to any ground disturbance, all limits of project construction shall be delineated and marked to be clearly visible to personnel on foot and in heavy equipment. All construction-related activities shall occur inside the limits of construction and designated staging areas. Construction staging and equipment storage shall be situated outside of any occupied burrowing owl burrow locations. All construction-related movement shall be restricted to the limits of construction and staging areas.
- Avoidance measures shall include passive relocation by a qualified biologist to remove the owls between September 1 and January 31, which is outside of the typical nesting season.

The City finds that Mitigation Measures BIO-1(a) and BIO-1(b) are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures BIO-1(a) and BIO-1(b). (DEIR, pp. 4.3-13 – 4.3-14)

2. Candidate, Sensitive, or Special Status Species and Habitats

Threshold 1: Would the project have a significant adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Implementation of the project could result in direct or indirect impacts to nesting birds and raptors through removal of trees and vegetation that serve as nesting habitat. Impacts would be less than significant with mitigation incorporated. (DEIR pp. 4.3-14 through 4.3-16)

Explanation: While no nests were specifically identified during field reconnaissance or jurisdictional delineation, it is likely birds use the project site for nesting (generally from early February through late August) given the presence of trees, shrubs, and grassland habitats, as well as the number of bird species and individuals observed during the surveys. Cooper's hawk, a California Watchlist species and an MSHCP-covered species also has the potential to nest on the project site.

Project implementation has potential to result in direct and indirect impacts to nesting birds, including common passerine species protected under the Migratory Bird Treaty Act and CFGC, if they nest on the project site and/or in the immediate vicinity during construction activities. Direct impacts from construction activities include ground disturbance and removal of trees, which could contain bird nests. Indirect impacts include construction noise, lighting, and fugitive dust. These impacts could lead to individual mortality or harassment that might reduce nesting success. Mitigation Measure BIO-2 recommends avoiding vegetation removal, ground disturbance, and construction during the bird breeding season. If construction would occur during the breeding season, the measure would require nesting bird surveys in the project area and a 500 foot buffer, no more than 30 days prior to construction activities. If nesting birds are found, Mitigation Measure BIO-2 required a qualified biologist to determine distance buffers and noise reduction and monitoring for nests within 60 dBA noise levels. These measures are feasible and would reduce potential impacts to nesting birds and raptors to less than significant. (DEIR pp. 4.3-14 through 4.3-16)

The following mitigation measures will be implemented:

BIO-2 Nesting Bird Avoidance. Prior to issuance of grading permits, the following measures shall be implemented:

- To avoid disturbance of nesting and special-status birds such as Cooper's hawk, and including other raptorial species protected by the Migratory Bird Treaty Act and CFGC, activities related to the project, including but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 30). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 30 days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on foot inside the project site disturbance areas, and including a 500-foot buffer. Inaccessible areas (e.g., private lands) will be surveyed from afar using binoculars to the extent practical. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in western Riverside County. If nests are found, an appropriate avoidance buffer will be determined by a qualified biologist and demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. Effective buffer distances are highly variable and based on specific project stage, bird species, stage of nesting cycle, work type, and the tolerance of a particular bird pair. The buffer may be up to 500 feet in diameter, depending on the species of nesting bird found and the biologist's observations.
- If nesting birds are located adjacent to the project site with the potential to be affected by construction activity noise above 60 dBA Leq (see Section 4.10, Noise, for definitions and discussion of noise levels), a temporary noise barrier would be erected. The barrier would consist of large panels designed specifically to be deployed on construction sites for reducing

noise levels at sensitive receptors. If 60 dBA Leq is exceeded, an acoustician would require the construction contractor to make operational and barrier changes to reduce noise levels to 60 dBA during the breeding season (February 1 through August 30). Noise monitoring shall occur during operational changes and installation of barriers to ensure their effectiveness. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No parking, storage of materials, or construction activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist, if it is determined such encroachment will not adversely impact the nesting birds.

The City finds that Mitigation Measure BIO-2 is feasible, is adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measure BIO-2. (DEIR, pp. 4.3-14 – 4.3-16.)

3. Riparian Habitat or Sensitive Natural Community

Threshold 2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: The project proposes to permanently develop over a concrete-lined channel and a soft-bottom drainage that contain habitat the CDFW and RWQCB consider sensitive. Impacts to the concrete-lined channel and the soft-bottom drainage would result in adverse impacts to riparian habitat. Impacts would be less than significant with mitigation incorporated. (DEIR pp. 4.3-16 and 4.3-17)

Explanation: The residential component of the proposed project would be developed over the on-site soft-bottom drainage and the majority of the existing concrete-lined channel would be covered with parking and drive aisles to serve the commercial and hotel components of the project. The jurisdictional delineation identified the 1,551-foot-long soft-bottom drainage as containing 0.06 acre of non-wetland WoUS/WoS under the jurisdiction of the USACE and RWQCB, respectively, pursuant to sections 401 and 404 of CWA. The soft-bottom drainage also contains 0.10 acre of CDFW streambed habitat, pursuant to CFGC Sections 1600-1603. The 1,394-foot-long concrete-lined channel was identified as containing 1.00 acre of CDFW streambed habitat. Approximately 0.29 acre of the concrete-lined channel is considered non-wetland WoUS/WoS, under USACE and RWQCB jurisdiction.

For unavoidable impacts to riparian/riverine systems, the MSHCP requires that a project establishes that it would be “biologically equivalent or superior” when compared to complete avoidance of the existing habitat. The project site contains 1.15 acres of riverine resources that will be permanently impacted by the project. Unavoidable impacts to riverine resources shall be mitigated through the purchase of the appropriate number of riparian/riverine restoration credits from the nearby Riverside-Corona Resource Conservation District (RCRCD). Through discussions with USFWS and

CDFW in April 2019, the mitigation ratios provided in the January 2019 DBESP (i.e., 1:1 ratio; DEIR Appendix Q) were updated to ensure no net loss of riparian/riverine resources within the MSHCP boundaries. These impacts are now to be mitigated at a 2:1 ratio.

Therefore, Mitigation Measures BIO-3 and BIO-4 would mitigate and prevent any further impacts to jurisdictional features outside the development footprint as well as consultation with USACE, CDFW, and RWQB for impacts to determine the appropriate permits. Permits shall be obtained prior to disturbance and impacts to jurisdictional features and would be mitigated through the purchase of restoration credits from the Riverside-Corona Resource Conservation District at a ratio no less than 2:1. These measures would reduce impacts to riparian resources to less than significant.

The following mitigation measures will be implemented:

BIO-3 Avoidance and Minimization. Jurisdictional areas outside the footprint of direct development impact (i.e., the eastern portion of the concrete channel) shall be avoided. Any material/spoils generated from project activities shall be located away from jurisdictional areas and protected from stormwater run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate. Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank. Any material spills will be stopped if this can be done safely. The contaminated area will be cleaned and any contaminated materials properly disposed. For all spills, the project foreman will be notified.

BIO-4 Consultation and Compensatory Mitigation. Prior to ground disturbance activities that will impact waters and WoUS and/or WOS, the project proponent shall consult with USACE on the need for a CWA Section 404 permit, the RWQCB regarding compliance with Section 401 of the CWA, CDFW on the need for a Streambed Alteration Agreement, and the Western Riverside Conservation Authority, which oversees compliance with the MSCHP. Discussions with these agencies were initiated in October 2018 and are ongoing. Appropriate permits shall be obtained prior to disturbance of jurisdictional resources. Impacts to jurisdictional waters shall be mitigated through the purchase of the appropriate number of riparian/riverine restoration credits from the nearby Riverside-Corona Resource Conservation District. These impacts will be mitigated at no less than a 2:1 ratio.

The City finds that Mitigation Measures BIO-3 and BIO-4 are feasible, are adopted, and will reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures BIO-3 and BIO-4. (DEIR, pp. 4.3-16 – 4.3-17; FEIR, Appendix T.)

4. Wetlands

Threshold 3: Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Construction of the project would permanently impact 0.36 acre of non-wetland WoUS, protected under the CWA. Impacts would be less than significant with mitigation incorporated. (DEIR pp. 4.3-17.)

Explanation: A wetland delineation conducted by Rincon Consultants, Inc. in July 2018 found that 0.29 acre of the concrete-lined channel and 0.06 acre of the soft-bottom channel are under USACE jurisdiction. The majority of the concrete-lined channel and the entire soft-bottom channel would be covered with parking and drive aisles serving the commercial and hotel components of the project and would therefore be subject to Section 404 of the CWA. Consultation with USACE was initiated in October 2018 to obtain a linear foot waiver to qualify for Nationwide Permit 29 (Residential Developments); this is ongoing. With the implementation of the mitigation, minimization, and avoidance measures derived through this consultation process, impacts to the concrete-lined channel would be less than significant.

As discussed in Item 3. Riparian Habitat or Sensitive Natural Community above, for unavoidable impacts to riparian/riverine systems, the MSHCP requires that a project establishes that it would be “biologically equivalent or superior” when compared to complete avoidance of the existing habitat. Impacts to riverine resources shall be mitigated through the purchase of the appropriate number of riparian/riverine restoration credits from the nearby RCRC. Through discussions with USFWS and CDFW in April 2019, the mitigation ratios provided in the January 2019 DBESP (i.e., 1:1 ratio; DEIR Appendix Q) were updated to ensure no net loss of riparian/riverine resources within the MSHCP boundaries. These impacts are now to be mitigated at a 2:1 ratio.

Therefore, Mitigation measures BIO-3 and BIO-4 would require the project to avoid impacts to jurisdictional features to the extent feasible, to consult with applicable agencies to obtain appropriate permits prior to ground disturbing activities, and to purchase riparian/riverine restoration credits for impacts to jurisdictional waters at no less than a 2:1 ratio. These measures would mitigate impacts to on-site wetlands by restoring and preserving wetlands off-site and preventing additional impacts to on-site wetlands through avoidance measures. These measures would reduce impacts to federally protected wetlands to less than significant. (DEIR pp. 4.3-17; FEIR Appendix T.)

The full text of Mitigation Measures BIO-3 and BIO-4 are contained under Threshold 2 above.

The City finds that Mitigation Measures BIO-3 and BIO-4 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures BIO-3 and BIO-4. (DEIR, p. 4.3-17.)

5. Local Policy, Ordinances, or Habitat Conservation Plan

Threshold 5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Threshold 6: Would the project conflict with the provision of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans?

Finding: The Project is located in the MSHCP plan area and will be required to conduct pre-construction surveys for burrowing owl and to pay an MSHCP development mitigation fee to reduce potential impacts. The project site also contains two drainage features under jurisdiction of USACE, CDFW, and RWQCB. Implementation of mitigation measures would reduce impacts to less than significant with mitigation incorporated. (DEIR pp. 4.4-18 to 4.4-19)

Explanation: The project site is in the MSHCP survey area for western burrowing owl and contains elements of suitable habitat for burrowing owl, including flat, open areas occupied by non-native grasses, manmade concrete/cement structures containing culverts, and a vacant urban lot. A chain-link fence surrounds the project site. Fences are known to provide perching points for burrowing owl to attain good visibility for foraging. Burrowing owls have been observed to utilize urban habitats for nesting and/or foraging. No subterranean burrows, burrow facsimiles, or burrow creating species such as California ground squirrel (*Otospermophilus beecheyi*) were observed during the site reconnaissance visit. However, a pre-construction survey would be required for burrowing owl to confirm the continued absence of this species from the site as described in Mitigation Measure BIO-1. Mitigation measures BIO-1(a) and BIO-1(b) would reduce potential impacts to Burrowing Owls by avoiding impacts to individual burrowing owl in accordance with the guidelines in the MSHCP.

The project site supports two drainage features: one concrete-lined channel and one soft-bottom drainage. The concrete-lined channel contains no hydrophytic vegetation, but is considered under the jurisdiction of the USACE, RWQCB, CDFW, and the MSHCP because it has a direct connection to the Santa Ana River. The soft-bottom drainage consists of a small drainage feature covered entirely in upland plants dominated by a wild oats (*Avena barbatata*) grassland. This drainage is under the jurisdiction of USACE, RWQCB, CDFW, and MSHCP because it connects directly to the concrete-lined channel.

A Determination of Biologically Equivalent or Superior Preservation report was prepared in December 2018 to determine appropriate mitigation measures for impacts to riparian/riverine resources. Impacts to riparian habitats and proposed mitigation for such impacts must be reviewed and approved by USACE, CDFW, and the Western Riverside County Regional Conservation Authority. Mitigation measures BIO-3 and BIO-4 would require the project to avoid impacts to jurisdictional features to the extent feasible, to consult with applicable agencies to obtain appropriate permits prior to ground disturbing activities, and to purchase riparian/riverine restoration credits for impacts to jurisdictional waters at no less than a 2:1 ratio. These measures would reduce potential conflicts with local policies and provisions of the MSHCP to less than significant. (DEIR pp. 4.3-18 to 4.3-19; FEIR, Appendix T)

The full text of Mitigation Measures BIO-1(a), BIO-1(b), BIO-3, and BIO-4 are contained under Thresholds 1 and 2 above.

The City finds that Mitigation Measures BIO-1(a), BIO-1(b), BIO-3 and BIO-4 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated

into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures BIO-1(a), BIO-1(b), BIO-3 and BIO-4. (DEIR, pp. 4.3-18 – 4.3-19.)

C. CULTURAL RESOURCES

1. Archaeological Resources

Threshold 2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?

Finding: No known archaeological resources are present on the project site. However, construction of the project would involve ground-disturbing activities, such as grading and surface excavation, with the potential to unearth or adversely impact previously unidentified archaeological resources. Therefore, the project would result in less than significant impacts with mitigation incorporated. (DEIR pp. 4.4-19 to 4.4-21)

Explanation: Construction activities on the project site, including ground clearing, grading, and excavation, could have significant impacts on previously unidentified historical and archaeological resources. Based on the preliminary analysis of site conditions and grading plans, the project's anticipated depth of excavation would be approximately 20 feet plus additional depth for foundation, footings, and utilities. Pre-construction reconnaissance would be needed due to the possibility for encountering subsurface archaeological resources during construction activities, including site excavation. Previously unrecorded archaeological resources, if present within the project site, could be damaged or destroyed during ground disturbance undertaken for project implementation.

Mitigation Measures CR-1 would require the preparation of an archaeological monitoring plan to establish construction schedule, protocols for archaeologists, tribes, and contractors, and the responsibility parties involved. Mitigation Measure CR-2 would require archaeological sensitivity training for all workers so workers could recognize and know proper protocols in the event cultural resources are discovered. Mitigation Measure CR-3 establishes procedures to be carried out for treatment and disposition of any potential discoveries. Implementation of Mitigation Measures CR-1 through CR-3 would reduce impacts to undiscovered archaeological resources to less than significant. (DEIR pp. 4.4-19 to 4.4-21)

The following mitigation measures will be implemented:

CR-1 Archaeological Monitoring Plan. At least 30 days prior to issuance of grading permit and before any grading, excavation, and/or ground disturbing activities take place, the developer shall retain a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983), to carry out all mitigation measures related to archaeological and historic resources.

The project archaeologist, in consultation with consulting 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:

1. Project grading and development scheduling
2. A rotating or simultaneous schedule in coordination with the developer and the project archaeologist 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
3. Protocols and stipulations that the developer, tribes, and project archaeologist/paleontologist shall follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or non-renewable paleontological resources that shall be subject to a cultural resources evaluation
4. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site
5. The scheduling and timing of the Cultural and Archaeological Sensitivity Training noted in mitigation measure CR-2

CR-2 Cultural and Archaeological Sensitivity Training. A qualified archaeologist and any consulting tribes shall attend the pre-grading meeting with the developer's contractors to conduct a Worker's Environmental Awareness Program training for cultural and archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. Archaeological sensitivity training shall include a description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, procedures to follow during ground disturbance in sensitive areas, and protocols in the event unanticipated resources are discovered. Only construction personnel who received this training can conduct construction and disturbance activities in sensitive areas. All attendees shall confirm attendance by signing a sign-in sheet to be submitted to the City of Riverside.

CR-3 Treatment and Disposition of Cultural Resources. In the event cultural resources are encountered inadvertently during ground-disturbing activities, work in the immediate area must halt and the qualified archaeologist must be immediately contacted and may consult with the tribal monitor(s) to evaluate the find and develop a plan for treatment of the find/archaeological site. The following procedures shall 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 on site or at the offices of the project archaeologist. The removal of any artifacts from the project site shall need to be inventoried thoroughly with tribal monitor oversight, as necessary, of the process.
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 landowner(s) 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 on-site reburial of the discovered items with the consulting tribes. 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 are completed.
- b. Secure a curation agreement with an appropriate qualified repository in Riverside County that meets federal standards per 36 CFR Part 79 and will professionally curate and make available findings to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility in Riverside County, to be accompanied by payment of the fees necessary for permanent curation.
- c. If more than one consulting tribe 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 Tribal Monitors, as necessary, 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 shall be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.

The City finds that Mitigation Measures CR-1, CR-2 and CR-3 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures CR-1, CR-2 and CR-3. (DEIR, pp. 4.4-19 – 4.4-21.)

2. Paleontological Resources and Human Remains

Threshold 3: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Threshold 4: Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Finding: No known paleontological resources or human remains are present on the project site. However, construction of the project would involve ground-disturbing activities such as grading and surface excavation, which have the potential to unearth or adversely impact previously unidentified paleontological resources or human remains. Therefore, the project would result in Less Than Significant Impacts with Mitigation Incorporated. (DEIR pp. 4.4-21 to 4.4-23)

Explanation: Ground-disturbing activities in previously undisturbed portions of the project area underlain by geologic units with a high paleontological sensitivity may result in significant impacts to paleontological resources.

The discovery of human remains is always a possibility during ground disturbing activities. There is no evidence indicating the possible presence of human remains in the project site, however, if human remains are found during project development, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. In the event of an unanticipated discovery of human remains, the County coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant, who shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. With adherence to existing regulations, impacts to human remains would be less than significant.

Implementation of Mitigation Measures CR-4 would reduce potential impacts to unknown potential subsurface paleontological resources by requiring monitoring by a qualified paleontologist during construction activities which occur below five feet. Paleontological monitoring would prevent construction and ground-disturbing activities from impacting potential paleontological resources. If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected, as needed. Therefore, Mitigation Measure CR-4 would reduce impacts to less than significant. (DEIR pp. 4.4-21 to 4.4-23)

The following mitigation measures will be implemented:

CR-4 Paleontological Resources Monitoring. The following mitigation measure would address the potentially significant impacts relating to the discovery of paleontological resources during project implementation and ground-disturbing activities. This measure would apply to all phases of project construction and would ensure that any significant fossils present on-site are preserved. The following procedures shall be carried out:

- a. Prior to the commencement of ground-disturbing activities under the project, a qualified professional paleontologist shall be retained to conduct paleontological monitoring during project ground disturbing activities. The Qualified Paleontologist (Principal Paleontologist) shall meet the education and professional experience standards as set forth by the SVP, which recommends the paleontologist shall have at least a Master's Degree or equivalent work experience in paleontology, shall have knowledge of the local paleontology, and shall be familiar with paleontological procedures and techniques.
- b. Ground-disturbing construction activities (including grading, trenching, drilling with an auger greater than three feet in diameter, and other excavation) below five feet and within project areas with high paleontological sensitivity (i.e., Pleistocene alluvium; Qvof, Qof) shall be monitored on a full-time basis. Spot-check monitoring is recommended for ground disturbance below ten feet for project areas underlain by geologic units with low paleontological sensitivity (i.e., younger Quaternary alluvium; Qyf) to determine underlying sensitive units are being impacted. Monitoring shall be supervised by the Qualified

Paleontologist and shall be conducted by a qualified paleontological monitor, who is defined as an individual who meets the minimum qualifications per standards set forth by the SVP, which includes a BS or BA degree in geology or paleontology with one year of monitoring experience and knowledge of collection and salvage of paleontological resources.

