

RESOLUTION NO.

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

WHEREAS, an application submitted by KA Enterprises for the development of 237 apartments and amenities on 9.44 acres, a Zoning Code Amendment, a General Plan Amendment, Design Review, a Variance, Grading Exceptions, and a Summary Vacation (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 30, 2020, 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 30, 2020, the NOP was sent to the State Clearinghouse (SCH No. 2020069047); 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 were filed with the State Clearinghouse on or about March 19, 2021, 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 on the City’s website, and made available for review at the SPC. Jesus S. Duran Eastside Library once the library was open again after COVID-19

1 pandemic closures, which was after the end of the public review comment period; 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 March 19, 2021, and ending on May 3, 2021; 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 May 27, 2021, and made certain recommendations to the City Council; and

16 WHEREAS, the Final Environmental Impact Report dated September 2021 for the Project
17 consists of a Draft EIR dated March 2021, 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 any potential environmental effects which could not be avoided or could be
28 mitigated but not to a level of insignificance; (d) a description of a range of reasonable alternatives

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

8 WHEREAS, the City Council held a duly noticed hearing on the FEIR on October 19,
9 2021, at which time additional written and oral testimony was received; and

10 WHEREAS, the City Council has been presented with and is familiar with the information
11 in the administrative record, including the Staff Reports and the written and verbal testimony
12 submitted thereon, and has reviewed and considered the information in the FEIR for completeness
13 and compliance with the CEQA Regulations, has independently reviewed and analyzed the FEIR
14 and has duly heard and considered the Staff Reports and all written and oral arguments presented
15 at its meeting of October 19, 2021; and

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

25 WHEREAS, the City Council certifies that (1) the FEIR for the Project has been completed
26 in compliance with CEQA; (2) that the FEIR was presented to the City Council, and that the City
27 Council reviewed and considered the information contained in the FEIR prior to making a decision
28 on the Project; and (3) the FEIR reflects the City’s independent judgment and analysis, and has

1 reviewed and considered all comments received during the public review process and at the public
2 hearings; and

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

6 WHEREAS, in accordance with the requirements of the CEQA Regulations, a Mitigation
7 Monitoring and Reporting Program was prepared that identified (i) all feasible measures required
8 to mitigate potentially significant impacts, and (ii) standards and requirements contained in
9 Ordinances and State Laws with which the Project will be required to comply, which Mitigation
10 Monitoring and Reporting Program is attached hereto as Exhibit "B" and incorporated herein by
11 reference; and

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

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

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

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

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

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

25 (b) The FEIR was presented to the City Council, and the City Council, as the decision
26 making body for the City, reviewed and considered the information contained in
27 the FEIR and the administrative record as a whole, which includes, but is not
28 limited to, staff reports, testimony and information received, and scientific and

1 factual data presented in evidence during the review process, prior to approving the
2 Project; and

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

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

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

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

21 Section 6: The FEIR dated March 2021 for the Project reflects the independent judgment
22 of the City based upon the findings and conclusions stated in the FEIR, staff reports, and in
23 consideration of testimony and information received, and scientific and factual data presented in
24 evidence during the review process.

25 Section 7: The City Council Finds that the FEIR dated September 2021 has fully examined
26 the environmental impacts of the Project and, based on the information in the administrative
27 record, including the analysis in the FEIR, has determined that the impacts on Aesthetics, Air
28 Quality, Agricultural and Forestry Resources; Biological Resources; Cultural Resources; Energy

1 Conservation, Geology and Soils; Greenhouse Gas Emissions; Hazards and Hazardous Materials;
2 Hydrology and Water Quality; Land Use and Planning; Mineral Resources; Noise; Population and
3 Housing; Public Services; and Recreation; Transportation and Traffic; Tribal Cultural Resources;
4 and Utilities and Service Systems; and Wildfire, either have no impact, are less than significant or
5 are potentially significant but that with mitigation the impacts are reduced to less than significant
6 based on the Findings set forth in Exhibit “A” attached hereto and incorporated herein by reference,
7 as well as the findings and analysis contained in the FEIR (collectively “Findings”). The Findings
8 are supported by substantial evidence contained therein as well as in the record, and as such, said
9 Findings are hereby adopted by the City Council.