- c. The duration and timing of the monitoring shall be determined by the Qualified Paleontologist. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend reducing monitoring to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new ground disturbances are required and reduction or suspension would need to be reconsidered by the Qualified Paleontologist.
- d. If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected. Once salvaged, significant fossils shall be prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Western Science Center in Hemet). Curation fees are the responsibility of the project owner.
- e. A final report shall be prepared describing the results of the paleontological mitigation monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the lead agency(s) for the project. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.

The City finds that Mitigation Measure CR-4 is feasible, is adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measure CR-4. (DEIR, pp. 4.4-21 – 4.4-23.)

D. GEOLOGY AND SOILS

1. Geology Related Hazards

Threshold 1c: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Threshold 3: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Finding: A liquefaction analysis was conducted on soils collected from the project site and concluded low potential for liquefaction. Soils on the project site show significant potential for hydroconsolidation, or soil collapse. Site preparation, design, and review and monitoring

recommendations in the geotechnical report prepared for the project address potential impacts associated with soil instability due to hydroconsolidation. This impact would be less than significant with mitigation incorporated. (DEIR pp. 4.6-13 to 4.6-16)

Explanation: A liquefaction analysis was performed for the soils underlying the project site in conjunction with preparation of the geotechnical report. The liquefaction analyses for borings B10 and B23, at the northeastern and southwestern portions of the site, respectively, indicated that site has low liquefaction potential. The geotechnical report also assessed the potential for dynamic settlement of soils associated with a seismic event. The analysis, soil classifications, and other properties indicated uniform soil conditions with respect to dynamic settlement and suggested a minimal potential for differential dynamic settlement (less than one inch), assuming adherence to the remedial grading recommendations contained in the geotechnical report. The geotechnical report concluded liquefaction and seismically induced settlement need not be considerations in the design of the project's proposed structures.

Consolidation testing of soils on the project site indicated a substantial potential for hydroconsolidation, or collapse, which would result in a significant impact. However, with adherence to the recommendations contained in the report, soil conditions underlying the project site would be compatible with project construction. In addition to construction on the project site, the project proposes a number of off-site improvements, including improvements to the nearby SR 60 Main Street off-ramp to SR-60, and traffic signal installation and lane restriping along adjacent roadways and intersections. These improvements involve upgrades to existing facilities located in the vicinity of the project site and do not involve construction of structures. As such, they would result in no greater exposure of people or structures to geologic hazards than that provided by existing facilities.

Implementation of Mitigation Measures GEO-1 and GEO 2 would require grading and foundation plans to include recommendations from the Geotechnical Report and require the plans be reviewed by a geotechnical engineer to confirm consistency with all standards contained in the Geotechnical Report and required under the City's grading ordinance. The recommendations in the Geotechnical Report would reduce the potential for hydroconsolidation. Therefore, Mitigation Measures GEO-1 and GEO-2 would reduce the potential impacts to people and structures to less than significant. (DEIR pp. 4.6-13 to 4.6-15)

The following mitigation measures will be implemented:

GEO-1 Plan Review and Construction Monitoring. Prior to the issuance of grading permits, project foundation and grading plans shall be reviewed by the geotechnical engineer to confirm consistency with all standards contained in the geotechnical report and required under the City's grading ordinance. Plans shall demonstrate positive drainage away from all structures, as recommended in the geotechnical report. All grading operations, including the preparation of the natural ground surface, shall be observed and compaction tests performed by the geotechnical engineer to ensure site preparation and grading adheres to over-excavation and relative compaction standards contained in the geotechnical report. Sub-excavated surfaces and all other surfaces to receive fill should be scarified to a minimum depth of 12 inches, moisture conditioned to at least 120 percent of the optimum moisture content, and densified to a minimum relative compaction of 90 percent pursuant to ASTM International standard D1557—

Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Modified Effort—as confirmed by the geotechnical engineer.

GEO-2 Geotechnical Recommendation Implementation. All recommendations included in the approved geotechnical report shall be implemented as project conditions of approval. Such recommendations include, but are not limited to:

- Over-excavation, moisture conditioning, densification, and relative compaction standards detailed in the geotechnical report
- Application of appropriate seismic design parameters cited in the geotechnical report
- Retaining wall design standards and soil backfill requirements
- Shallow foundation design standards, including placement of 12-inch wide footings at least 18 inches below the lowest final adjacent grade for retaining walls and one-, two-, and three-story buildings. The spread and wall footings should be designed for a maximum safe soil bearing pressure of 2,000 pounds per square foot for dead plus live loads. Footings for the 4-story buildings should be at least 24 inches in depth, and may be designed for a maximum safe soil bearing pressure of 2,500 pounds per square foot.
- The implementation of these recommendations shall be overseen by the geotechnical engineer throughout grading operations and shall be confirmed by the City of Riverside

The City finds that Mitigation Measures GEO-1 and GEO-2 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures GEO-1 and GEO-2. (DEIR, pp. 4.6-13 – 4.6-15.)

E. HYDROLOGY AND WATER QUALITY

1. Drainage, Erosion, Flooding, and Runoff

Threshold 3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Threshold 4: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Threshold 5: Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Finding: Under the proposed project, all on-site stormwater runoff would be captured and treated via a detention and infiltration chamber, designed to accommodate the 85th percentile, 24-hour precipitation depth. The project would not result in substantial off-site hydromodification impacts. However, covering and filling of existing drainages would result in substantial, permanent siltation

of waterways on the project site. This impact would be less than significant with mitigation incorporated. (DEIR pp. 4.8-18 to 4.8-22)

Explanation: The project would maintain existing drainage patterns to the extent feasible. On-site drainage would continue generally from higher elevations on the southwestern portion of the site (near the existing freeway interchange) to lower elevations on the northeastern portion of the site (near Orange Street). However, alterations to existing drainage on-site facilities would occur to accommodate proposed development. Under the project, the majority of the trapezoidal concrete-lined drainage channel would be covered and replaced with a minimum 98-inch reinforced concrete pipe (RCP). The soft-bottom drainage that flows along the northern portion of the project site would be filled entirely. A network of underground storm drains originating from catch basins throughout the project site would convey water to the RCP. The RCP would receive all on-site drainage, as well as off-site runoff from the north and northeast of the project site that currently drains to the channel under existing conditions. Catch basins installed along Orange Street would function as a bubbler to maintain the hydraulic grade line of the RCP.

Prior to discharge to the RCP, the storm drain network would convey all on-site runoff to the proposed infiltration BMP, a Contech CMP detention and infiltration chamber sited approximately 230 feet southeast of the project's proposed entrance off Orange Street. The BMP would pre-treat and capture stormwater flows, allowing runoff to infiltrate through the subsurface. Pursuant to the requirements of the MS4 permit, the detention and infiltration chamber would be designed to capture and treat runoff from the 85th percentile, 24-hour rainfall depth of 0.61 inches, based on the isohyetal map RCFCWCD provided.

In order to determine design capture volumes and flow rates, the project site was divided into drainage management areas. For each drainage management area, a post-project surface type (i.e., roofs, concrete, landscaping) was selected and an associated runoff factor applied. Based on the calculations contained in the Preliminary WQMP, the proposed BMP would need to accommodate a design capture volume of 54,566.1 cubic feet and a total design flow rate of 5 cubic feet per second. The planned volume of the Contech BMP chamber would be 54,639 cubic feet, and the chamber would accommodate a total flow of 5 cubic feet per section. Therefore, the proposed stormwater BMP would meet or exceed design requirements for stormwater capture. Because the proposed BMP would capture all on-site runoff, the project would not exceed the capacity of existing stormwater drainage systems and would not substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding.

Preparation of a WQMP under the Riverside County MS4 permit requires projects to assess whether drainage alterations would create a Hydrologic Condition of Concern (HCOC) due to hydromodification, such as changes in watershed hydrologic processes and runoff that result in increased streamflow and sediment transport. The project site is not identified in a hydromodification sensitivity map prepared by the City and was determined not to result in HCOC according to the WQMP. Given that the project would not result in a HCOC and would capture and treat all on-site stormwater runoff, alteration of drainage patterns on the project site would not result in substantial erosion or siltation off-site.

Though the project would not contribute to excessive off-site sedimentation or siltation, waters on-site would be impacted by proposed development. As discussed in EIR Section 4.3, *Biological Resources*, covering and replacement of the concrete-lined channel would result in permanent

impacts to approximately 0.30 acre of waters of the U.S. and up to 1.05 acre of potential CDFW streambed habitat. Fill of the soft-bottom drainage would result in permanent impacts to approximately 0.06 acre of waters of the state and up to 0.10 acre of potential CDFW streambed habitat. These impacts could result in hydrological impacts, such as degraded water quality or diminished groundwater recharge potential. Mitigation Measure BIO-3 and BIO-4, as detailed in Section IV.B., would require compliance with applicable state and federal permitting requirements pertaining to streambed alteration and discharge of fill material to waters. Such permits would require adherence to avoidance and minimization measures and compensatory mitigation, as necessary. Implementation of BIO-3 and BIO-4 would reduce impacts to less than significant. (DEIR pp. 4.8-18 to 4.8-22)

The full text of Mitigation Measures BIO-3 and BIO-4 are contained under Biological Resources Threshold 2 above.

The City finds that Mitigation Measures BIO-3 and BIO-4 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures BIO-3 and BIO-4. (DEIR, pp. 4.8-18 to 4.8-22.)

2. Flood Hazard Risk

Threshold 7: Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Threshold 8: Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Threshold 9: Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Finding: A portion of the project site is located in the 1-percent-annual-chance flood event zone, as designated by FEMA. This zone would be unlikely to continue to experience flooding under post-development drainage conditions. The project would be required to comply with applicable regulations pertaining to flood hazards, including development permit review by the City's Floodplain Administrator. This impact would be less than significant with mitigation incorporated. (DEIR pp. 4.8-22 to 4.8-24)

Explanation: The majority of the project site is located within FEMA-designated Zone X, an area of minimal flood hazard (FEMA 2008; City of Riverside 2007). However, an approximately 2.2-acre area of the project site along the existing concrete-lined channel on the western portion of the property is designated as Zone AE by FEMA, indicating the area is subject to inundation by the 1-percent-annual-chance flood event. The flood zone is located near where the existing open channel flows into the underground culvert under Orange Street.

Chapter 16.18 of the RMC contains the City's regulations pertaining to construction of structures in flood hazard areas. In compliance with this chapter, the City's Floodplain Administrator would review all development permits associated with the project to determine that permit requirements

have been satisfied, the site is reasonably safe from flooding, and the proposed development would not adversely affect the carrying capacity of areas where base flood elevations have been determined. Pursuant to Section 16.18.100, any development in the floodplain would be required to adhere to specific construction standards.

Under the project, the majority of the existing concrete-lined channel would be covered and replaced by a reinforced concrete structure approximately 1,380 feet upstream of the existing culvert under Orange Street. The open channel drainage would be converted to an enclosed pipe system upstream of and through the designated floodplain zone, minimizing the chance for flooding at the site. During most precipitation events, all on-site runoff would be collected through the proposed storm drain system and conveyed to the infiltration BMP for capture and treatment. The BMP would be designed to bypass the 1-percent-annual-chance flood event.

Drainage alterations on the project site would reduce the potential for flooding to occur. Nevertheless, because the project site contains a flood hazard area and structures, including residences, are proposed in this area, this impact would be potentially significant.

Mitigation Measure HWQ-1 would involve revisions to the Flood Insurance Rate Map based on supporting technical data showing that the lowest point of all structures remains at or above the 1-percent-annual-chance flood event. This process will first entail a conditional letter of map revision prior to issuance of a grading permit. Then, prior to issuance of a building permit, a letter of map revision showing the actual “as built” plans shall be submitted. The applicant shall adhere to all FEMA-required processes and shall demonstrate, with supporting technical data, that the lowest point of all structures remain at or above the 1-percent-annual-chance flood event base flood elevation. Therefore, adherence to mitigation measure HWQ-1 would ensure structures, including housing, are not placed within the 100-year flood hazard area. Implementation of mitigation measure HWQ-1, as well as compliance with applicable flood hazard regulations and construction requirements contained in the RMC, would reduce flood hazard impacts to a less than significant level. (DEIR pp. 4.8-22 to 4.8-24)

The following mitigation measure will be implemented:

HWQ-1 Letter of Map Revision. Prior to the issuance of building permits, the applicant shall obtain a revision to the Flood Insurance Rate Map reflecting post-development drainage conditions. This process will first entail a conditional letter of map revision prior to issuance of a grading permit. Then, prior to issuance of a building permit, a letter of map revision showing the actual “as built” plans shall be submitted. The applicant shall adhere to all FEMA-required processes and shall demonstrate, with supporting technical data, that the lowest point of all structures remain at or above the 1-percent-annual-chance flood event base flood elevation.

The City finds that Mitigation Measure HWQ-1 is feasible, is adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measure HWQ-1. (DEIR, pp. 4.8-22 – 4.8-24.)

F. LAND USE AND PLANNING

1. Habitat or Natural Community Conservation Plan

Threshold 3: Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

Finding: The project is proposing development that would potentially impact biological resources in the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) fee area.

Implementation of mitigation measures BIO-1 through BIO-4 would reduce impacts to less than significant. (DEIR pp. 4.9-12)

Explanation: The project is subject to compliance with the MSHCP because the City is a permittee to the MSHCP. The proposed project would comply with all policies and requirements in the MSHCP and would not conflict with the Plan. Specifically the project is in the MSHCP fee area and will be subject to the MSHCP Mitigation Fee pursuant to Chapter 16.72 of the Riverside Municipal Code. The project will comply with the requirements of Section 6.0 of the MSHCP. The project is not located in areas requiring surveys for amphibians, mammals, Narrow Endemic Plant Species or Criteria Area Species, as required under Section 6.0.

The project is located in the MSHCP survey area for western burrowing owl and has suitable habitat for nesting birds. Implementation of Mitigation Measures BIO-1a and BIO-1b requires Burrowing Owl preconstruction surveys and avoidance measures if any are discovered. Mitigation Measure BIO-2 requires nesting bird avoidance measures and preconstruction surveys. These measures would ensure compliance with MSHCP requirements.

The project site supports two drainage features: a concrete channel under the jurisdiction of the U.S. Army Corps of Engineers, the California Department of Fish and Wildlife, the Regional Water Quality Control Board, and the MSHCP. The soft-bottom drainage is under the jurisdiction of the California Department of Fish and Wildlife, the Regional Water Quality Control Board, and the MSHCP. As discussed in Item 3. Riparian Habitat or Sensitive Natural Community above, for unavoidable impacts to riparian/riverine systems, the MSHCP requires that a project establishes that it would be “biologically equivalent or superior” when compared to complete avoidance of the existing habitat. Impacts to riverine resources shall be mitigated through the purchase of the appropriate number of riparian/riverine restoration credits from the nearby RCRCDD. Through discussions with USFWS and CDFW in April 2019, the mitigation ratios provided in the January 2019 DBESP (i.e., 1:1 ratio; DEIR Appendix Q) were updated to ensure no net loss of riparian/riverine resources within the MSHCP boundaries. These impacts are now to be mitigated at a 2:1 ratio. Mitigation Measures BIO-3 and BIO-4 would require mitigation of impacted jurisdictional features and avoidance of features outside the footprint of development, which would comply with MSHCP requirements and policies.

Implementation of Mitigation Measures BIO-1a through BIO-4 would prevent potential conflicts with policies in the MSHCP through conducting necessary burrowing owl and nesting bird surveys, avoiding jurisdictional features to the extent feasible, and mitigating impacted riparian habitat at a 2:1 ratio. With the mitigation measures, the project would not conflict with the applicable habitat conservation plan. (DEIR pp. 4.9-12)

The full text of Mitigation Measures BIO-1a, BIO-1b, BIO-2, BIO-3, and BIO-4 are contained under Biological Resources Threshold 1 and Threshold 2 above.

The City finds that Mitigation Measures BIO-1(a), BIO-1(b), BIO-2, BIO-3 and BIO-4 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures BIO-1(a), BIO-1(b), BIO-2, BIO-3 and BIO-4. (DEIR, p. 4.9-12.)

G. NOISE

1. Exceeds Established Standards

Threshold 1: Would the proposed project expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Ambient noise levels in the project vicinity currently exceed exterior noise standards for residential uses. Project-specific operational noise levels would contribute minimally to the exterior noise levels at the nearest sensitive resources. To ensure project-specific noise source impacts do not independently exceed standards, mitigation would be required. Impacts would be less than significant with mitigation incorporated. (DEIR pp. 4.10-24 to 4.10-27)

Explanation: To determine if the project would impact the surrounding neighborhood with noise levels that would exceed standards, seven representative receptor locations were used for the sensitive receptors. The project's operational noise levels were evaluated against the City's exterior noise level thresholds for residential and school uses. As detailed in Table 4.10-13 in the Draft EIR, the project-specific noise sources would not exceed the City's exterior noise level standards at the sensitive receptors, except at receptor R5. Sensitive receptor R5 is representative of single-family residences along Strong Street, and at this site, exterior levels from project-specific noise sources would exceed nighttime noise levels for 15 minutes, 5 minutes, and 1 minute in any hour. Project-specific noise sources would also potentially impact interior noise levels at the surrounding sensitive receptors. According to the FTA, residential construction typically provides a reduction of exterior-to-interior noise levels of approximately 25 dBA with windows closed. As detailed in Table 4.10-14, project-specific noise sources would not cause interior noise levels at the surrounding sensitive receptors to exceed California Building Code standards.

Implementation of Mitigation Measure N-1 would reduce the combined operational noise levels at the adjacent sensitive receptor R5, as shown in Table 4.10-15 of the Draft EIR. With Mitigation Measure N-1 and the construction of a northern noise barrier, the project would not expose persons or generate noise levels in excess of standards, and impacts would be less than significant. (DEIR pp. 4.10-24 to 4.10-27)

The following mitigation measure will be implemented:

N-1 Operational Noise Barrier. The project applicant shall incorporate a permanent noise barrier along the entire northern boundary of the project site. The design for this barrier shall be completed prior to issuance of building permits, and construction of the barrier shall be completed prior to the issuance of a certificate of occupancy.

- The noise barrier shall be 6 feet high and shall consist of a solid face from top to bottom. Unnecessary openings or decorative cutouts in the barrier shall not be made. All gaps, except for weep holes, shall be filled with grout or caulking. The noise barrier shall provide a weight of at least four pounds per square foot of face area or it shall provide a minimum transmission loss of 20 dBA. The noise barrier shall be constructed using the following materials capable of providing a minimum transmission loss of 20 dBA:
 - a. Decorative masonry block
 - b. Precision masonry block with stucco

The City finds that Mitigation Measure N-1 is feasible, is adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measure N-1. (DEIR, pp. 4.10-24 – 4.10-27.)

H. TRANSPORTATION AND TRAFFIC

1. Applicable Plan, Ordinance, or Policy Establishing Measures of Effectiveness and Compliance with a Congestion Management Plan

Threshold 1: Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Threshold 2: Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Finding: Under Existing Conditions, three project study area intersections are operating at unacceptable LOS. Under Existing Plus Project Conditions, the proposed project would result in additional impacts to these intersections as well as result in unacceptable LOS at two additional intersections. There would be less than significant impacts with mitigation incorporated. (DEIR pp. 4.12-14 to 4.12-19)

Explanation: The project would generate approximately 10,446 net daily trips, including 701 and 900 trips in the AM and PM peak hours, respectively. As shown in Table 4.12-6 of the Draft EIR, three project areas intersections currently operate at unacceptable LOS under existing conditions. Implementation of the project will contribute to additional impacts at these intersections.

- Orange Street and Oakley Avenue/SR 60 Westbound Off-Ramp (#11) – LOS E PM peak hour only
- West La Cadena Drive and Interchange Street/I-215 Southbound Ramps (#14) – LOS E PM peak hour only

- East La Cadena Drive and I-215 Northbound Ramps (#16) – LOS F AM and PM peak hours

In addition, with the addition of project traffic, the following project study area intersections are anticipated to operate at unacceptable LOS, or result in an unacceptable increase in delay

- Main Street and Strong Street (Intersection #3) - delay increase of more than 10.0 seconds in the PM peak hour
- Orange Street and Strong Street (#8) – LOS E PM peak hour only

The remaining study area intersection operate at LOS D or better under Existing and Existing plus project. Implementation of Mitigation Measure T-1 through T-3 would reduce impacts at Intersections #3, #8, and #11 to less than significant levels as seen in Table 4.12-6 in the Draft EIR.

As incoming development analyses identify significant impacts in cumulative scenarios they include a calculation of their “fair share” contribution towards impacts requiring mitigation. These percentage-based fees are placed in an account to be used for the specific roadway segment or intersection improvement in question. As additional development occurs, the City may reimburse already collected fees towards the construction of mitigations. The City additionally maintains a capital improvement program, pavement management program and signal priority ranking program and collected fees would be used to complete identified mitigations as the City constructs projects within these programs. In addition, the City of Riverside recognizes fair share contributions to be considered appropriate mitigation in order to reduce project-specific impacts to less than significant levels. These programs are recognized as City policy decisions and assumed to be implemented as soon as fully-funded. Therefore, Mitigation Measures T-4 and T-5 would reduce impacts at Intersections #14 and #16 to less than significant levels as shown in Table 4.12-6 in the Draft EIR. (DEIR pp. 4.12-14 to 4.12-19)

The following mitigation measures will be implemented:

T-1 Main Street and Strong Street (Intersection #3). Restripe the eastbound and westbound approaches to provide a left turn lane and a shared through-right turn lane. A conceptual striping plan is provided in Appendix 1.2 of the TIA.

T-2 Orange Street and Strong Street (Intersection #8). Install a traffic signal.

T-3 Orange Street and Oakley Avenue/SR 60 Westbound Ramps (Intersection #11). Install a traffic signal, construct a northbound left turn lane, and construct a westbound right turn lane with a minimum of 200 feet of storage.

T-4 West La Cadena Drive and Interchange Street/I-215 Southbound Ramps (Intersection #14). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of signalization, a northbound left turn lane, and a southbound left turn lane.

T-5 West La Cadena Drive and I-215 Northbound Ramps (Intersection #16). Prior to the issuance of building permits, the applicant shall contribute its fair-share amount for the recommended improvements at this intersection, which consist of signalization, restriping the northbound through lane as a shared through-left lane and construction a second receiving lane on the on-ramp.

The City finds that Mitigation Measures T-1, T-2, T-3, T-4 and T-5 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the

City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures T-1, T-2, T-3, T-4 and T-5. (DEIR, pp. 4.12-14 to 4.12-19.)

2. Applicable Plan, Ordinance, or Policy Establishing Measures of Effectiveness and Compliance with a Congestion Management Plan

Threshold 1: Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Threshold 2: Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Finding: Under Opening Year (2022) Without Project Conditions, six project study area intersections would operate at unacceptable LOS. Under Opening Year (2022) With Project Conditions, the proposed project would result in additional impacts to these intersections as well as result in unacceptable LOS at two additional intersections. Implementation of mitigation measures would require the project to pay a fair share toward intersection improvements. Impacts would be less than significant with mitigation incorporated. (DEIR pp. 4.12-21 to 4.12-23)

Explanation: The following study area intersections are anticipated to operate at unacceptable LOS, or result in unacceptable increase in delay without the addition of project traffic. Implementation of the project would contribute to additional traffic impacts at these intersections:

- Riverside Avenue/Main Street and Placentia Lane (#1) - LOS E AM peak hour; LOS F PM peak hour
- Main Street and Strong Street (#3) – LOS E PM peak hour only
- Orange Street and Strong Street (#8) - LOS E PM peak hour only
- Orange Street and Oakley Avenue/SR 60 Westbound Off-Ramp (#11) - LOS F PM peak hour only
- West La Cadena Drive and Interchange Street/I-215 Southbound Ramps (#14) – LOS E AM peak hour; LOS F PM peak hour
- East La Cadena Drive and I-215 Northbound Ramps (#16) – LOS F AM and PM peak hours

In addition, with the addition of project traffic, the following project study area intersections are anticipated to operate at unacceptable LOS, or result in an unacceptable increase in delay:

- Orange Street and Russell Street (#12) – LOS E AM peak hour; LOS F PM peak hour
- East La Cadena Drive and Columbia Avenue (#17) – LOS E AM peak hour only

The remaining study intersections would operate acceptably under both Opening Year (2022) Without Project and Opening Year (2022) With Project peak hour traffic conditions.

Implementation of Mitigation Measure T-6 through T-8 would reduce impacts at Intersections #1, #12, and #17 to less than significant levels, as shown in Table 4.12-8 in the Draft EIR. As incoming development analyses identify significant impacts in cumulative scenarios they include a calculation of their “fair share” contribution towards impacts requiring mitigation. These percentage-based fees are placed in an account to be used for the specific roadway segment or intersection improvement in question. As additional development occurs, the City may reimburse already collected fees towards the construction of mitigations. The City additionally maintains a capital improvement program, pavement management program and signal priority ranking program and collected fees would be used to complete identified mitigations as the City constructs projects within these programs. The City of Riverside recognizes fair share contributions to be considered appropriate mitigation in order to reduce project-specific impacts to less than significant levels. These programs are recognized as City policy decisions and presumed to be implemented as soon as fully-funded. Therefore, Mitigation Measures T-6 through T-8 would reduce impacts at Intersections #1, #12, and #17 to less than significant, as shown in Table 4.12-8 in the Draft EIR. (DEIR pp. 4.12-21 to 4.12-23)

The following mitigation measures will be implemented:

T-6 Riverside Avenue/Main Street and Placentia Lane (Intersection #1). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of installation of a traffic signal.

T-7 Orange Street and Russell Street (Intersection #12). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of installation of a traffic signal, and construction of northbound, southbound, eastbound, and westbound left turn lanes.

T-8 East La Cadena Drive and Columbia Avenue (Intersection #17). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of modifying the traffic signal to implement overlap phasing on the westbound right turn lane.

The City finds that Mitigation Measures T-6, T-7 and T-8 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures T-6, T-7 and T-8. (DEIR, pp. 4.12-21 to 4.12-23.)

I. TRIBAL CULTURAL RESOURCES

1. Tribal Cultural Resources

Threshold 1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place,

cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?, or
- b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Finding: Construction of the project would involve ground-disturbing activities such as grading and surface excavation, with the potential to unearth or adversely impact previously unidentified tribal cultural resources. No known tribal cultural resources are present on the project site. Therefore, project impacts would be Less Than Significant Impacts with Mitigation Incorporated. (DEIR pp. 4.13-5 to 4.13-8)

Explanation: No known significant tribal cultural resources are located on the project site based on the findings of the project-specific cultural resources report, and on consultation with the Morongo Band of Mission Indians and the Rincon Band of Luiseño Indians. However, grading and ground-disturbing activities during project construction could impact currently unknown subsurface cultural resources of tribal or Native American importance. Mitigation measures CR-1, CR-2, CR-3, and CR-4, as defined in EIR Section 4.4, *Cultural Resources* and contained under sections III(C)(1) and (2), above, would reduce potential impacts to unidentified tribal resources by requiring the preparation of an archaeological monitoring plan to establish construction schedule, protocols for archaeologists, tribes, and contractors, and the responsibility parties involved, requiring archaeological sensitivity training for all workers so workers could recognize and know proper protocols in the event cultural resources are discovered, establishing procedures to be carried out for treatment and disposition of any potential discoveries, and requiring monitoring by a qualified paleontologist during construction activities which occur below five feet and in areas with high paleontological sensitivity.. Implementation of these measures would reduce potential impacts to unidentified tribal cultural resources to less than significant levels. (DEIR pp. 4.13-5 to 4.13-8)

The full text of Mitigation Measures CR-1, CR-2, CR-3, and CR-4 are contained under sections III(C)(1) and (2) above.

The City finds that Mitigation Measures CR-1, CR-2, CR-3 and CR-4 are feasible, are adopted, and will further reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. For the foregoing reasons and the reasons discussed in the EIR, impacts relating to the above referenced issue are considered less than significant with the incorporation of Mitigation Measures CR-1, CR-2, CR-3 and CR-4. (DEIR, pp. 4.13-5 to 4.13-8.)

IV. FINDINGS FOR IMPACTS THAT ARE SIGNIFICANT AND UNAVOIDABLE

The City Council hereby finds that the mitigation measures discussed below, which are identified in the EIR and will lessen the following significant environmental impacts but not to a less than significant level, have been required in or incorporated into the Project. ***The findings below are for impacts where implementation of the Project may result in significant, unavoidable environmental impacts. These findings are based on the discussion of impacts in the detailed impact analyses in Section 4.1 through Section 4.14 and Section 5 of the EIR, as well as relevant responses to comments in the Final EIR.***

The following impacts from the Project and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

A. AIR QUALITY

1. Applicable Air Quality Plans

Threshold 1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Finding: The reduction goals of the 2016 AQMP are regional goals for the District and not specific to projects; if projects are meeting the established thresholds, then the District would be on track to meet those reduction goals. The proposed project would generate new housing and employment opportunities that could contribute to additional population growth. The anticipated increase in population would not exceed growth forecasts used in the development of the Air Quality Management Plan (AQMP). However, the project would generate NO_x emissions that exceed thresholds and could result in an increase in air quality violations, which would conflict with the AQMP.

Because there are no feasible mitigation measures to reduce NO_x emissions, the project could conflict with implementation of the AQMP and impacts would be significant and unavoidable. (DEIR pp. 4.2-15 to 4.2-17) Changes or alterations have been required in, or incorporated into, the project which attempt to avoid or substantially lessen the significant environmental effects identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, as identified in the EIR and elsewhere in the record, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: A project could be inconsistent with the AQMP if it would generate a considerable increase in regional air quality violations and affect the region's attainment of air quality standards, or if it would generate population, housing, or employment growth exceeding forecasts used in the development of the AQMP. The 2016 AQMP incorporates local city general plans and the SCAG's 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) socioeconomic forecast projections of regional population, housing, and employment growth, including those for the City of Riverside.

SCAG's 2016 RTP/SCS estimated employment in Riverside to be 742,000 in 2015. The jobs are estimated to grow to 1,174,500 in the City by 2040, which would be an 11 percent increase from 2015 (SCAG 2016). Using SCAG's estimated employee density for Riverside, the proposed project

would create approximately 115 jobs. This represents less than 0.1 percent of the anticipated employment growth in the Riverside region and is within SCAG's estimated growth forecasts.

According to data provided by the California Department of Finance, the population of the City of Riverside as of January 2018 was 325,860 persons. Based on an average household size of 3.18, the project could generate approximately 1,532 new residents. In addition, indirect population growth would occur from the commercial uses of the project, assuming all new employees relocated to the Riverside. Based on this household size and assuming all employees and families relocated to the Riverside, the commercial uses would add 365 persons to the City's population. Combined with the residential use, the project could add 1,897 new people to the City. According to SCAG's 2016 RTP/SCS, the City of Riverside is estimated to be 386,600 by 2040, an increase of 60,740 persons over the current population (SCAG 2016). The population increase from the project represents 2.8 percent of this anticipated population growth of the City through 2040.

The regional growth forecasts used in the AQMP are derived partially from land use designations in local general plans. The proposed project site has two land use designations: O- Office and MDR – Medium Density Residential. Under the current land use designations, the project site could yield approximately 827 new residents at full development. This was the assumption used to forecast growth in SCAG's 2016 RTP/SCS. However, the project is proposing to change the existing land uses of the site to MU-U – Mixed Use Urban and C – Commercial (proposed vehicle fueling station). Under the proposed land use designation, the project site could yield approximately 1,897 new residents and employees. The proposed change in land use designations would allow for residential and commercial densities greater than the current underlying designation by 1,070 people, a 77 percent change in the assumptions used for the site in the 2016-2040 RTP/SCS. This would increase the population more than was assumed under the AQMP, but the difference in population growth between development under the existing land use and the proposed project represents less than two percent change in the estimated population growth in the region. Moreover, the project would not cause the area to exceed growth forecasts.

While the project would not generate housing or population growth which would exceed growth forecasts in the Air Quality Management Plan, the project would exceed operational NO_x emissions thresholds. Implementation of Mitigation Measures AQ-3 and AQ-4 would reduce emissions to the extent feasible, but not to a level of less than significant due to the inability to regulate tailpipe emissions from vehicle trips generated by the project. Additionally, the project would include design features that would help reduce NO_x emissions from mobile sources:

- Designated ride-sharing pick-up and drop-off location
- U.S. Post Office/FedEx concierge service

Ultimately, however, the project would still have significant impacts due to NO_x emissions. The City is using its best effort to consider the NO_x reduction goals but does not have the authority to regulate tail pipe emissions. Mobile NO_x emissions will nonetheless be reduced in the future from the implementation of federal or state policies such as Assembly Bill 1493, which would help the District achieve these goals. Because the project would exceed SCAQMD thresholds for NO_x emissions during operation of the project, the project could result in an increase in frequency or severity of existing air quality violations or contribute to new violations and conflict with the AQMP.

Therefore, the project would conflict with the AQMP and impacts would be significant and unavoidable. (DEIR pp. 4.2-14 to 4.2-15; FEIR, pp. 17-18)

The following mitigation measures will be implemented to reduce the impacts to the extent feasible:

AQ-3 Exceedance of California Building Code Title 24. Prior to the issuance of building permits, the project applicant shall submit energy usage calculations to the City of Riverside Building Division showing that the project is designed to achieve a minimum five percent efficiency beyond the existing California Building Code Title 24 and Building and Safety Requirements. Examples of measures that reduce energy consumption include, but are not limited to, the following:

- Increase insulation such that heat transfer and thermal bridging is minimized
- Limit air leakage through the structure and/or within the heating and cooling distribution system
- Use energy-efficient space heating and cooling equipment
- Install electrical hook-ups at loading dock areas
- Install dual-paned or other energy efficient windows
- Use interior and exterior energy-efficient lighting that exceeds current California Title 24 Energy Efficiency performance standards
- Install automatic devices to turn off lights where they are not needed;
- Apply a paint and surface color palette that emphasizes light and off-white colors to reflect heat away from buildings
- Design buildings with “cool roofs” using products certified by the Cool Roof Rating Council, and/or exposed roof surface using light off-white colors;
- Design buildings to accommodate photo-voltaic solar electricity systems or install photo-voltaic solar electricity systems
- Install ENERGY STAR-qualified, energy-efficient appliances, heating, and cooling systems, office equipment, and/or lighting products

The items listed above are not all required, but present examples of efficiency measures. Neither is the list all-inclusive; other features that reduce energy consumption could be acceptable at the discretion of the City Building Official.

AQ-4 Enhanced Water Conservation. Prior to the issuance of building permits, the project applicant shall prepare a Water Conservation Strategy and demonstrate a minimum 30 percent reduction in outdoor water use compared to baseline water demand. Baseline water demand is the total expected water demand without implementation of the Water Conservation Strategy. The project Water Conservation Strategy shall be subject to review and approval by the City. The project shall also implement the following:

- Install a landscaping palette emphasizing drought tolerant plants
- Use water-efficient irrigation techniques
- Implement USEPA Certified WaterSense-labeled or equivalent faucets, high-efficiency toilets, and water-conserving shower heads

Despite the implementation of Mitigation Measures AQ-3 and AQ-4, for the foregoing reasons and the reasons discussed in the EIR, operational NO_x emissions could result in an increase in frequency or severity of existing air quality violations or contribute to new violations and conflict with the AQMP. NO_x emissions from mobile sources represent 90 percent of the total gross NO_x emissions for the operation of the proposed project. If area and energy NO_x emissions were removed completely, the project would still exceed SCAQMD thresholds by 111.3 pounds per day from mobile emissions. The City does not have authority to reduce tailpipe emissions from vehicles. Mobile NO_x emissions will be reduced into the future from the implementation of federal or state policies, such as Assembly Bill 1493. No additional feasible measures would reduce the project emissions below SCAQMD thresholds and impacts would be significant and unavoidable. (DEIR pp. 4.2-14 to 4.2-15)

2. Compliance with Air Quality Standards

Threshold 2: Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Finding: Operational emissions from the project would exceed SCAQMD thresholds for NO_x from mobile sources. Implementation of mitigation measures AQ-3 and AQ-4 would reduce impacts to the maximum extent feasible. Since no feasible mitigation measures exist to control tailpipe emissions, impacts would be significant and unavoidable. (DEIR pp. 4.2-20 to 4.2-22)

Changes or alterations have been required in, or incorporated into, the project which attempt to avoid or substantially lessen the significant environmental effects identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, as identified in the EIR and elsewhere in the record, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Operational emissions are those associated with the general use of the project after construction. Operational emissions include mobile source emissions, energy emissions, and area source emissions for the various land uses proposed on the site. As shown in Table 4.2-11 in the Draft EIR, the project would not exceed SCAQMD maximum daily emissions thresholds for ROG, CO, PM₁₀, PM_{2.5} or SO_x. The operation of the project would exceed SCAQMD thresholds for NO_x by about 131 pounds per day. Approximately 90 percent of the total NO_x emissions from the operation of the project would result from mobile emissions (i.e., vehicle exhaust). If area and energy NO_x emissions were removed completely, the project would still exceed SCAQMD thresholds by 111.3 pounds per day from mobile emissions. Because neither the project proponent nor the lead agency has regulatory authority over tailpipe emissions because they lack authority for regulating automobile emissions standards, no feasible mitigation measures exist that would reduce NO_x emissions to less than significant levels. Although not required to reduce the project impact to a less than significant level, Mitigation Measure AQ-3 and AQ-4 would reduce air quality emissions by requiring the project to exceed Title 24 requirements and reduce outdoor water use, which would indirectly reduce NO_x emissions associated with the operation of the project. In addition, the project includes designated ride-sharing pick-up and drop-off locations and U.S. Post Office/FedEx concierge service as design features which would reduce mobile NO_x emissions. As shown in Table 4.2-12 in the Draft EIR, NO_x emissions would still exceed thresholds. There are no additional feasible measures since mobile NO_x emissions represent 90 percent of the total operational NO_x emissions by the project,

and neither the applicant nor the City have regulatory control over mobile emissions (DEIR pp. 4.2-20 to 4.2-22; FEIR pp. 17-19, 27-29.)

Full text of Mitigation Measures AQ-3 and AQ-4 are contained under section IV(A)(1) above.

Despite the implementation of Mitigation Measures AQ-3 and AQ-4, for the foregoing reasons and the reasons discussed in the EIR, operational NO_x emissions could violate an air quality standard or contribute substantially to an existing or projected air quality violation, and impacts would be significant and unavoidable. (DEIR pp. 4.2-20 to 4.2-22.)