10 Section 8: The City Council finds that the FEIR dated September 2021 has fully examined
11 the environmental concerns associated with the Project and, based on the information in the
12 administrative record, including the analysis in the FEIR, has determined that there are no
13 significant impacts, identified in the FEIR, which cannot be mitigated to a level of insignificant.
14 (DEIR p. 6.0-3)

15 Section 9: The City Council finds that the Project, including all mitigation measures,
16 conditions, permits and approvals, will not have any other significant adverse unmitigated impacts
17 on the environment. Potential environmental effects have been studied and there is no substantial
18 evidence in the record, as a whole, that supports any argument that the Project, as designed and
19 mitigated, would cause a significant effect on the environment. No facts, reasonable assumptions
20 predicated on facts, testimony supported by adequate factual foundation, or expert opinion
21 supported by facts has been submitted that refute the conclusions reached by the FEIR, studies,
22 data and reports. Nor does anything in the record alter the environmental determination, as
23 presented, based upon investigation and independent assessment of those studies, data and reports.

24 Section 10: The City Council finds that three (3) alternatives, including the No Project
25 Alternative, were identified and analyzed in the FEIR and all were rejected as failing to meet most
26 of the Project objectives (No Project Alternative), as not sufficiently reducing environmental
27 impacts as compared to the Project (Alternatives 2 and 3), and/or as infeasible, due to specific
28 economic, legal, social technological and other considerations (all alternatives). These grounds

are contained in the entirety of the administrative record, including the FEIR, the attached Exhibit “A” Findings/SOC, and the written and verbal testimony. Specifically:

(a) Alternative – No Project. This Alternative was rejected because it fails to meet all of the Project objectives to: provide a high-quality residential development in close proximity to UCR, Downtown Riverside, and high-quality transit corridors; increase the type and amount of housing available consistent with the goals of the City’s Housing Element and to assist the City in meeting project housing demand as part of the City’s growth projections (including RHNA minimum of 18,458 units by 2029); use land resources more efficiently by providing a well-planned, infill development on a currently vacant and largely disturbed site; Implement green building practices and other sustainable development methods throughout the project, consistent with the City’s Climate Action Plan; preserve the existing natural bed and bank of the drainage course and associated sensitive vegetation outside of the development footprint to maintain its hydrologic and biological function for water flow conveyance and wildlife movement; incorporate design and landscaping elements that complement and are responsive to the Canyon Crest community and edge conditions that buffer the project’s effect on the nearby natural environments, including the City of Riverside’s Quail Run Open Space and the Sycamore Canyon Wilderness Park; provide for an aesthetically pleasing project with design elements that have compatible overall theme and identity that harmonizes with the surrounding environment in terms of colors and materials and landscaping.

(b) Alternative 2 – Develop the Site Pursuant to Current Underlying Zoning Regulations. Development of the site would remain in accord with the current CG - Commercial General Zone land use and zoning designation. Development under Alternative 2 would include general commercial uses and would include a total square footage (SF) of 61,800 and approximately 400 parking spots. This development would include a 34,000 SF fitness club, a 3,400 SF drive-thru restaurant, a 12,000 SF restaurant building, and an 8,800 SF multi-tenant building with retail along with a drive-thru restaurant. A 3,600 SF convenient store/gas station would also be provided under this alternative that would include a car wash, fuel pump station, and store. (DEIR, p. 8.0-6) This Alternative would increase impacts for more environmental issues

1 (aesthetics, air quality, energy, greenhouse gas emissions, operational noise, traffic, utilities,
2 wildfire) than it would reduce (land use/planning, VMT), compared to the proposed Project.
3 Impacts for the following environmental issues would be similar for the proposed Project and
4 Alternative 2: biological resources, cultural resources, geology and soils, construction noise, and
5 tribal cultural resources. This Alternative would not meet the Project Objectives to provide a high-
6 quality residential development in close proximity to UCR, Downtown Riverside, and high-quality
7 transit corridors; and increase the type and amount of housing available consistent with the goals
8 of the City's Housing Element and to assist the City in meeting project housing demand as part of
9 the City's growth projections (including RHNA minimum of 18,458 units by 2029).