3. Cumulative Air Quality Impacts

Finding: The project and cumulative projects in the area would result in a cumulatively considerable increase of a criterion pollutant (NO_x, an ozone precursor) for which SCAG is in nonattainment under federal and state standards. Therefore, cumulative impacts would be significant and unavoidable. (DEIR pp. 4.2-27 to 4.2-28)

Changes or alterations have been required in, or incorporated into, the project which attempt to avoid or substantially lessen the significant environmental effects identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, as identified in the EIR and elsewhere in the record, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: The Basin is designated a nonattainment area for the federal and state one-hour and eight-hour ozone standards, the state PM₁₀ standards, the federal 24-hour PM_{2.5} standard, and the federal and state annual PM_{2.5} standard. The Basin is in attainment of all other federal and state standards.

Any growth in the area has the potential to contribute to cumulatively significant impact related to existing exceedances of ambient air quality standards. The SCAQMD's approach to determining whether a project's emissions of criteria air pollutants are cumulatively considerable is to first determine if an individual project would result in project-level impacts to regional air quality based on SCAQMD significance thresholds. If the proposed project does not generate emissions in excess of SCAQMD thresholds, but related projects exist within a 1.0-mile radius that are part of an ongoing regulatory program (e.g., SCAQMD's Air Toxics Control Plan and AB 2588 Program aimed at reducing criteria pollutants from certain source) or are to be considered in a program EIR, then the lead agency needs to consider the additive effects of the related projects. Based upon the projects location and cumulative projects in the area, one-mile was deemed the appropriate distance by the City for analyzing cumulative development. Distances were selected based upon anticipated impacts from the project onto other projects or other projects onto the project. In this case, a one-mile radius was deemed appropriate due to the transportation and circulation network.

Neither the proposed project nor any of the projects from the cumulative list are part of an ongoing regulatory program or being studied as part of a program EIR. Therefore, the SCAQMD recommends that project-specific air quality impacts be used to determine whether a project's emissions are cumulatively considerable. As discussed in Impact AQ-1 in the Draft EIR, the project would not conflict with or obstruct with the implementation of the applicable AQMP. With the implementation of Mitigation Measures AQ-1 and AQ-2, the daily construction emissions would not exceed SCAQMD regional or local thresholds. Traffic generated by the project would not create a CO

hotspot and the project is not associated with any uses that create objectionable odors. However, Impact AQ-3 in the Draft EIR notes the project would exceed operational NOx emission thresholds from project-generated traffic.

Even with the complete reduction in NOx emissions from all sources besides mobile ones, the project would exceed SCAQMD thresholds. AB1493 predicts the Advanced Clean Car program will reduce NOx emissions by 36 percent by 2035 (CARB 2018c). Also, the program would coordinate with CARB's ZEVs mandate to have one in seven new cars be a ZEV by 2025, and to have all cars sold in 2040 be a ZEV. These policies would reduce overall NOx emissions created by the project into the future along with those generated by cumulative development in the City of Riverside. However, the project and cumulative projects in the area would still result in a cumulatively considerable increase of a criterion pollutant (NOx, an ozone precursor) for which SCAG is in nonattainment under federal and state standards. Therefore, cumulative impacts would be significant and unavoidable. (DEIR pp. 4.2-27 to 4.2-28; FEIR p. 95)

The full text of Mitigation Measures AQ-1 and AQ-2 are contained under section III(A)(1) above.

Despite the implementation of Mitigation Measures AQ-1 and AQ-2, for the foregoing reasons and the reasons discussed in the EIR, due to emissions from vehicle trips, cumulative NOx emissions would be significant and unavoidable. (DEIR pp. 4.2-27 to 4.2-28.)

B. GREENHOUSE GAS EMISSIONS

1. Greenhouse Gas Emissions

Threshold 1: Would the proposed project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: The proposed Project would generate GHG emissions that exceed the established service population threshold even with the implementation of mitigation measures. Because there are no feasible mitigation measures to control mobile emissions, this impact would be significant and unavoidable. (DEIR pp. 4.7-12 to 4.7-14.)

Changes or alterations have been required in, or incorporated into, the project which attempt to avoid or substantially lessen the significant environmental effects identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, as identified in the EIR and elsewhere in the record, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Development of the proposed project would generate GHG emissions from construction and operation of the project. The project would produce direct and indirect GHG emissions from the use of construction equipment, consumer products and landscaping equipment, electrical and natural gas consumption, water use and wastewater generation, and from the disposal of solid waste. Mobile emissions from the residences, employees, visitors, and costumers would be the greatest source of GHG emissions from the project.

The construction and operation of the project would result in approximately 21,998 MT CO₂e per year, and shown in Table 4.7-1 of the Draft EIR, which would exceed SCAQMD GHG thresholds. GHG emissions from mobile sources represent 59 percent of total GHG emissions that would be created

as a result of construction and operation of the project. If all other GHG emissions were eliminated, the project would still exceed SCAQMD thresholds by 9,906 MT CO₂e per year. Mitigation Measures AQ-3 and AQ-4 would require the exceedance of California Building Code Title 24 by 5 percent and enhanced water conservation that would reduce outdoor water use by 30 percent. These amounts are typical and the most feasible as building and landscaping requirements and materials become more efficient. In addition to mitigation measures, the project includes on-demand hot water systems, individual unit water-use monitoring, LED lighting, HVAC systems, ride-sharing pick-up and drop-off locations, and U.S. Post Office/FedEx concierge service which would help reduce GHG emissions from energy and mobile sources. Mitigation Measure AQ-3 includes the installation of solar panels in the recommended measures for Title 24 exceedance, and the project includes the wiring for EV charging stations in each residential garage.

As shown in Table 4.7-2 of the Draft EIR, the project would still exceed SCAQMD GHG thresholds. Because neither the project proponent nor the lead agency has regulatory authority over tailpipe emissions, there are no feasible mitigation measures that would reduce GHG emissions to levels that are less than significant. Therefore, the project would have a significant and unavoidable impact on GHG emissions. (DEIR pp. 4.7-12 to 4.7-14; FEIR p. 90)

Full text of Mitigation Measures AQ-3 and AQ-4 are contained under section IV(A)(1) above.

Despite the implementation of Mitigation Measures AQ-3 and AQ-4, for the foregoing reasons and the reasons discussed in the EIR, due to emissions from vehicle trips, project GHG emissions would be significant and unavoidable. (DEIR pp. 4.7-12 to 4.7-14.)

2. Applicable Plan, Policy, or Regulation to Reduce Greenhouse Gas Emissions

Threshold 2: Would the proposed project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Finding: The project would be consistent with the goals and strategies of SB 375 and SCAG's RTP/SCS, as well as with applicable measures in the 2017 Scoping Plan and the City's adopted Climate Action Plan. However, since the project would exceed thresholds established to meet GHG reduction targets, the project would conflict with adopted policies and impacts would be significant and unavoidable. (DEIR pp. 4.7-15 to 4.7-18)

Changes or alterations have been required in, or incorporated into, the project which attempt to avoid or substantially lessen the significant environmental effects identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, as identified in the EIR and elsewhere in the record, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: The project is consistent with the applicable GHG reduction measures provided in the 2016 RRG-CAP and reduction strategies in the Scoping Plan as shown in Table 4.7-3 and 4.7-4 in the Draft EIR. However, the project would exceed thresholds established to meet GHG reduction targets due to projected mobile emissions. Therefore, even though the project would meet applicable measures in the Scoping Plan and RRG-CAP, the project would not be in compliance with the associated emission thresholds and impacts would be significant and unavoidable. (DEIR pp. 4.7-15 to 4.7-18)

As discussed in GHG Threshold 1 above, mitigation measures would reduce GHG emissions to the extent feasible. In addition, the project includes design features such as on-demand hot water systems, individual unit water-use monitoring, LED lighting, HVAC systems, ride-sharing pick-up and drop-off locations, and U.S. Post Office/FedEx concierge service which would reduce GHG emissions. Even if all GHG emissions from area, energy, solid waste, and water sources were removed, the project would still exceed GHG thresholds. Therefore, there are no additional mitigation measures that would feasibly reduce impacts related to GHG emissions to less than significant. For the foregoing reasons and the reasons discussed in the EIR, impacts remain significant and unavoidable. (DEIR pp. 4.7-18; FEIR p. 90)

3. Cumulative GHG Impacts

Finding: The GHG emissions of the cumulative projects are analyzed on a project by project basis. However, as this project would exceed thresholds and there are no feasible mitigation measures to reduce GHG emissions to a less than significant level, the project would still have a cumulatively significant and unavoidable impact. (DEIR pp. 4.7-18 to 4.7-19)

Changes or alterations have been required in, or incorporated into, the project which attempt to avoid or substantially lessen the significant environmental effects identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, as identified in the EIR and elsewhere in the record, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation: Each of the proposed cumulative developments would generate GHG emissions from vehicle trips, electrical and water use, and other sources. The analysis of GHG emissions is cumulative in nature, as emissions affect the accumulation of GHGs in the earth's atmosphere. Projects that fall below provided thresholds are considered to have a less than significant impact, both individually and cumulatively.

The City of Riverside has a number of green power projects that would reduce overall GHG emissions in the City. The City is helping fund solar projects throughout the City that will reduce emissions from energy from current users and the cumulative projects in the City. The City also initiated a LED streetlight replacement program in 2016. The program will eventually replace all city-owned streetlights with more energy efficient LED lights by 2019. The Riverside Public Utilities (RPU) has a number of incentive programs for residences and businesses to reduce their electricity consumption and cumulatively reduce GHG emissions from energy use.

As indicated in Impact GHG-1 and Impact GHG-2 of the Draft EIR, the project would have a significant and unavoidable impact on GHG emissions, primarily due to the mobile emissions from the project. The GHG emissions of the cumulative projects would be analyzed on a project by project basis. However, as this project would exceed thresholds and there are no feasible mitigation measures to reduce GHG emissions to a less than significant level, the project would still have a cumulatively significant and unavoidable impact. (DEIR pp. 4.7-18 to 4.7-19; FEIR pp. 90)

C. TRANSPORTATION AND TRAFFIC

3. Cumulative Traffic Impacts

Finding: Cumulative impacts to Intersection #6 under 2040 With Project Conditions would be significant and unavoidable, as the installation of a traffic signal and access restrictions at this location are infeasible.

Changes or alterations have been required in, or incorporated into, the project which attempt to avoid or substantially lessen the significant environmental effects identified in the EIR. (State CEQA Guidelines, section 15091(a)(1).) However, impacts would still remain significant and unavoidable. Specific economic, legal, social, technological, or other considerations, as identified in the EIR and elsewhere in the record, make infeasible the mitigation measure or project alternatives identified in the EIR. (State CEQA Guidelines, section 15091(a)(3).)

Explanation:

2040 Without Project Analysis:

This scenario includes the refined post-processed traffic volumes obtained from the SCAG regional traffic model that have been modified to reflect 2040 traffic conditions plus cumulative development traffic. The traffic forecasts reflect the area-wide growth anticipated between Existing (2017) conditions and 2040 Without Project conditions. As with the Opening Year (2022) Without Project scenario, the 2040 Without Project peak hour forecasts were refined and checked for growth.

The 2040 conditions analysis is used to determine if improvements funded through regional transportation mitigation fee programs or other approved funding mechanisms can accommodate the long-range cumulative traffic at the target level of service (LOS) identified by the lead agency. If the programmed improvements can provide the target LOS, then payment of requisite fees into established fee programs would satisfy the project's proportional mitigation requirements and would be considered as feasible cumulative mitigation.

The currently adopted SCAG 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (April 2016) growth forecasts for the unincorporated areas of the City identifies projected growth in population of 310,700 in 2012 to 386,600 in 2040, or a 24.4 percent increase over the 28-year period. The change in population equates to roughly a 0.78 percent growth rate, compounded annually. Similarly, growth over the same 28-year period in households is projected to increase by 28.4 percent, or 0.90 percent annual growth rate. Finally, growth in employment over the same 28-year period is projected to increase by 67.08 percent, or a 1.85 percent annual growth rate.

Based on a comparison of existing traffic volumes to the 2040 forecasts, the average growth rate is estimated to be 1.68 percent per year between Existing (2017) and 2040 traffic conditions. The annual growth rate applied to each individual intersection ranges from 1.29 percent to 2.47 percent. Therefore, the traffic forecasts utilized for the purposes of this analysis would appear to approximate the anticipated regional growth conservatively in traffic volumes in the City of Riverside for 2040 traffic conditions. As such, the growth in traffic volumes assumed in this analysis would tend to overstate, as opposed to understate, the potential impacts to the cumulative traffic and circulation setting.

2040 With Project Intersection Analysis:

Table 4.10-12 in the Draft EIR summarizes the intersection LOS analysis under 2040 Without Project and 2040 With Project conditions. The following study area intersections are anticipated to operate at unacceptable LOS, without the addition of project traffic:

- Riverside Avenue/Main Street and Placentia Lane (#1) – LOS F AM and PM peak hours
- Main Street and Strong Street (#3) – LOS E AM peak hour; LOS F PM peak hour
- Orange Street and Strong Street (#8) – LOS F PM peak hour only
- Orange Street and Oakley Avenue/SR 60 Westbound Off-Ramp (#11) – LOS E AM peak hour; LOS F PM peak hour
- Orange Street and Russell Street (#12) – LOS E AM peak hour; LOS F PM peak hour
- West La Cadena Drive and Interchange Street/I-215 Southbound Ramps (#14) – LOS F AM and PM peak hours
- East La Cadena Drive and I-215 Northbound Ramps (#16) – LOS F AM and PM peak hours
- East La Cadena Drive and Columbia Avenue (#17) – LOS F AM peak hour only

Implementation of the project would contribute to additional impacts at these intersections. In addition, with the addition of project traffic, the following project study area intersections are anticipated to operate at unacceptable LOS, or result in an unacceptable increase in delay:

- Main Street and SR 60 EB Ramps (Intersection #5) – delay increase of more than 8.0 seconds in the AM and PM peak hours
- Main Street and Russell Street (Intersection #6) – delay increase of more than 5.0 seconds in the PM peak hour

The following mitigation measures will be implemented:

T-9 Riverside Avenue/Main Street and Placentia Lane (Intersection #1). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a southbound approach to provide a second left turn lane

T-10 Main Street and SR 60 EB Ramps (Intersection #5). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a second southbound left turn lane.

T-11 West La Cadena Drive and Interchange St/I-215 SB Ramps (Intersection #14). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a second southbound left turn lane and the westbound approach to provide a left turn lane.

Implementation of Mitigation Measures T-9 through T-11 would reduce the project's contribution to cumulative impacts to intersections #1, #5, and #14 to less than significant levels, while mitigation measures T-1, T-2, T-3, T-5, T-7, and T-8 would reduce impacts at intersections #3, #8, #11, #12, #16, and #17 to less than significant levels, as seen in Table 4.12-10.

As incoming development analyses identify significant impacts in cumulative scenarios they include a calculation of their "fair share" contribution towards impacts requiring mitigation. These percentage-based fees are placed in an account to be used for the specific roadway segment or intersection improvement in question. As additional development occurs, the City may reimburse already collected fees towards the construction of mitigations. The City additionally maintains a

capital improvement program, pavement management program and signal priority ranking program and collected fees would be used to complete identified mitigations as the City constructs projects within these programs. The City of Riverside recognizes fair share contributions appropriate mitigation in order to reduce project-specific impacts to less than significant levels. These programs are recognized as City policy decisions and therefore presumed to be implemented as soon as fully funded. However, cumulative impacts to Intersection #6 under 2040 With Project Conditions would be significant and unavoidable, as the installation of a traffic signal and access restrictions at this location are infeasible.

2040 With Project Roadway Segment Analysis:

Under 2040 With Project conditions, the project would add 6,113 vehicles per day to Roadway Segment #1; 110 vehicles per day to Roadway Segment #2; and 1,828 vehicles per day Roadway Segment #3. As shown in Table 4.12-11 in the Draft EIR, all the study area roadway segments are anticipated to continue to operate at an acceptable LOS under 2040 conditions with the addition of project traffic, with the exception of Roadway Segment #1.

Implementation of **Mitigation Measure T-3** would reduce the project's contribution to cumulative impacts to Roadway Segment #1 by installing a northbound left turn lane as well as a westbound right turn lane with a minimum 200 feet of storage. Mitigation Measure T-3 would result in a capacity increase to Roadway #1 with the widening of Orange Street. Therefore, the project would not result in cumulative impacts to Roadway Segment #1. (DEIR pp. 4.12-25 to 4.12-33)

V. FINDINGS REGARDING CUMULATIVE IMPACTS

Consistent with CEQA's requirements, the EIR includes an analysis of cumulative impacts, which include the impacts of the project plus all other pending or approved projects within the affected area for each resource. Where evaluation of potential cumulative impacts are located (e.g., noise, traffic, visual quality, biological, cultural resources, and public utilities) the analysis is based on a list of past, present, and probable future projects producing related or cumulative impacts (See DEIR Table 3-1). Cumulative projects in the vicinity of this project include residential, warehouse, commercial, hotel, school, and recreational land uses. Cumulative projects in the immediate vicinity of the proposed project include two residential subdivisions with 19 dwelling units (3719 Strong Street and APN 276-060-003), a gas station and convenience store (2234 Main Street), a warehouse (4253 Fairgrounds Street), and a senior housing development (2450 Market Street).

A. AESTHETICS

Development of the project would alter the existing visual setting and introduce new light and glare, but it would not have a significant impact on the aesthetics of the site or its surroundings. Future projects would also be required to adhere to specific development standards pursuant to the City's Zoning Ordinance and General Plan designed to protect and enhance the area's aesthetic and visual resources. None of the cumulative projects (DEIR Table 3-1) are directly adjacent to or nearby the project site; therefore, no cumulative impacts are anticipated to occur with respect to light and glare or shade and shadow. Although over time, cumulative development may alter the visual character of this part of Riverside, all development, including the project, would be subject to the

same policies and regulations, and therefore, cumulative impacts related to aesthetics would be less than significant. (DEIR pp. 4.1-20)

B. AIR QUALITY

Cumulative air quality impacts would be significant and unavoidable. Please refer to section IV(A)(3) above. (DEIR pp. 4.2-27 to 4.2-28)

C. BIOLOGICAL RESOURCES

The following factors are considered with respect to analyzing cumulative impacts to biological resources:

- The cumulative contribution of other approved and proposed projects to fragmentation of open space in the project vicinity
- The loss of sensitive habitats and species
- The contribution of the project to urban expansion into natural areas
- Isolation of open space in the vicinity by proposed/future projects

Cumulative impacts depend on the proximity of cumulative projects to the project site (DEIR Table 3-1) and impacts from past projects in the vicinity. Native vegetation communities and open areas have almost entirely been developed in the region of the project. Over the last half-century or more, naturally vegetated open areas diminished as the landscape surrounding the project site has been built out with residential and commercial uses. Protected natural areas do occur in the region, including at Rancho Jurupa Park, Box Springs Park, and Sycamore Canyon Wilderness Park, at the edge of the urbanized areas. The planned and pending projects in the project vicinity are listed in Table 3-1 in the Draft EIR and include residential, warehouse, commercial, hotel, school, and recreational land uses.

The existing on-site grassland is small, low-quality, and isolated. It is frequently mowed and currently provides little to no high-quality, native habitat. Furthermore, this site is surrounded on all sides by urban development and offers no connectivity to open spaces. The western and southern edges of the site are bounded by six-lane freeways that preclude much of the potential for wildlife movement through the site. Although this project would have the potential to adversely impact sensitive habitats such as riverine resources, and biological resources, such as nesting birds and burrowing owls, these resources are common in the region and the cumulative effect will be minimal from proposed developments. A large portion of the riverine resources on site are concrete-lined and currently provide little to no wildlife habitat. Loss of riverine habitat will be minimal and will be mitigated as described above. It is anticipated that for other developments that would have significant impacts on these resources, mitigation measures such as pre-construction surveys for sensitive biological resources, mitigation for impacts to sensitive habitats and/or sensitive biological resources, and payment of all MSHCP fees including the Development Mitigation Fee, would be required. Other developments would also be required to comply with all applicable laws and regulations governing biological resources including all MSHCP policies and measures regarding cumulative impacts.

With the proposed mitigation measures identified in the Biological Resources section of the Draft EIR, coupled with policies and regulations applying to this and other projects, impacts to sensitive

habitats and biological resources would be less than significant at the project level. In addition, individual development proposals are reviewed separately by the appropriate jurisdiction and undergo appropriate environmental review when it is determined that the potential for significant impacts exist. If future projects would result in impacts to sensitive habitats and biological resources, impacts to such resources would be addressed on a case-by-case basis. Furthermore, all projects are required to comply with the MSHCP in order to avoid significant impacts to biological resources in the Riverside area. The MSHCP EIR analyzed the cumulative impacts that could result from development throughout Western Riverside County, including the City of Riverside. Therefore, a project's compliance with the MSHCP results in less than significant cumulative impacts for species and habitats covered in the Plan. As such, projects, including the proposed project, would not contribute to cumulative impacts on sensitive habitats and biological resources outside the project site upon compliance with the MSHCP. The proposed project would not conflict with the adopted MSHCP with the implementation of Mitigation Measures BIO-1, BIO-3, and BIO-4. Therefore, impacts related to sensitive habitats and biological resources would not be cumulatively considerable. (DEIR pp. 4.3-19 to 4.3-20)

D. CULTURAL RESOURCES

The planned and pending projects in the project vicinity include residential, warehouse, commercial, hotel, school, and recreational land uses (DEIR Table 3-1). The proposed project, in conjunction with other planned and pending projects in the project vicinity, would cumulatively increase the potential to encounter sensitive cultural, archaeological, and paleontological resources. In the event that cultural, archaeological, and/or paleontological resources are discovered, each individual project would be required to comply with the applicable regulatory requirements and mitigate any potential impacts to resources on the individual project site. Potential impacts of the proposed project would be reduced to a less-than-significant level due to implementation of mitigation measures that would protect cultural, archaeological, and paleontological resources. Compliance with CEQA requirements, including the implementation of recommendations provided in project-specific cultural resource studies, on all new development would ensure cumulative development does not significantly impact cultural resources. Such recommendations may include site avoidance, in-situ preservation, site salvage and documentation, and/or other measures determined to be necessary based on the resources identified. These measures would be required for all development projects with potential impacts to cultural resources and therefore, would reduce impacts to on-site or previously undiscovered cultural resources to less than significant levels. Therefore, cumulative impacts would be less than significant. (DEIR pp. 4.4-23 to 4.4-24)

E. ENERGY CONSERVATION

Cumulative development in the City of Riverside and surrounding cities and county would include residential development, warehouses, commercial, office, and public facilities (DEIR Table 3-1). Each of the proposed developments would increase the consumption of energy and energy demand in the region. Energy consumption by the cumulative projects would be regulated by Energy Efficiency Standards embodied in Title 24 of the California Building Code, which apply to new construction of both residential and non-residential buildings, and indirect energy reduction measures from GHG reduction policies. Therefore, the cumulative projects would not result in the wasteful use of energy.

The City of Riverside has a number of green power projects that would reduce overall energy consumption in the City. The City is funding various solar projects throughout the City that will reduce energy use from current users and from ongoing, the cumulative projects in the City. The City also initiated an LED streetlight replacement program in 2016 that will eventually replace all city-owned streetlights by 2019 with more energy efficient LED lights to reduce overall energy use in the City. Riverside Public Utilities (RPU) has a number of incentive programs for residences and businesses to reduce their electricity consumption and that will result in cumulative reducing GHG emissions from energy use.

Moreover, Riverside County consumed five percent and RPU consumed 0.8 percent of the state's electricity use and SoCalGas represents three percent of the state's natural gas use. The cumulative projects in the area would consume a fraction of the energy supplies in RPU and SoCalGas and have an insignificant demand in the state's overall energy supply. Moreover, SoCalGas projects natural gas demands to decrease at an annual average rate of approximately 0.74 percent from 2018 to 2035 and RPU projects its electrical portfolio will be 40 percent renewable resources by 2020. Therefore, SoCalGas and RPU would have adequate supplies and the cumulative projects would not place a significant demand on the suppliers. Impacts would be less than significant. (DEIR p. 4.5-18)

F. GEOLOGY AND SOILS

The planned and pending projects (DEIR Table 3-1) would increase structural development near the project site, in turn exposing new residents and property to potential risks from seismic hazards or soil instability in the area. Like the proposed project, all new planned and pending development in the City and adjacent jurisdictions would be subject to current seismic and erosion control standards. Although new development would be exposed to existing geologic and seismic hazards, it would not increase the potential for such hazards to occur. Geologic hazards are not additive; the development of the proposed project would not increase the geologic hazards underlying the project area or create impacts that would affect geologic conditions on other sites. Therefore, development of individual projects would not exacerbate existing geologic conditions, and cumulative impacts would be less than significant. (DEIR pp. 4.6-15)

G. GREENHOUSE GAS EMISSIONS

As this project would exceed GHG thresholds and there are no feasible mitigation measures to reduce GHG emissions to a less than significant level, the project would still have a cumulatively significant and unavoidable impact. Please refer to the discussion in section IV(B)(3) above. (DEIR pp. 4.7-18 to 4.7-19)

H. HYDROLOGY AND WATER QUALITY

Cumulative development and redevelopment projects in the vicinity of the project site (DEIR Table 3-1) would increase impervious surface area in the Santa Ana watershed, thereby potentially increasing surface water runoff and associated pollutant loading to waterbodies.

All projects exceeding 1.0 acre of disturbance area would be subject to requirements of the NPDES Statewide Construction General Permit (MS4 Permit), including preparation and implementation of a SWPPP to minimize construction-related erosion, sedimentation, and non-point source pollution.

All projects that were included in the cumulative impact analysis (DEIR Table 3-1) would be subject to the requirements of the applicable MS4 Permit, which would require BMPs to capture and treat on-site stormwater runoff for new development and significant redevelopment projects. As a result, stormwater detention infrastructure would expand incrementally with the pace of development in the watershed, which would reduce peak flows and minimize the potential for downstream flooding or other hydrologic impacts. Planned and pending projects may be required to implement project-specific flood or HCOC mitigation measures, depending on the significance of these impacts.

Cumulative development could increase the discharge of urban pollutants to surface waters and groundwater. However, all new development would be subject to the water quality requirements of the SARWQCB, the County MS4, and other applicable federal, state, and local regulations. Adherence to such regulations would address any adverse cumulative impacts resulting from individual new developments and reduce cumulative impacts with respect to hydrology and water quality to a less than significant level. (DEIR p. 4.8-24)

I. LAND USE AND PLANNING

Cumulative development in the City and the surrounding area (DEIR Table 3-1) would modify existing land use patterns through the development of vacant lots or through redevelopment. The planned and pending projects in the area of the project include about 50 projects consisting of residential, retail, warehouse, office, institutional, and industrial related land uses. Those in the immediate vicinity of the proposed project include two residential subdivisions totaling 19 dwelling units (3719 Strong Street and APN 276-060-003), a gas station and convenience store (2234 Main Street), a warehouse (4253 Fairgrounds Street), and a senior housing development (2450 Market Street). When considered alongside nearby cumulative projects, no established community or area in the City would be physically divided.

Similar to the proposed project, land use regulations and policy consistency impacts associated with other cumulative projects would be addressed on a case-by-case basis in order to determine their consistency with applicable plans and policies. None of the cumulative projects in DEIR Table 3-1, nor the project, would conflict with underlying land use regulations and policies. Furthermore, the proposed project site is consistent with the proposed Northside Specific Plan, which labels the project site as mixed-use. Therefore, the project would have no impact to cumulative land use impacts. (DEIR pp. 4.9-12 to 4.9-13)

J. NOISE

Cumulative development in the City of Riverside and in surrounding cities and the county would include residential development, warehouses, commercial, office, and public facilities (DEIR Table 3-1). Noise levels typically drop off at a rate of 6 dBA per doubling of distance from point sources (such as industrial machinery). Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dB per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dB per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. None of the cumulative projects from DEIR Table 3-1 are located near enough to the proposed project to result in cumulative noise impacts.

Each of the proposed developments would generate temporary noise during construction. Construction activities at the related projects and developments in the area would generate similar noise levels as the proposed project. It would be speculative to determine noise levels from construction from nearby projects because construction schedules are not known for all projects. However, construction noise and vibration are localized and rapidly attenuates within an urban environment. Therefore, the project would not contribute considerably to temporary cumulative construction noise and vibration impacts.

Cumulative development would result in stationary (non-traffic) operational noise increases in the project vicinity. Based on long-term stationary noise analysis under Impact N-3 in the Draft EIR, impacts from the project's operation noise would be less than significant with mitigation measures incorporated into project design plans. Because noise dissipates as it travels away from its sources, noise impacts associated with onsite activities and other stationary sources would be limited to the project site and vicinity. Therefore, on-site operation activities at the project site, in combination with other planned and pending development, would not contribute considerable to long-term, cumulative noise impacts.

Vibration is a unique form of noise because its energy is carried through buildings, structures, and the ground, whereas noise is simply carried through the air. Thus, vibration is generally felt rather than heard. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. Groundborne vibration impacts from project construction would not exceed the FTA-recommended thresholds and therefore, were found to be less than significant. Furthermore, vibration levels would not be sustained throughout the construction period. Rather, they would only occur at times that heavy machinery and construction equipment operates adjacent to the project site perimeter. Similar to noise, vibration has a 6 VdB attenuation per doubling of distance to a receptor. None of the cumulative projects from DEIR Table 3-1 are located near enough to the proposed project to result in cumulative vibration impacts.

Cumulative development in the project area in 2040 would increase noise levels along roadways as a result of additional vehicle trips. The traffic noise levels presented in Table 4.10-10 of the Draft EIR for the Opening Year 2022 scenario, and shown in Table 4.10-19 in the Draft EIR for the Horizon Year 2040 scenario, reflect traffic volumes from cumulative development.

Table 4.10-19 in the Draft EIR presents a summary of the exterior traffic noise levels with and without project-related traffic, without barrier attenuation, for the 23 study area roadway segments included in the noise study analysis under the Horizon Year 2040 Scenario. Project-related traffic would increase ambient noise levels at land uses adjacent to roadways by up to 2.5 dBA CNEL. As Table 4.10-19 in the Draft EIR also shows, increased traffic noise levels from the proposed project and cumulative project would not exceed applicable thresholds.

Vehicle trips generated by the proposed project would increase traffic-related ambient noise levels at land uses adjacent to area roadways when combined with existing traffic and future traffic from cumulative development. However, the increased noise levels would not exceed acceptability thresholds. Therefore, cumulative impacts would be less than significant. (DEIR pp. 4.10-32 to 4.10-34)

K. RECREATION

The City currently does not meet its goal of 3.0 acres of developed neighborhood and community parkland per 1,000 residents, and is currently providing 1.8 acres of neighborhood and community parks per 1,000 residents. Based on the cumulative projects (DEIR Table 3-1), there are 878 planned residential units in the City that would generate a population increase of approximately 2,792 residents¹ in the foreseeable future. This would be in addition to the estimated 1,532 residents generated by the proposed project. The total addition of 4,324 residents would increase demand on existing City recreation facilities and may require new parkland to be purchased or new recreation facilities to be built, as determined necessary by the City.

According to the Southern California Association of Governments 2016 RTP/SCS, the City is estimated to increase to 386,600 by 2040 (Southern California Association of Governments 2016). If the current neighborhood and community parkland acreage of 582.8 remained unchanged, this would equate to a neighborhood and community park ratio of 1.5 acres per 1,000 residents², which would still not meet the General Plan 2025 goal of three acres of neighborhood and community parkland per 1,000 residents.

However, individual development projects that meet necessary criteria would be required to implement applicable private and/or common open space requirements; the project itself is adding 1.93 acres of recreational space for residential use, or 1.26 acres per 1,000 residents created by the project. In addition, applicable projects would be subject to park development fees, which would mitigate their impacts on recreation facilities in the City and be used to develop and maintain parkland and recreation facilities. Therefore, with the payment of park fees and development of private and/or common open space pursuant to RMC standards, cumulative impacts to recreational facilities would be less than significant. (DEIR pp. 4.11-10 to 4.11-11)

L. TRANSPORTATION AND TRAFFIC

2040 With Project Intersection Analysis:

Table 4.10-12 in the Draft EIR summarizes the intersection LOS analysis under 2040 Without Project and 2040 With Project conditions. The following study area intersections are anticipated to operate at unacceptable LOS, without the addition of project traffic:

- Riverside Avenue/Main Street and Placentia Lane (#1) – LOS F AM and PM peak hours
- Main Street and Strong Street (#3) – LOS E AM peak hour; LOS F PM peak hour
- Orange Street and Strong Street (#8) – LOS F PM peak hour only
- Orange Street and Oakley Avenue/SR 60 Westbound Off-Ramp (#11) – LOS E AM peak hour; LOS F PM peak hour
- Orange Street and Russell Street (#12) – LOS E AM peak hour; LOS F PM peak hour
- West La Cadena Drive and Interchange Street/I-215 Southbound Ramps (#14) – LOS F AM and PM peak hours
- East La Cadena Drive and I-215 Northbound Ramps (#16) – LOS F AM and PM peak hours

¹ 878 residential units multiplied by an average household size of 3.18 for the City of Riverside

² 582.8/386.6 = 7.5 acres per 1,000 residents

- East La Cadena Drive and Columbia Avenue (#17) – LOS F AM peak hour only

Implementation of the project would contribute to additional impacts at these intersections. In addition, with the addition of project traffic, the following project study area intersections are anticipated to operate at unacceptable LOS, or result in an unacceptable increase in delay:

- Main Street and SR 60 EB Ramps (Intersection #5) – delay increase of more than 8.0 seconds in the AM and PM peak hours
- Main Street and Russell Street (Intersection #6) – delay increase of more than 5.0 seconds in the PM peak hour

The following mitigation measures will be implemented:

T-9 Riverside Avenue/Main Street and Placentia Lane (Intersection #1). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a southbound approach to provide a second left turn lane

T-10 Main Street and SR 60 EB Ramps (Intersection #9). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a second southbound left turn lane.

T-11 West La Cadena Drive and Interchange St/I-215 SB Ramps (Intersection #14). Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a second southbound left turn lane and the westbound approach to provide a left turn lane.

Implementation of Mitigation Measures T-9 through T-11 would reduce the project's contribution to cumulative impacts to intersections #1, #5, and #14 to less than significant levels, while mitigation measures T-1, T-2, T-3, T-5, T-7, and T-8 would reduce impacts at intersections #3, #8, #11, #12, #16, and #17 to less than significant levels, as seen in Table 4.12-10. As incoming development analyses identify significant impacts in cumulative scenarios they include a calculation of their "fair share" contribution towards impacts requiring mitigation. These percentage-based fees are placed in an account to be used for the specific roadway segment or intersection improvement in question. As additional development occurs, the City may reimburse already collected fees towards the construction of mitigations. The City additionally maintains a capital improvement program, pavement management program and signal priority ranking program and collected fees would be used to complete identified mitigations as the City constructs projects within these programs. The City of Riverside recognizes fair share contributions appropriate mitigation in order to reduce project-specific impacts to less than significant levels. These programs are recognized as City policy decisions and therefore assumed to be implemented as soon as fully funded. However, cumulative impacts to Intersection #6 under 2040 With Project Conditions would be significant and unavoidable, as the installation of a traffic signal and access restrictions at this location are infeasible. Please refer to discussion under section IV(C)(1) above. (DEIR pp. 4.12-25 to 4.12-33.)

M. TRIBAL CULTURAL RESOURCES

The proposed project, in conjunction with other development in the City and surrounding areas (DEIR Table 3-1), would cumulatively increase the potential to encounter sensitive tribal cultural resources. However, as discussed above, potential impacts to tribal cultural resources are site-

specific and would be reduced to a less-than-significant level due to implementation of mitigation measures that would protect tribal cultural resources. In the event that tribal cultural resources are discovered, each individual project would be required to comply with the applicable regulatory requirements and the consultation requirements of Assembly Bill 52 to determine and mitigate any potential impacts to tribal cultural resources. These measures would be required for all development projects with potential impacts to tribal cultural resources and therefore, would reduce impacts to on-site or previously undiscovered tribal cultural resources to less than significant levels. Therefore, cumulative impacts to tribal cultural resources would be less than significant and would not be cumulatively considerable. (DEIR pp. 4.13-8)

N. UTILITIES AND SERVICE SYSTEMS

The proposed project is located in the service area of RPU. The cumulative projects list provided in Section 3 includes six projects in the City of Jurupa Valley and two projects in the City of Colton. Projects in the City of Colton would be served by the City of Colton, while projects in the City of Jurupa Valley would be served by West Valley Water District. Like RPU, these suppliers maintain their own adjudicated groundwater extraction rights, which are determined based on the safe yield of the groundwater basin. Projects in the City of Colton or City of Jurupa Valley would not be served by RPU, and, as a result, would not draw from RPU's groundwater extraction rights in adjudicated basins, purchased water supplies from WMWD, or potential recycled water. Furthermore, because projects in the City of Jurupa Valley and City of Colton would be served by their suppliers' own adjudicated groundwater rights, the proposed project would have no effect on the ability of these jurisdictions to serve these projects. Therefore, these eight projects would not contribute to a cumulative impact with respect to RPU's water supplies and are not considered in this analysis. The cumulative projects list also contains six projects in unincorporated Riverside County. These projects are located in RPU's service area in the western portion of the unincorporated Highgrove community; therefore they are considered in this analysis. RPU is responsible for managing its long-term water resources by accessing the reliability and establishing management measures and water shortage plans for its entire service area.

Cumulative water demand was estimated using water demand factors employed by CalEEMod, which provides water demand factors for a wide range of land uses. As indicated in Table 4.14-5 of the Draft EIR, cumulative water demand would total approximately 787.6 million gallons per year, or approximately 2,416.9 AFY in addition to the 382 AFY used by the project. This analysis does not account for water savings from water conservation design features that may be implemented by planned or pending projects. Therefore, the values presented in Table 4.14-5 may be a conservative estimate of cumulative water demand. Based on projections in the 2015 UWMP, projected groundwater supplies would exceed projected potable water demand by 11,517 AFY in 2020. Anticipated demand from the project and other cumulative projects within RPU's service area would account for approximately 24.3 percent of this excess groundwater supply in 2020.

By 2040, RPU's projected groundwater supply would total 96,573 AFY, exceeding projected potable water demand by 10,280 AFY. Water demand from the project and other cumulative development would account for approximately 27.2 percent of this excess groundwater supply. The groundwater basins from which RPU draws potable water are adjudicated, providing long-term supply reliability in the form of legally defined extraction rights based on basin-specific safe yield. However, RPU's projected 2040 groundwater supply accounts for a number of conjunctive use groundwater supply

enhancement projects with planned implementation years between 2020 and 2030. RPU's most recent Integrated Water Management Plan accounts for these projects, with several, including the Riverside North Aquifer Storage and Recharge Project, in the planning and design phase and undergoing project-specific environmental review. Anticipated expansion of RPU's non-potable recycled water infrastructure and the availability of up to 21,700 AFY of imported water for purchase from WMWD, as needed, would further augment RPU's supplies in 2020 and subsequent years. Therefore, there would be adequate water supplies to meet the anticipated demand of the project and other cumulative development in the RPU service area.