10 (c) Alternative 3 – Mixed-Use Development. This Alternative would include both
11 residential and commercial uses and thus requires a General Plan Amendment (GPA) from C –
12 Commercial to MU-U – Mixed Use-Urban designation and a Zoning Code Amendment (RZ) from
13 C – Commercial to MU-U – Mixed Use-Urban Zone. (DEIR, p. 8.0-12) Under this Alternative the
14 residential component is approximately 4.66 acres, with seven apartment buildings with 10 to 20
15 dwelling units each, with a total of 120 units; which is 117 less units than those of the proposed
16 Project. The remaining 4.78 acres includes 3,600-SF food/retail with drive thru, and 3,230 SF
17 food/retail, a 3,400-SF drive-thru restaurant and an 8,820-SF multi-tenant building with food/retail
18 uses and drive-thru. (DEIR, p. 8.0-12) Alternative 3 would increase impacts to Aesthetics, Air
19 Quality, Energy, Land Use and Planning, Operational Noise, Traffic, and Utilities. Impacts relating
20 to Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions
21 (GHG), Construction Noise, Tribal Cultural Resources and Wildfire would remain similar.
22 Impacts to VMT would be reduced. This Alternative 3 would only partially meet the following
23 Project objectives, not to the same extent as the Project: provide a high-quality residential
24 development in close proximity to UCR, Riverside, Downtown Riverside, and high-quality transit
25 corridors; and increase the type and amount of housing available consistent with the goals of the
26 City's Housing Element and to assist the City in meeting project housing demand as part of the
27 City's growth projections (including RHNA minimum of 18,458 units by 2029).

1 Section 11: The FEIR dated September 2021 for the Project has been completed and
2 processed in compliance with the requirements of the CEQA Regulations (both state and local),
3 and based on the entirety of the administrative record is hereby certified.

4 Section 12: The City Council has balanced the benefits of the adoption of the Project
5 against its unavoidable environmental impacts and has determined that for the reasons set forth
6 below, the economic, legal, social, technological and other benefits of the Project outweigh the
7 unavoidable adverse environmental effects which have been identified in attached Exhibit “A”
8 Findings/SOC and the adverse environmental effects are therefore considered acceptable. Some
9 of the benefits of implementing and approving the Project are summarized as follows:

10 (a) Provide a high-quality residential development in close proximity to the University
11 of California, Riverside, Downtown Riverside, and high-quality transit corridors.

12 (b) Provide housing to increase the type and amount of housing available consistent
13 with the goals of the City’s Housing Element and to assist the City in meeting project housing
14 demand as part of the City’s growth projections. Per Regional Housing Need Allocation (RHNA),
15 the City will need to make space for a minimum of 18,458 housing units, with an anticipated goal
16 of 24,000 units, by 2029.

17 (c) Use land resources more efficiently by providing a well-planned, infill
18 development on a currently vacant and largely disturbed site.

19 (d) Implement green building practices and other sustainable development methods
20 throughout the project, consistent with the City’s Climate Action Plan.

21 (e) Preserve the existing natural bed and bank of the drainage course and associated
22 sensitive vegetation outside of the development footprint to maintain its hydrologic and biological
23 function for water flow conveyance and wildlife movement.

24 (f) Incorporate design and landscaping elements that complement and are responsive
25 to the Canyon Crest community and edge conditions that buffer the project’s effect on the nearby
26 natural environments, including the City of Riverside’s Quail Run Open Space and the Sycamore
27 Canyon Wilderness Park.

1 (g) Provide for an aesthetically pleasing project with design elements that have
2 compatible overall theme and identity that harmonizes with the surrounding environment in terms
3 of colors and materials and landscaping.

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

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

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

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

25 Section 16: The City Council hereby finds that the locations of documents and other
26 materials which constitute the record of proceedings upon which its decision is based are the
27 Community & Economic Development Department, Planning Division and the City Clerk's Office
28

1 located at 3900 Main Street, Riverside, California 92522, and the custodian of such records shall
2 be the Community & Economic Development Director and the City Clerk, respectively.

3 ADOPTED by the City Council this _____ day of _____, 2021.
4
5

6 _____
7 PATRICIA LOCK DAWSON
8 Mayor of the City of Riverside

9 Attest:

10 _____
11 DONESIA GAUSE
12 City Clerk of the City of Riverside

13 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
14 foregoing resolution was duly and regularly introduced at a meeting of the City Council on the
15 ____ day of _____, 2021, by the following vote, to wit:

16 Ayes:

17 Noes:

18 Abstain:

19 Absent:

20 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of
21 the City of Riverside, California, this ____ day of _____, 2021.
22

23 _____
24 DONESIA GAUSE
25 City Clerk of the City of Riverside
26
27

28 21-0649

EXHIBIT "A"

CEQA FINDINGS OF FACT, STATEMENT OF BENEFITS, AND MITIGATION MONITORING AND
REPORTING PROGRAM
CRESTVIEW APARTMENTS PROJECT ENVIRONMENTAL IMPACT REPORT (Planning Case P19-0905)

This document includes the following sections:

- I. Introduction to CEQA Findings of Fact
- II. Location and Custodian of the Record
- III. Findings for Less than Significant Impacts
- IV. Findings for Impacts Identified as Significant but Mitigated to Less than Significant Level
- 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 Benefits
- 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 Crestview Apartments Project. These Findings of Fact pertain to the Final Environmental Impact Report (“EIR”), State Clearinghouse (SCH) #2020069047.