Large-scale residential, commercial, office, industrial, and mixed-use developments subject to the requirements of SB 610 would be required to prepare project-specific WSAs to ensure adequate water availability. This level of project-specific analysis would be required prior to approval of the largest planned and pending projects and would compare anticipated water demand to the most currently-available RPU supply and demand projections. Given the information in this project-specific analysis and the analysis in RPU's 2015 UWMP that demonstrates adequate supplies to meet anticipated demand, water demand from the project and existing and planned development in RPU's service area would not result in a significant cumulative water supply impact. (DEIR pp. 4.14-14 to 4.14-15)

VI. FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Sections 15126(c) and 15126.2(d) of the CEQA Guidelines requires EIRs to contain a discussion of significant irreversible environmental changes which would be caused by the proposed project should it be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents; or
- The proposed consumption of resources are not justified.

This section addresses the use of non-renewable resources during initial and continued phases of the project, the commitment of future generations to environmental changes or impacts because of the proposed project, and any irreversible damage from environmental accidents associated with the proposed project.

Non-renewable resources: The proposed project involves infill development on a vacant lot. Construction of the project would involve an irreversible commitment of construction materials and non-renewable energy resources. The project would involve the use of building materials and energy resources, some of which are non-renewable, to construct the 482 residential units, 49,000 square feet of retail commercial, 130,000 square feet of hotels, and 23 RV parking spaces, not including parking areas for the residential, commercial, and hotel uses. Consumption of these resources would occur with any development of the project site, and are not unique to the proposed project.

Operation of the proposed project would irreversibly increase local demand for non-renewable energy resources, such as petroleum products and natural gas. Increasingly efficient building design, however, would offset this demand to some degree by reducing energy demands of the project. The project would be subject to the energy conservation requirements of the California Energy Code (Title 24, Part 6, of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings) and the California Green Building Standards Code (Title 24, Part 11 of the California Code of Regulations). The California Green Building Standards Code functions to:

- Reduce greenhouse gas (GHG) emissions from buildings
- Promote environmentally responsible, cost-effective, healthy places to live and work
- Reduce energy and water consumption
- Respond to the environmental directives of the administration

The California Energy Code provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California, and the Green Building Standards Code requires solar access, natural ventilation, and stormwater capture. With adherence to these standards, the project would not use unusual amounts of energy or construction materials, and impacts related to consumption of non-renewable and slowly renewable resources would be less than significant. Consumption of these resources would occur with any development of the project site, and would not be unique to the proposed project. (DEIR pp. 5-1 to 5-2)

Future Generations: Approval of the proposed project would result in environmental changes or impacts that commit future generations to new environmental circumstances. Primarily, the approval of the proposed project would change the underlying General Plan 2025 land use and zoning designations of the project site, as detailed in Section 4.9, Land Use and Planning. The change in the underlying regulations would allow for a higher density mixed-use commercial and residential development than the site permits currently. This would result, in turn, in an increase in population not accounted for in the City's General Plan 2025. However, Sections 5.2.1 and 5.2.2 of the Draft EIR discuss how the increase in population from the proposed project would be minimal compared to projected growth in the City. The proposed project has been designed to meet the intent of the proposed revision General Plan 2025 land use designation and zone.

The project would result in a permanent increase in traffic and vehicle trips on local roadways and cause a number of intersections to operate at unacceptable levels. Draft EIR Section 4.12, Transportation and Traffic, concludes long-term impacts associated with the proposed project would be less than significant with the payment of development impact fees and the fair share contribution to for the necessary intersection and roadway improvements, with the exception of the unavoidable cumulative impact (year 2040) for Intersection #6.

The project would also require an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. However, as discussed in the Initial Study (Appendix A) and in Draft EIR Section 4.15, Impacts Found to be Less Than Significant, impacts to these services and systems would not be significant. (DEIR p. 5-2)

Similarly, as discussed in the Draft EIR in Section 4.3, Biological Resources, Section 4.4, Cultural Resources, Section 4.12, Transportation and Traffic, and Section 4.13, Tribal Cultural Resources, potentially significant impacts to biological, cultural, and tribal resources, and impacts from

increased traffic would be reduced to less than significant with implementation of mitigation measures, with the exception of the unavoidable cumulative impact (year 2040) for Intersection #6 discussed above. (DEIR pp. 5-2)

VII. FINDINGS REGARDING GROWTH INDUCING IMPACTS

Section 15126.2(e) of the CEQA Guidelines requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth must not be assumed as beneficial, detrimental, or of little significance to the environment. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

Population Growth: The project would involve the development of multi-family residences, retail and restaurant spaces, two hotels, and a vehicle fueling station. These uses could cause increases in Riverside's population.

The multi-family residential portion of the project proposes 482 residential units. Using the average City household size of 3.18, the residential portion of the project would create a population growth of approximately 1,532 persons (California Department of Finance 2018). This is a conservative estimate as the multi-family units include one- and two-bedroom units that would likely have a lower household size than the average.

Indirect population growth would occur from the commercial uses of the project, assuming all new employees relocate to Riverside. As described in Section 4.2, *Air Quality* of the Draft EIR, the project would generate the need for approximately 115 new employees. Based on the household size above and assuming all employees and families relocated to the City, the commercial uses would add 365 persons to the City population.

Implementation of the project could add 1,897 new people to the City. According to the Southern California Association of Governments (SCAG) 2016 RTP/SCS, the City's population is estimated to increase to 386,600 by 2040, 60,740 more persons than the current population (SCAG 2016). The population increase from the project represents 2.8 percent³ of the total anticipated population growth of the City through 2040. A population growth of 1,897 could be accommodated, therefore, under the City's current growth projections. (DEIR pp. 5-3)

Economic Growth: The proposed project would generate temporary employment opportunities during construction. Because workers would be expected to come from the existing regional work force, construction of the project would not be growth-inducing from a temporary employment standpoint.

The proposed project would also add long-term employment opportunities associated with operation of the commercial buildings and hotels. Table 5-1 in the Draft EIR shows the potential increase in job opportunities from implementation of the proposed project to be 115.

³ 1,897 project residents / 60,740 anticipated population growth = 2.8 percent of total anticipated population growth

SCAG's 2016 RTS/SCS forecasts 432,500 jobs will be added to the City between 2015 and 2040 (SCAG 2016). The 115 jobs anticipated to arise from the proposed project's commercial and hotel development would be less than 0.1 percent of job growth estimated during 2012 and 2040 and, therefore, would be well within employment forecasts.

The proposed project would not be expected to induce substantial economic expansion to the extent that direct physical environmental effects would result. Moreover, the environmental effects associated with any future development in or around Riverside would be addressed as part of the CEQA environmental review for each of those development projects. (DEIR pp. 5-3 to 5-4)

Obstacles to Growth: The proposed project is located in a fully urbanized area well served by existing infrastructure. As discussed in Section 4.14, Utilities and Service Systems, of the Draft EIR, existing water and wastewater infrastructure would be adequate to serve the project. Minor improvements to water, sewer, and drainage connection infrastructure would be needed, but would be specifically sized to serve the proposed project. City Engineering has specifically analyzed the capacity of the existing 10-inch sewer line based on the Northside Trunk Sewer Study and concluded that the existing line has sufficient capacity to handle the flows from the future development. Additionally, no downstream impacts are anticipated as a result of this project.

The project would require roadway improvements and expansion of freeway off ramps to accommodate additional traffic levels resulting from the project. However, these roadway improvements would not present a significant change to the City's traffic circulation system. Improvements to existing intersections would also be required, including the installation of traffic signals and provision of turn lanes, through transportation mitigation, but these improvements would not affect the potential for significant economic or population growth. The project constitutes infill development in an urbanized area and does not require the extension of new infrastructure through undeveloped areas. (DEIR pp. 5-4)

VIII. FINDINGS REGARDING ALTERNATIVES

A. LEGAL REQUIREMENTS FOR ALTERNATIVES

Section 15126.6 of the CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

(a) 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. 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. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

(b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), 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.

In subsection 15126.6(c), the CEQA Guidelines describe the selection process for a range of reasonable alternatives:

(c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project. "Feasible" means "capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social and technological factors" (CEQA Guidelines § 15364). The concept of feasibility also encompasses whether a particular alternative promotes the Project's underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (CNPS).)

The issue of alternatives feasibility arises twice in the CEQA process, once when the EIR is prepared and again when CEQA findings are adopted. When assessing feasibility in an EIR, the EIR preparer evaluates whether an alternative is "potentially" feasible. Potentially feasible alternatives are suggestions by the EIR preparers that may or may not be adopted by lead agency decision makers. When CEQA findings are made, the lead agency decision making body independently evaluates whether the alternatives are actually feasible based on all the evidence in the record, including whether an alternative is impractical or undesirable from a policy standpoint. (See *CNPS*, *supra*, 177 Cal.App.4th at p. 999.)

If a significant impact can be avoided or substantially lessened (i.e., mitigated to a less than significant level) by adoption of mitigation measures, lead agency findings need not focus on the feasibility of alternatives to reduce that impact. (See *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521.) Nevertheless, Section 6 of the Draft EIR and these Findings of Fact do consider the effectiveness of the potentially feasible alternatives set forth in the EIR to substantially reduce all of the project's significant impacts.

B. SUMMARY OF PROJECT ALTERNATIVES AND OBJECTIVES

The State CEQA Guidelines (§15126.6 *et. seq.*) require that a reasonable range of alternatives to the Project be evaluated, provided they 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. CEQA Guidelines further require the analysis of the “No Project” Alternative, wherein the Project would not be approved and implemented. A number of project alternatives were considered but ultimately rejected for infeasibility or failure to lessen environmental effects.

The proposed alternatives to the Exchange project were selected for review in the EIR because of their potential to avoid or substantially lessen certain project impacts, or because they were required under CEQA Guidelines (e.g., the No Project alternative). The project and alternatives are described in more detail in the Exchange Final EIR and Appendices thereto.

The four alternatives considered for the proposed Exchange Project are:

Alternative 1: No Project Alternative, which assumes the project site would remain vacant;

Alternative 2: Develop the Site Pursuant to Underlying Zoning Alternative, which would develop the project site at the density and uses allowed within the existing land use and zoning;

Alternative 3: Mixed-Use Development with Lower Residential Density Alternative, which would reduce the overall number of residences in the residential portion of the project; and

Alternative 4: No Riverside County Flood Control and Water Conservation District and Riverside County Transportation Authority Lease Area Development Alternative, which would remove one hotel and RV parking from the project.

Alternative 1 was determined to be environmentally superior to the proposed project. However, if the environmentally superior alternative is the No Project alternative, CEQA requires the EIR shall also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6). Alternative 2 was determined to be Environmentally Superior to the project consistent with *CEQA Guidelines*. However, all of the alternatives are rejected for the reasons stated below in Section VIII.C.

State CEQA Guidelines Section 15124(b) requires that a project description contain a statement of objectives including the underlying purpose of the project. The objectives of the Exchange project include:

- Increase the type and amount of housing available, consistent with the goals of the City’s Housing Element
- Increase the number of hotel rooms in the City
- Respond to a growing need of RV parking for short-term visitors
- Provide amenities for the surrounding neighborhood in the form of a commercial center with provisions for a farmers market, live entertainment, and special events
- Use land resources more efficiently by providing well-planned, infill development on a currently vacant site
- Create a mixed-use development consistent with the City’s Smart Growth principles
- Increase commercial, retail, and restaurant space in the City

C. ALTERNATIVES CONSIDERED AND REJECTED FROM FURTHER CONSIDERATION

The CEQA Guidelines state that the EIR needs to examine in detail only the alternatives the lead agency determines could feasibly attain most of the basic objectives of the project. Further, the EIR should identify any alternatives that were considered by the lead agency but were rejected and briefly explain the reasons underlying the lead agency's determination. Among the factors used to eliminate alternatives from detailed consideration in the EIR are: failure to meet most of the basic project objectives; technical, legal, or economic infeasibility; and inability to avoid or lessen the significant environmental effects of the Project. (State CEQA Guidelines, § 15126.6(c)).

Alternatives considered but rejected for this project include various scenarios that would change the use of certain parts of the proposed project. These included providing senior/assisted living housing in place of the proposed 482 residential units, providing medical offices in place of the hotels, and locating the same project with the same uses and layout in a different part of Riverside. Among the factors that may be used to eliminate alternatives from consideration in an EIR are (1) failure to meet most of the basic project objectives, (2) infeasibility, or (3) inability to avoid significant environmental impacts.

A senior/assisted living housing alternative would not reduce the environmental impacts of the proposed project, as this alternative would result in the same site plan, uses, and number of overall structures. The number of trips generated by senior or assisted living housing could be reduced, but the number of senior units permitted could also increase. This alternative would create greater environmental impacts than the proposed project and therefore, was eliminated as a feasible alternative.

Similar to the senior/assisted living option, medical offices in place of the proposed hotels would not reduce significant environmental impacts and would generate a greater amount of peak-hour traffic than the proposed project. Also, this alternative would not meet the proposed project's objective to increase the number of hotel rooms in the City. Therefore, this was eliminated as a feasible alternative.

No feasible alternate locations in Riverside could accommodate the proposed 35.4-acre project. Smaller locations would not allow the project to substantially meet its objectives to provide for strategically located in-fill housing, a regional and neighborhood commercial center, and visitor-serving uses such as the hotels and RV parking, consistent with the City's Smart Growth principles. Therefore, this was eliminated as a feasible alternative.

D. ALTERNATIVES CARRIED FORWARD FOR FURTHER ANALYSIS

1. Alternative 1: No Project, Site Remains Vacant

Description

The No Project Alternative assumes the proposed 482 residential units, 49,000 square feet of commercial space, two hotels, RV parking, and associated roadways and parking lots are not constructed. The currently undeveloped site would remain undeveloped, and the existing concrete channel wash would remain uncovered. The No Project Alternative would not fulfill any of the project's objectives because the existing site would not provide housing, increase the number of hotel rooms in the City, respond to a growing need for RV parking spaces, provide amenities to the

surrounding community, or create a mixed-use, infill development. This alternative has no characteristics in common with the proposed project nor any of the alternatives, as no proposed development would occur.

Summary of Impacts

The project would result in significant and unavoidable impacts to Air Quality, Greenhouse Gas, and cumulative traffic impacts. The No Project Alternative would result in no impacts to these impact categories. Thus, the CEQA policy of reducing significant environmental effects to the extent feasible would be satisfied through the adoption of Alternative 1. Additionally, the No Project Alternative would result in fewer impacts in the remaining impact categories analyzed in the EIR.

Relationship to Project Objectives

While Alternative 1 would reduce the environmental impacts than the proposed project, the No Project Alternative would not meet any of the project objectives as it would not develop a mixed-use, infill project, and residential, commercial, or visitor-serving uses on-site would not be provided to the Northside neighborhood.

Finding: The City Council rejects Alternative 1 (No Project, Site Remains Vacant) as a project alternative on the basis that Alternative 1 does not fulfill any of the project objectives. (DEIR, pp. 6-1 – 6-5.) CEQA does not require a lead agency to select an alternative which does not meet most of the project objectives (State CEQA Guidelines section 15126.6); while the No Project alternative obviously has no impacts, it also none of the project objectives, and it therefore properly not selected. The purpose of a “No Project” alternative is to allow a comparison of the environmental impacts of approving the Project with the effects of not approving it. (State CEQA Guidelines section 15126.6(e)(1).)

2. Alternative 2: Develop the Site Pursuant to Current Underlying Zoning

Description

Development under Alternative 2 would allow primarily single-family development with some multi-family. The underlying zoning would allow for 6.2 single-family residences per acre in the R-1-7000 zone and 29 multi-family residences (apartments or condominiums) per acre in the R-3-1500 zone. Therefore, development under Alternative 2 could yield up to 173 single family residences and an 87-unit multi-family residential development. Alternative 2 would therefore provide housing to meet the goals in the City’s Housing Element. However, Alternative 2 would provide 222 less residential units than under the proposed project. Approximately four acres of the site would remain undevelopable due to the Riverside County Flood Control and Water Conservation District (RCFCWCD) and Riverside County Transportation Commission (RCTC) Lease Area easement; they could be left vacant or converted to open space. Alternative 2 would remove all commercial development and change the overall site plan of the project site. The site would be developed solely with residential uses, predominantly low-density residential, which would change the vehicular circulation and flow of the site.

Summary of Impacts

The project would result in significant and unavoidable impacts to air quality, greenhouse gas emissions, and cumulative traffic. Alternative 2 would reduce the traffic generated by the project by removing commercial and visitor-serving uses and reducing the number of residential units.

Additionally, the project would not contribute traffic which would be considered cumulatively considerable. Thus, the adoption of Alternative 2 would reduce the significant and unavoidable impacts to air quality, greenhouse gas emissions, and traffic to less than significant.

Alternative 2 would also have less overall impacts to aesthetics, energy conservation, hydrology and water quality, land use and planning, noise, recreation, and utility and service systems. Since Alternative 2 would result in ground disturbing activities and the development the same site as the proposed project, Alternative 2 would result in similar impacts to biological resources, cultural resources, geology and soils, and tribal cultural resources. Therefore, Alternative 2 is environmentally superior to the proposed project.

Relationship to Project Objectives

Alternative 2 would partially meet the objective of increasing the type and amount of housing in the City. Alternative 2 proposes 260 dwelling units, which is little more than half of the proposed project's 482 dwelling units. However, Alternative 2 fails to meet any of the six remaining project objectives to: increase the type and amount of housing available, consistent with the goals of the City's Housing Element; increase the number of hotel rooms in the City; respond to a growing need of RV parking for short-term visitors; provide amenities for the surrounding neighborhood in the form of a commercial center with provisions for a farmers market, live entertainment, and special events; use land resources more efficiently by providing well-planned, infill development on a currently vacant site; create a mixed-use development consistent with the City's Smart Growth principles; and increase commercial, retail, and restaurant space in the City.

Finding: The City Council finds that while Alternative 2 would reduce significant and unavoidable impacts and reduce impacts to the resources areas listed above, compared to the proposed project, Alternative 2 fails to meet six of seven project objectives at all, and only halfway meets the remaining one project objective. Feasibility may also be determined from the desirability of the measure or alternative from a policy standpoint, as reasonably determined by the City Council. The infeasibility of this residential-only alternative can be fairly observed from the fact that the site has remained a vacant parcel for an extended time, despite being favorably located adjacent to residential and school uses. This alternative is also infeasible because it fails to meet the City General Plan Objective H-2 and its policies of increasing the diversity in housing types in the City by providing live-work units, and smart growth housing.

The City Council rejects Alternative 2 as a project alternative, because Alternative 2 partially meets only one project objective, fails to meet any of the others, is apparently infeasible for residential-only development, and is infeasible for policy and other considerations.

3. Alternative 3: Mixed-Use Development with Lower Residential Density

Description

Alternative 3 does not alter the current site plan or mix of uses proposed on the project site. The residential uses would be located on the northern area of the site and commercial and visitor-serving uses would be located to the south and east. The on-site circulation and traffic flow would also remain the same. The commercial uses, hotels, and RV parking areas would remain the same relative to use, size, massing, and layout. General Plan and Zoning Code Amendments would still be required under Alternative 3 to allow a mixed-use development.

The residential portion of the project under Alternative 3 would remain in the same location but would have a reduced density to be consistent with that allowed in the R-1-7000 Single-Family Residential Zone. The current project proposes a residential density of 26.2 units per acre. Alternative 3 would result in a density of 6.2 units per acre. The residentially zoned portion of the site consists of approximately 18.4 acres. Under this alternative, 114 residential units would be allocated instead of 482 units under the proposed project, which would be a reduction in 368 units.

Summary of Impacts

Development under Alternative 3 would result in reduced impacts to energy conservation, greenhouse gas emissions, recreation, transportation and traffic, and utilities and service systems. The reduced impacts in these areas are a result of a reduction in the number of housing units using energy and utilities and generating traffic and a population increase. The remaining environmental resource areas would have similar impacts to the proposed project under Alternative 3 development.

The significant and unavoidable effects of the proposed project are its impacts to air quality and greenhouse gas emissions and its cumulatively considerable contribution to traffic impacts. Alternative 3 would result in fewer daily trips due to the reduction in housing units. However, even with the reduction in housing units, this Alternative would still produce operational NO_x and GHG emissions that exceed the SCAQMD thresholds. Alternative 3 would still include commercial, restaurant, and hotels. While the reduction in residential units would slightly reduce traffic, the project would still contribute to a cumulative significant and unavoidable traffic impact. Therefore, Alternative 3 would not reduce the severity of these impacts. Thus, the CEQA policy of reducing significant environmental effects to the extent feasible would not be satisfied through the adoption of Alternative 3.

Relationship to Project Objectives

Alternative 3 would meet the objectives of the proposed project, including increasing the amount of hotel rooms, providing RV parking, creating more commercial and retail development in the City, and providing a mixed-use, infill development in the City. Alternative 3 would only include single-family residences which would only partially meet the objective of increasing the type and amount of housing.

Finding: The City Council finds that while Alternative 3 would reduce some environmental impacts, Alternative 3 would still result in significant and unavoidable impacts to air quality, greenhouse gas emissions, and traffic and would have similar impacts in a majority of the resource areas. The City Council rejects Alternative 3 as a project alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) inability to avoid significant environmental impacts, and (2) failure to meet the project objective of increasing the type and amount of housing available in the City. This alternative is also rejected as infeasible, in that it conflicts with the City's General Plan Objective H-2 of increasing the diversity in housing types in the City by providing multi-family residences, live-work units, and smart growth housing. Feasibility may be determined from the desirability of the measure or alternative from a policy standpoint, as reasonably determined by the City Council.

4. Alternative 4: No Riverside County Flood Control and Water Conservation District and Riverside County Transportation Authority Lease Area Development

Description

Alternative 4 would eliminate development on the Flood Control and Water Conservation District (RCFCWCD) and Riverside County Transportation Commission (RCTC) leased land, approximately 4.34 acres of the site. This alternative would eliminate development of the RV Parking and reduce the parking lot area designated for the hotels. Alternative 4 would still consist of 482 residential units and 49,000 square feet of leasable commercial space, but with the reduction in viable parking lot area, only one hotel would be permitted. The site configuration and circulation system would remain the same as under the proposed project. General Plan and Zoning Code amendments would still be required under Alternative 4 to allow for the mixed-use development.

Alternative 4 differs from Alternative 2 by proposing a greater residential density and including commercial and visitor serving uses. Alternative 4 differs from Alternative 3 by having a greater density of residential units and eliminating one hotel and the RV Parking component.

Summary of Impacts

Development under Alternative 4 would have similar impacts to the proposed project for all resources areas except for aesthetics, energy conservation, hydrology and water quality, and utilities and service systems since the loss of a hotel would reduce energy use and not develop a four-story structure. Alternative 4 would also result in a reduction of trips generated by the project because of the loss of one hotel and RV parking. However, Alternative 4 would still include 49,000 square feet of commercial space, one hotel, and 482 residential units which would generate a significant amount of traffic and trips. Therefore, Alternative 4 would still result in significant and unavoidable impacts to air quality, greenhouse gas emissions, and cumulative traffic.

Relationship to Project Objectives

Alternative 4 would meet a majority of the objectives of the proposed project. However, the project would not meet the objective to provide RV parking for short-term visitors in the City and would reduce the number of hotels compared to the proposed project.

Finding: The City Council finds that Alternative 4 would not meet the project objective of providing amenities for the growing need of RV parking and would reduce the number of hotels rooms provided under the proposed project. The City Council rejects Alternative 4 as a project alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) Alternative 4 does not implement the project objectives and (2) Alternative 4 does not avoid significant environmental impacts. Feasibility may also be determined from the desirability of the measure or alternative from a policy standpoint, as reasonably determined by the City Council. Alternative 4 is infeasible because it would strand the RCFCWCD property and the Lease Land from future useful development due to their non-uniform shape and location. The RCFCWCD property, which is of mediocre environmental value, is being replaced through mitigation by higher-quality and higher-functioning environmental land, which will be preserved. Satisfying fewer project objectives without environmental benefit, and stranding ruderal, mediocre value property without environmental benefit, do not support feasibility in contrast to a superior project.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of the environmentally superior alternative among the options studied. The environmentally superior alternative must be an alternative to the proposed project

that reduces some of the environmental impacts of the proposed project, regardless of the financial costs associated with that alternative. Identification of the environmentally superior alternative is an informational procedure and the alternative identified as environmentally superior may not be the one that best meets the goals or needs of the proposed project.

Table 6-3 of the Draft EIR indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the proposed project for each of the issue areas studied. Based on the alternatives analysis provided above, Alternative 1: No Project Alternative, would be the environmentally superior alternative. The No Project Alternative would either avoid or lessen the severity of all significant impacts of the proposed project. However, the No Project Alternative would not fulfill the objectives of the proposed project.

When the "No Project" alternative is determined to be environmentally superior, State CEQA Guidelines also requires identification of the environmentally superior alternative among the development options. Of the other alternatives evaluated in this EIR, Alternative 2: Development of the Site Pursuant to Current Underlying Zoning Alternative, is determined to be the environmentally superior alternative. Alternative 2 is environmentally superior to the project with respect to ten resource topics, including reducing significant and unavoidable impacts to air quality, greenhouse gas emissions, and cumulative traffic to less than significant. However, Alternative 2 would not provide commercial, hotels, RV parking, or live entertainment events, and development under this alternative would not meet the project objectives of developing a mixed-use project, increasing hotel rooms and RV parking, providing neighborhood amenities, or increasing the amount of commercial and restaurant space in the City. Alternative 2 fails to meet most of the basic project objectives and is therefore rejected by the City Council. (DEIR, pp. 6-19 and 6-20) Feasibility may also be determined from the desirability of the measure or alternative from a policy standpoint, as reasonably determined by the City Council. The infeasibility of this alternative is shown from the fact that the site has remained a vacant parcel for an extended time, despite being favorably located adjacent to residential and school uses. This alternative is also infeasible because it fails to meet the City General Plan Objective H-2 policies of increasing the diversity in housing types in the City by providing live-work units, and smart growth housing.

IX. FINDINGS REGARDING NO NEED FOR RECIRCULATION

Section 3 of the Final EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines § 15088(b), as well as to provide clarification regarding environmental issues raised. Volume II (Draft EIR) and Volume III (Draft EIR Appendices) of the Final EIR also incorporates information obtained after publication of the Draft EIR and revisions made for clarification and to provide additional detail.

CEQA Guidelines 15088.5 provides that recirculation of an EIR is only required in limited circumstances where new or substantially increased significant impacts are identified; where a new feasible mitigation measure or alternative is needed to reduce or avoid significant impacts, but is not adopted; or where the EIR circulated for review was so fundamentally inadequate that environmental review was precluded. However, Section 15088.5 confirms that "recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR." It is for those reasons, that recirculation is the

exception, not the rule. (*Laurel Heights Improvement Ass’n of S.F. v. Regents of Univ. of Cal.* (1993) 6 Cal.4th 1112, 1132.)

Here, the minor revisions shown in the Final EIR merely clarify and amplify the already-adequate discussions and mitigation previously presented in the Draft EIR, and do not identify or demonstrate any new significant impacts or substantially increased environmental impacts. Similarly, no new mitigation measures for new significant impacts or alternatives are necessary because no new significant impacts exist. Thus, recirculation is not required under Guidelines 15088.5.

Specifically as to those clarifications addressing the variance for a second freeway-oriented sign, the Draft EIR already fully disclosed to the public that the Project proposed two freeway oriented signs. (Draft EIR pp. ES-3, 2-11.) Those disclosures included the anticipated heights of the signs, overall lighting scheme, and freeway-visibility of the signs. (*Ibid.*) Further, the signs were identified in the Draft EIR’s aesthetics section at page 4.1-11. Accordingly, the Final EIR’s edits identifying that a variance (as a legal entitlement) is necessary for the second sign, and the elaborations in the Final EIR regarding the impacts of those signs, are mere clarifications and amplifications of the information and conclusions already presented for public review in the fully-adequate Draft EIR. Moreover, the need for a variance does not change the physical description of the signs already set forth in the Draft EIR, and CEQA’s analytical requirements are focused on the physical impacts of a project. Thus, recirculation is not required under Guidelines 15088.5.

Likewise, the grading exception – necessary for retaining walls over 6 feet in height – was previously identified in the Draft EIR and remains unchanged. (Draft EIR pp. ES-4, 2-11, 2-12, and 2-13.) The grading exception is similarly discussed in the EIR’s environmental analysis at Draft EIR p. 4.9-6. Accordingly, the textual revisions in the Final EIR regarding the grading exception merely clarify and amplify the already-adequate analysis in the Draft EIR, do not change the Draft EIRs significance conclusions, and do not involve or require any new mitigation measures or alternatives. Thus, recirculation is not required under Guidelines 15088.5.

Therefore, the City of Riverside City Council finds that responses to comments made on the Draft EIR and revisions to the Final EIR merely clarify, amplify or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15088.5(b). Revisions made to the Draft EIR are shown throughout the Final EIR in ~~striketrough~~ and underline text to denote deletions and additions, respectively.

X. STATEMENT OF OVERRIDING CONSIDERATIONS

The City of Riverside adopts and makes this statement of overriding considerations concerning the project’s significant and unavoidable impacts to explain why the project’s benefits override and outweigh its unavoidable impacts. In the City’s judgment, the project and its benefits outweigh its potentially significant impacts to air quality, greenhouse gas emissions, and cumulative traffic impacts. The following statement identifies the specific reasons why, in the City’s judgment, the benefits of the project outweigh its unavoidable significant effect. Any one of these reasons, standing alone, is sufficient to justify approval of the project, and each and every one of the project’s benefits outweighs each and every one of the potentially significant and unavoidable impacts both individually and collectively. Thus, even if one or more overriding considerations was no longer supported by substantial evidence, the City would stand by its determination that each individual reason is sufficient.

The EIR has identified and discussed significant effects that may occur as a result of the project. As set forth in these CEQA Findings, the City has made a reasonable and good faith effort to eliminate or substantially mitigate the impacts resulting from the project and has made specific findings on each of the project's significant impacts and on mitigation measures and alternatives. However, the project will result in a significant and unavoidable project-level and cumulative impacts as follows:

1. **Air Quality Management Plan Impacts (Impact AQ-1).** The project would generate NO_x emissions which would exceed SCAQMD thresholds and could result in an increase in air quality violations in the South Coast Air Basin that would conflict with the Air Quality Management Plan.
2. **Air Quality (Impact AQ-3).** Operational emissions from the project would exceed SCAQMD thresholds for NO_x from mobile sources.
3. **Cumulative Air Quality Impact.** The project and cumulative projects in the area would still result in a cumulatively considerable increase of a criterion pollutant (NO_x, an ozone precursor) for which SCAG is in nonattainment under federal and state standards. Therefore, cumulative impacts would be significant and unavoidable.
4. **Greenhouse Gas (Impact GHG-1).** The project would generate GHG emissions that would exceed the established service population threshold.
5. **Greenhouse Gas Reduction Plan Impacts (Impact GHG-2).** The project would exceed GHG thresholds established to meet GHG reduction targets and conflict with adopted plans.
6. **Cumulative Greenhouse Gas Impact.** The project would exceed GHG emissions thresholds and therefore would still have a cumulatively significant and unavoidable impact.
7. **Cumulative Traffic Impact (Impact T-C).** Cumulative development would result in significant cumulative traffic impacts. It is not feasible to completely avoid an unacceptable LOS at Main Street and Russell Street (Intersection #6). Therefore, the project's contribution to a significant traffic impact would be cumulatively considerable.

In accordance with Section 15093 of the CEQA Guidelines, and having reduced the adverse significant environmental effects of the project to the extent feasible, having considered the entire administrative record on the project, and having weighed the benefits of the project against its unavoidable adverse impacts after mitigation, the City hereby finds that the following legal, economic, social, environmental, and other benefits of the project outweigh its unavoidable adverse impacts and render them acceptable based upon the following considerations. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact, and each of these benefits are supported by the substantial evidence contained in the Draft and Final EIRs, the Project plans, the City's conditions, and elsewhere in the administrative record.

- a. The project would promote the City's General Plan Objective LU-71 by establishing needed amenities in the Northside neighborhood and giving residents access to a commercial center with restaurants, farmers markets, and live entertainment.
- b. The project would provide 482 residential units and help the City reach its remaining RHNA need of 3,801 units of moderate and above moderate affordability.

- c. The project would increase the diversity in housing types in the City by providing multi-family residences and live-work units within a mixed-use development, which would promote the City's General Plan Objective H-2.
- d. The project would increase the number of hotel rooms in the Riverside area and provide an additional revenue source for the City.
- e. The project would provide 23 RV parking spaces to respond to the growing need for permitted RV and short-term parking in the City.
- f. The project would promote the City's Smart Growth principles and policies in General Plan Objective LU-8 by implementing a mixed-use development, including 12 live-work units, along a strategic transportation corridor approximately one mile from downtown Riverside.
- g. The project would add more restaurant, retail, and commercial space in the City to serve residents and increase revenue for the City.
- h. The project would develop a vacant lot with a well-planned, infill development in a location that is strategic for development, pursuant to General Plan Policy LU-8.1.
- i. The project would install a sidewalk along the Orange Street frontage consistent with the arterial street classifications in the General Plan, and improve pedestrian safety by creating a cohesive right-of-way along Orange Street.
- j. The project would appropriately utilize the site's unusual characteristics of being adjacent to two freeways, by developing the site with business uses the benefit from freeway connectivity and residential developments that can make commutes more efficient.

XI. MITIGATION MONITORING AND REPORTING PROGRAM

The City of Riverside finds that a Mitigation Monitoring and Reporting Program (MMRP) for the Exchange project has been prepared for the project and hereby adopts the MMRP concurrently with these Findings of Fact and Statement of Overriding Considerations (Public Resources Code, §21081.6(a)(1)).

CEQA requires that an agency adopt an MMRP that includes mitigation measures prior to approving a project. The MMRP for the Project has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines.

The purpose of the MMRP is to ensure the implementation, in accordance with CEQA requirements, of the mitigation measures adopted by the City and under its control. The mitigation measures adopted in the Exchange project EIR Findings are listed in Sections III, IV, and V of this document. The MMRP is bound separately as Section 4 of the Final EIR and hereby incorporated by reference.

Mitigation Monitoring and Reporting Program

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Environmental Impact Report (Final EIR), specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in this Mitigation Monitoring and Reporting Program (MMRP).

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
Air Quality						
AQ-1 Super-Compliant Low VOC Paint						
During the architectural coating phase of construction, the project shall utilize “Super-Compliant” low VOC paints formulated to exceed the regulatory VOC limits put forth by SCAQMD Rule 1113. Super-Compliant low VOC paints shall contain no more than 10 grams of VOC per liter. Alternatively, the applicant may utilize tilt-up concrete panels that do not require architectural coatings.	Verify the use of low VOC paints containing no more than 10 grams of VOC per liter.	Prior to issuance of building permits	Once	City of Riverside Community and Economic Development Department, Building and Safety Division		
AQ-2 Site Preparation and Grading Watering						
During site preparation and grading activity phases of construction, all actively graded areas shall be watered at two-hour watering intervals (i.e., four times per day) or a movable sprinkler system shall be in place to ensure a minimum soil moisture of 12 percent is maintained. Moisture content shall be verified with the use of a moisture probe by the grading contractor four times per day during grading activities.	Project Applicant or their Contractor shall submit evidence to the City that soil moisture content measurements are being conducted by the grading contractor.	Site preparation and grading phase of construction	Periodically	City of Riverside Public Works Department Project Contractor		
AQ-3 Exceedance of California Building Code Title 24						
Prior to the issuance of building permits, the project applicant shall submit energy usage calculations to the City of Riverside Building Division showing that the project is designed to achieve a minimum five percent efficiency beyond the existing California Building Code Title 24 and Building and Safety Requirements. Examples of measures that reduce energy consumption include, but are not limited to, the following: <ul style="list-style-type: none">Increase in insulation such that heat transfer and thermal bridging is minimizedLimit air leakage through the structure and/or within the heating and cooling distribution system	Verify energy usage calculations submitted to the City of Riverside Building Division show that the project is designed to achieve minimum five percent efficiency beyond the existing California Building Code Title 24 and Building and Safety Requirements.	Prior to issuance of building permits	Once	City of Riverside Community and Economic Development Department, Building and Safety Division		

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date Comments
<ul style="list-style-type: none">▪ Use energy-efficient space heating and cooling equipment▪ Install electrical hook-ups at loading dock areas▪ Install dual-paned or other energy efficient windows▪ Use interior and exterior energy efficient lighting that exceeds current California Title 24 Energy Efficiency performance standards▪ Install automatic devises to turn off lights where they are not needed▪ Apply a paint and surface color palette that emphasizes light and off-white colors to reflect heat away from buildings▪ Design buildings with “cool roofs” using products certified by the Cool Roof Rating Council, and/or exposed roof surface using light off-white colors▪ Design buildings to accommodate photo-voltaic solar electricity systems or install photo-voltaic solar electricity systems▪ Install ENERGY STAR-qualified, energy-efficient appliances, heating and cooling systems, office equipment, and/or lighting products <p>The items listed above are not all required, but present examples of efficiency measures. Neither is the list all-inclusive; other features that reduce energy consumption could be acceptable at the discretion of the City Building Official.</p>						

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
AQ-4 Enhanced Water Conservation						
Prior to the issuance of building permits, the project applicant shall prepare a Water Conservation Strategy and demonstrate a minimum 30 percent reduction in outdoor water use compared to baseline water demand. Baseline water demand is the total expected water demand without implementation of the Water Conservation Strategy. The project Water Conservation Strategy shall be subject to review and approval by the City. The project shall also implement the following:	Verify that a Water Conservation Strategy has been prepared, which demonstrates a minimum 30 percent reduction in outdoor water usage compared to baseline water demand and implements the measures outlined in AQ-4.	Prior to issuance of building permits	Once	City of Riverside Community and Economic Development Department, Building and Safety Division (Construction Documents) Planning Division (Landscape and Irrigation Plans)		
<ul style="list-style-type: none">▪ Install a landscaping palette emphasizing drought tolerant plants▪ Use water-efficient irrigation techniques▪ Implement USEPA Certified WaterSense labeled or equivalent faucets, high-efficiency toilets, and water-conserving shower heads						
Biological Resources						
BIO-1a Burrowing Owl Preconstruction Survey						
Pre-construction presence/absence surveys for burrowing owl shall be conducted in the survey area where suitable habitat is present prior to ground disturbance in new areas, throughout the construction phase of the project. Pre-construction surveys shall be conducted by a qualified biologist in the development footprint and a 500-foot buffer no more than 30 days prior to grading or other significant site disturbance. The surveys should be conducted in accordance with the most recent CDFW and California Burrowing Owl Consortium guidelines. A burrow shall be considered occupied when there is confirmed use by burrowing owl based on observations made by a qualified biologist. If owls are not found to be occupying habitat in the survey area during the pre-construction survey,	Monitor the schedule of proposed activities related to the project to confirm whether or not these activities will require pre-construction presence/absence surveys. Review results of pre-construction presence/absence surveys.	No more than 30 days prior to grading or other significant ground disturbances	Once	City of Riverside Community and Economic Development Department, Planning Division Qualified Biologist		

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
the proposed disturbance activities may proceed. Take of active nests shall be avoided.						
BIO-1b Burrowing Owl Avoidance Measures						
If owls are discovered on and/or within 500 feet of the proposed project site, avoidance measures shall be developed in compliance with the MSHCP and in coordination with the CDFW and/or Western Riverside County Regional Conservation Authority. Such measures will include but not be limited to the following: <ul style="list-style-type: none">Burrowing owls shall not be disturbed on-site and/or within a 500-foot buffer between February 1 and August 31 to avoid impacting nesting.Prior to any ground disturbance, all limits of project construction shall be delineated and marked to be clearly visible to personnel on foot and in heavy equipment. All construction-related activities shall occur inside the limits of construction and designated staging areas. Construction staging and equipment storage shall be located outside of any occupied burrowing owl burrow locations. All construction-related movement shall be restricted to the limits of construction and staging areas. Avoidance measures shall include passive relocation by a qualified biologist to remove the owls between September 1 and January 31, which is outside of the typical nesting season.	Development of burrowing owl avoidance measures in compliance with MSHCP and in coordination with the CDFW and/or Western Riverside County Regional Conservation Authority if burrowing owls are discovered on and/ or within 500 feet of the project site.	Upon notice of located active owl burrow	Once	City of Riverside Community and Economic Development Department, Planning Division		

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
BIO-2 Nesting Bird Avoidance						
Prior to the issuance of grading permits, the following measures shall be implemented: To avoid disturbance of nesting and special-status birds such as Cooper’s hawk, and including other raptorial species protected by the Migratory Bird Treated Act and CFGC, activities related to the project, including but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 30). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 30 days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on foot inside the project site disturbance areas, and including a 500-foot buffer. Inaccessible areas (e.g., private lands) will be surveyed from afar using binoculars to the extent practical. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in western Riverside County. If nests are found, an appropriate avoidance buffer will be determined by a qualified biologist and demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. Effective buffer distances are highly variable and based on specific project stage, bird species, stage of nesting cycle, work type, and the tolerance of a particular bird pair. The buffer may be up to 500 feet in diameter, depending on the species of nesting bird found and the biologist’s observations.	Monitor the schedule of proposed activities related to the project, to confirm whether or not these activities will occur outside of the bird breeding season. Review results of pre-construction nesting bird survey if initial site disturbance cannot be conducted outside of bird breeding season, to confirm that it meets the requirements of this mitigation measure. Confirm that the avoidance buffer has been appropriately determined and demarcated by the avian biologist, construction personnel have been appropriately notified of its existence and to avoid entering it during the nesting season, no ground disturbing activities occur within the avoidance buffer until the avian biologist has confirmed that breeding/ nesting is completed and the young have fledged the nest, and that encroachment into the buffer occurs only at the discretion of the qualified avian biologist.	Prior to the issuance of grading permits Prior to each project activity Prior to ground disturbance and construction activities that will occur during the bird breeding season Upon notice of located active bird nests	Once	Riverside Community and Economic Development, Planning Division City of Riverside Community and Economic Development, Planning Division		

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
panels designed specifically to be deployed on construction sites for reducing noise levels at sensitive receptors. If 60 dBA Leq is exceeded, an acoustician would require the construction contractor to make operational and barrier changes to reduce noise levels to 60 dBA during the breeding season (February 1 through August 30). Noise monitoring shall occur during operational changes and installation of barriers to ensure their effectiveness. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No parking, storage of materials, or construction activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist, if it is determined such encroachment will not adversely impact the nesting birds.						
BIO-3 Avoidance and Minimization						
Jurisdictional areas outside the footprint of direct development impact (i.e., the eastern portion of the concrete channel) shall be avoided. Any material/spoils generated from project activities shall be located away from jurisdictional areas and protected from stormwater run-off using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate. Materials shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage from contaminating the ground and generally at least 50 feet from the top of bank. Any material spills will be stopped if this can be done safely. The contaminated area will be cleaned and any contaminated materials properly disposed. For all spills, the project foreman will be notified.	Project applicant shall submit evidence which verify prevention of stormwater run-off from the project site into drainage channels through implementation of temporary perimeter sediment barriers, storage materials on impervious surfaces, and the stopping of any material spills if possible. In the case of any material spills: the project foreman will be notified, the spill is to be cleaned, and contaminated materials properly disposed.	Prior to grading permit	Periodically	City of Riverside Public Works Department		

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
BIO-4 Consultation and Compensatory Mitigation						
Prior to ground disturbance activities that will impact waters and WoUS and/or WOS, the project proponent shall consult with USACE on the need for a CWA Section 404 permit; the RWQCB regarding compliance with Section 401 of the CWA, CDFW on the need for a Streambed Alteration Agreement, and the Western Riverside Conservation Authority, which oversees compliance with the Multiple Species Habitat Conservation Plan (MSHCP). Discussions with these agencies were initiated in October 2018 and are ongoing. Appropriate permits shall be obtained prior to disturbance of jurisdictional resources. Impacts to jurisdictional waters shall be mitigated through the purchase of the appropriate number of riparian/riverine restoration credits from the nearby Riverside-Corona Resource Conservation District. These impacts will be mitigated at no less than a 2:1 ratio	Ensure project proponent has completed: <ul style="list-style-type: none">Compliance with Section 401 of the CWACompliance with USACE on the need for a CWA Section 404 PermitCompliance with CDFW on need for a Streambed Alteration AgreementConsultation with Western Riverside Conservation Authority for compliance with the MSHCPPurchase of the appropriate number of riparian/riverine restoration credits	Prior to any grading permit	Once	City of Riverside Community and Economic Development Department, Planning Division		
Cultural Resources						
CR-1 Archaeological Monitoring Plan						
At least 30 days prior to issuance of grading permit and before any grading, excavation, and/or ground disturbing activities take place, the developer shall retain a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for archaeology (National Park Service 1983), to carry out all mitigation measures related to archaeological and historic resources. The project archaeologist, in consultation with consulting 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	Review and approve the Archaeological Monitoring Plan to confirm that it meets the requirements of this mitigation measure.	At least 30 days prior to issuance of grading permit	Once	City of Riverside Community and Economic Development Department, Planning Division		

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
<p>will occur on the project site. Details in the plan shall include:</p> <ul style="list-style-type: none"> ▪ Project grading and development scheduling ▪ A rotating or simultaneous schedule in coordination with the developer and the project archaeologist 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 ▪ Protocols and stipulations that the developer, tribes, and project archaeologist/paleontologist shall follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or non-renewable paleontological resources that shall be subject to a cultural resources evaluation ▪ Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site ▪ The scheduling and timing of the Cultural and Archaeological Sensitivity Training noted in mitigation measure CR-2. 						
CR-2 Cultural and Archaeological Sensitivity Training						
<p>A qualified archaeologist and any consulting tribes shall attend the pre-grading meeting with the developer's contractors to conduct a Worker's Environmental Awareness Program training for cultural and archaeological sensitivity for all construction personnel prior to the commencement of any ground-disturbing activities. Archaeological sensitivity training shall include a description of the types of cultural</p>	<p>Applicant to submit sign-in sheet for cultural and archaeological sensitivity training, conducted by a qualified archaeologist, for all construction site personnel.</p>	<p>Prior to construction activities</p>	<p>Once</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>		

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
					Initial	Date
material that may be encountered, cultural sensitivity issues, regulatory issues, procedures to follow during ground disturbance in sensitive areas, and protocols in the event unanticipated resources are discovered. Only construction personnel who received this training can conduct construction and disturbance activities in sensitive areas. All attendees shall confirm attendance by signing a sign-in sheet to be submitted to the City of Riverside.						
CR-3 Treatment and Disposition of Cultural Resources						
In the event cultural resources are encountered inadvertently during ground-disturbing activities, work in the immediate area must halt and the qualified archaeologist must be immediately contacted and may consult with the tribal monitor(s) to evaluate the find and develop a plan for treatment of the find/archaeological site. The following procedures shall be carried out for treatment and disposition of the discoveries:	Confirm that a qualified archaeologist has informed all on-site construction personnel of the proper procedures in the event of a cultural or archaeological discovery. Submittal of a Phase IV Monitoring Report.	Grading and Construction activities Submittal of Phase IV Monitoring Report within 60 days of completion of grading	On-going	City of Riverside Community and Economic Development, Planning Division. Qualified Archaeologist Native American Monitor Landowner and Project Applicant		
1. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the project archaeologist. The removal of any artifacts from the project site shall need to be inventoried thoroughly with tribal monitor oversight, as necessary, of the process.						
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 landowner(s) 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						

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Frequency	Responsible Agency	Compliance Verification		
				Initial	Date	Comments
same:						
<ul style="list-style-type: none">▪ Accommodate the process for on-site reburial of the discovered items with the consulting tribes. 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 are completed.▪ Secure a curation agreement with an appropriate qualified repository in Riverside County that meets federal standards per 36 CFR Part 79 and will professionally curate and make available findings to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility in Riverside County, to be accompanied by payment of the fees necessary for permanent curation.▪ If more than one consulting tribe 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.▪ 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, as necessary, 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						

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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 shall be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.						
CR-4 Paleontological Resources Monitoring						
<p>The following mitigation measure would address the potentially significant impacts relating to the discovery of paleontological resources during project implementation and ground-disturbing activities. This measure would apply to all phases of project construction and would ensure that any significant fossils present on site are preserved. The following procedures shall be carried out:</p> <ul style="list-style-type: none"> ▪ Prior to the commencement of ground-disturbing activities under the project, a qualified professional paleontologist shall be retained to conduct paleontological monitoring during project ground disturbing activities. The Qualified Paleontologist (Principal Paleontologist) shall meet the education and professional experience standards as set forth by the SVP, which recommends the paleontologist shall have at least a Master's Degree or equivalent work experience in paleontology, shall have knowledge of the local paleontology, and shall be familiar with paleontological procedures and techniques. ▪ Ground-disturbing construction activities (including grading, trenching, drilling with an auger greater than three feet in diameter, and other excavation) below five feet and within 	<p>Applicant shall submit evidence a Principal Paleontologist is placed on retainer.</p> <p>Confirm submittal of a final report by the Principal Paleontologist, describing the results of the paleontological mitigation monitoring efforts associated with the project.</p>	Grading and Construction activities	On-going	City of Riverside Community and Economic Development Department, Planning Division		

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<p>project areas with high paleontological sensitivity (i.e., Pleistocene alluvium; Qvof, Qof) shall be monitored on a full-time basis. Spot-check monitoring is recommended for ground disturbance below ten feet for project areas underlain by geologic units with low paleontological sensitivity (i.e., younger Quaternary alluvium; Qyf) to determine underlying sensitive units are being impacted. Monitoring shall be supervised by the Qualified Paleontologist and shall be conducted by a qualified paleontological monitor, who is defined as an individual who meets the minimum qualifications per standards set forth by the SVP, which includes a BS or BA degree in geology or paleontology with one year of monitoring experience and knowledge of collection and salvage of paleontological resources.</p> <ul style="list-style-type: none"> ▪ The duration and timing of the monitoring shall be determined by the Qualified Paleontologist. If the Qualified Paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend reducing monitoring to periodic spot-checking or cease entirely. Monitoring would be reinstated if any new ground disturbances are required and reduction or suspension would need to be reconsidered by the Qualified Paleontologist. ▪ If a paleontological resource is discovered, the monitor shall have the authority to temporarily divert the construction equipment around the find until it is assessed for scientific significance and collected. Once salvaged, significant fossils shall be prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Western Science Center in Hemet). Curation fees are the responsibility of the project 					

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owner. A final report shall be prepared describing the results of the paleontological mitigation monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the lead agency(s) for the project. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.						
Geology and Soils						
GEO-1 Plan Review and Construction Monitoring						
Prior to the issuance of grading permits, project foundation and grading plans shall be reviewed by the geotechnical engineer to confirm consistency with all standards contained in the geotechnical report and required under the City's grading ordinance. Plans shall demonstrate positive drainage away from all structures, as recommended in the geotechnical report. All grading operations, including the preparation of the natural ground surface, shall be observed and compaction tests performed by the geotechnical engineer to ensure site preparation and grading adheres to over-excavation and relative compaction standards contained in the geotechnical report. Sub-excavated surfaces and all other surfaces to receive fill should be scarified to a minimum depth of 12 inches, moisture conditioned to at least 120 percent of the optimum moisture content, and densified to a minimum relative compaction of 90 percent pursuant to ASTM International standard D1557—Standard Test Methods for Laboratory Compaction Characteristics of Soil Using Modified	Verify foundation and grading plans have been reviewed by a geotechnical engineer to confirm consistency with all standards contained in the geotechnical report and required under the City's grading ordinance. Applicant shall submit evidence of geotechnical engineer which would monitor grading operations and perform compaction tests.	Prior to issuance of grading permits	Once	City of Riverside Department of Public works City of Riverside Community and Economic Development Department, Building and Safety Division		

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Effort—as confirmed by the geotechnical engineer.					
GEO-2 Geotechnical Recommendation Implementation					
All recommendations included in the approved geotechnical report shall be implemented as project conditions of approval. Such recommendations include, but are not limited to: <ul style="list-style-type: none">Over-excavation, moisture conditioning, densification, and relative compaction standards detailed in the geotechnical reportApplication of appropriate seismic design parameters cited in the geotechnical reportRetaining wall design standards and soil backfill requirementsShallow foundation design standards, including placement of 12-inch wide footings at least 18 inches below the lowest final adjacent grade for retaining walls and one-, two-, and three-story buildings. The spread and wall footings should be designed for a maximum safe soil bearing pressure of 2,000 pounds per square foot for dead plus live loads. Footings for the 4-story buildings should be at least 24 inches in depth, and may be designed for a maximum safe soil bearing pressure of 2,500 pounds per square foot.Slab-on-grade design features specified in the geotechnical report, including four-inch thick floors and concrete slabs-on-grade reinforced with No. 3 bars at 24 inches on-center each way or equivalent. The implementation of these recommendations shall be overseen by the geotechnical engineer throughout grading operations and shall be confirmed by the City of Riverside.	Include Geotechnical Report recommendations into conditions of approval. Applicant to include recommendations onto grading and building plan submittals.	Once	City of Riverside Department of Public Works City of Riverside Community and Economic Development Department, Building and Safety Division		

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Hydrology and Water Quality						
HWQ-1 Letter of Map Revision						
Prior to the issuance of building permits, the applicant shall obtain a revision to the Flood Insurance Rate Map reflecting post-development drainage conditions. This process will first entail a conditional letter of map revision prior to issuance of a grading permit. Then, prior to issuance of a building permit, a letter of map revision showing the actual “as built” plans shall be submitted. The applicant shall adhere to all FEMA-required processes and shall demonstrate, with supporting technical data, that the lowest point of all structures remain at or above the 1-percent-annual-chance flood event base flood elevation.	Confirm submittal of conditional letter of revision to FEMA Flood Insurance Rate Map reflecting post-development drainage conditions. Confirm submittal of letter of revision to FEMA Flood insurance Rate Map showing the actual “as built” plans to be submitted.	Prior to issuance of grading permits Prior to issuance of building permits	Once	City of Riverside Department of Public Works City of Riverside Community and Economic Development Department		
Noise						
N-1 Operational Noise Barrier						
The project applicant shall incorporate a permanent noise barrier along the entire northern boundary of the project site. The design for this barrier shall be completed prior to issuance of building permits, and the construction of the barrier shall be completed prior to the issuance of a certificate of occupancy. The noise barrier shall be 6 feet high and shall consist of a solid face from top to bottom. Unnecessary openings or decorative cutouts in the barrier shall not be made. All gaps, except for weep holes, shall be filled with grout or caulking. The noise barrier shall provide a weight of at least four pounds per square foot of face area or it shall provide a minimum transmission loss of 20 dBA. The noise barrier shall be constructed using the following materials capable of providing a minimum transmission loss of 20 dBA : ▪ Decorative Masonry block;	Confirm design of barrier is consistent with specifications outlined in mitigation measure. Confirm construction of barrier is completed.	Prior to issuance of building permits Prior to issuance of certificate of occupancy	Once	City of Riverside Community and Economic Development Department, Building and Safety Division and Planning Division		

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▪ Precision masonry block with stucco						
Transportation and Traffic						
T-1 Main Street and Strong Street (Intersection #3)						
Restripe the eastbound and westbound approaches to provide a left turn lane and a shared through-right turn lane. A conceptual striping plan is provided in Appendix 1.2 of the TIA	Confirm restriping has been completed according to the Traffic Impact Analysis recommendations.	Prior to issuance of First Occupancy	Once	City of Riverside Public Works Department		
T-2 Orange Street and Strong Street (Intersection #8)						
Install a traffic signal.	Confirm traffic signal has been installed.	Prior to issuance of First Occupancy	Once	City of Riverside Public Works Department		
T-3 Orange Street and Oakley Avenue/SR 60 Westbound Ramps (Intersection #11)						
Install a traffic signal, construct a northbound left turn lane, and construct a westbound right turn lane with a minimum of 200 feet of storage.	Confirm traffic light has been installed and lanes described in mitigation measure have been constructed.	Prior to issuance of First Occupancy	Once	City of Riverside Public Works Department		
T-4 West La Cadena Drive and Interchange Street/I-215 Southbound Ramps (Intersection #14)						
Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of signalization, a northbound left turn lane, and a southbound left turn lane.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		
T-5 East La Cadena Drive and I-215 Northbound Ramps (Intersection #16)						
Prior to the issuance of building permits, the applicant shall contribute its fair-share amount for the recommended improvements at this intersection, which consist of signalization, restriping the northbound through lane as a shared through-left lane and construction a second receiving lane on the on-ramp.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		

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Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification	
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T-6 Riverside Avenue/Main Street and Placentia Lane (Intersection #1)						
Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of installation of a traffic signal.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		
T-7 Orange Street and Russel Street (Intersection #12)						
Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of installation of a traffic signal, and construction of northbound, southbound, eastbound, and westbound left turn lanes.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		
T-8 East La Cadena Drive and Columbia Avenue (Intersection #17)						
Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of modifying the traffic signal to implement overlap phasing on the westbound right turn lane.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		
T-9 East Riverside Avenue/Main Street and Placentia Lane (Intersection #1)						
Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a southbound approach to provide a second left turn lane.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		
T-10 Main Street and SR 60 EB Ramps (Intersection #5)						
Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a second southbound left turn lane.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		

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T-11 West La Cadena Drive and Interchange Street/I-215 Southbound Ramps (Intersection #14)						
Prior to the issuance of building permits, the applicant shall contribute their fair-share amount for the recommended improvements, which consist of construction of a second southbound left turn lane and the westbound approach to provide a left turn lane.	Confirm fair-share contribution has been received for this mitigation measure.	Prior to issuance of building permits	Once	City of Riverside Public Works Department		

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