A. PROJECT LOCATION

The proposed Project site is situated at the northwest corner of Central Avenue and Sycamore Canyon Boulevard. The Assessor Parcel Number (APN) assigned to the proposed Project site is 256-050-012; the site is located at the eastern boundary of the City of Riverside and is surrounded by unincorporated Riverside County to the east and southeast. The surrounding areas include single family residences to the south across Central Avenue, the Quail Run Open Space Park to the west, and the State Route 60/ Interstate 215 (SR-60/I-215) freeway to the north, and recently approved commercial development, not yet constructed, to the east across Sycamore Canyon Boulevard.

B. PROJECT DESCRIPTION SUMMARY

The proposed apartment Project includes a total of 237 one-, two-, and three-bedroom residential apartment units in five 3-story buildings and two 2-4 split story-buildings. A total of 94 units are proposed to be one-bedroom, 126 are proposed to be two-bedroom, and 17 are proposed to be three-bedroom units. The proposed Project includes the following amenities: onsite leasing office, garages, carports, mail lounge, putting green, outdoor resort style pool and spa, dog run area with a dog wash station, fitness center, clubhouse, shade structure with barbeques and tables, and a walking perimeter loop trail (1/2-mile loop) with learning or exercise stations. Other improvements include construction of sidewalks on Central Avenue and Sycamore Canyon Boulevard.

Two driveways along Sycamore Canyon Boulevard will provide access to the proposed Project site. The driveway closest to the northern boundary of the site will serve as emergency access and egress for future residents. The driveway at the center of the site will provide primary and secondary vehicular access to the proposed Project site. Both driveways will be gate controlled. A pedestrian gate is provided at the

southeast corner of the site, adjacent to Building 4 and near the dog run area. The pedestrian gate will provide access to the sidewalk along Sycamore Canyon Boulevard and the proposed future commercial development, across Sycamore Canyon Boulevard (gas station with a convenience store, car wash, and drive-thru restaurant) and adjoining streets, bike lanes, and sidewalks. In addition, two fire access only pedestrian gates, with Knox Boxes, will be provided along the Sycamore Canyon Boulevard frontage.

C. PROCEDURAL COMPLIANCE WITH CEQA

The City of Riverside published a Draft EIR on March 19, 2021 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 June 30, 2020. The NOP was filed with the State Clearinghouse on June 30, 2020, which started a 30-day comment period that ended July 30, 2020. Due to COVID-19 global pandemic, the City noticed and held a virtual EIR Public Scoping Meeting 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 virtual EIR scoping meeting was held on July 22, 2020.
- The City issued the Draft EIR by filing a Notice of Completion (NOC) with the State Clearinghouse on March 19, 2021. 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 Jesus S. Duran Eastside Library once the library was open again after COVID-19 pandemic closures, which was after the end of the public review comment period.
- The Draft EIR was available for a 45-day public review period beginning March 19, 2021 and ending May 3, 2021. Due to COVID-19 global pandemic, the City held a virtual public Planning Commission hearing on May 27, 2021, 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. The Final EIR also includes responses to late comment letters, that were received after the close of the 45-day public review comment period. Due to COVID-19, a hybrid (virtual and in-person) public City Council hearing will be held on October 19, 2021 to consider certification of the Final EIR and approval of the proposed 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, March 2021 (Vol. II), and
5. Draft Environmental Impact Report Appendices, March 2021 (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.) Environmental impacts that are less than significant do not require the

imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The City of Riverside has not made one or more of these specific written findings regarding significant impacts, as all potentially significant impacts associated with the project are either less than significant or reduced to below significant levels with incorporation of mitigation measures. 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 Candice Assadzadeh, 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 proposed 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 proposed 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 and after the close of the public comment period, including those received prior to the Planning Commission and City Council meetings.
- The Mitigation Measure and Reporting Program (MMRP) for the proposed Project.
- All Findings and resolutions adopted by the City of Riverside decision makers in connection with the proposed Project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed Project prepared by Ruth Villalobos & Associates, 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 proposed Project, up through the date that the City approved the proposed 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 LESS THAN SIGNIFICANT IMPACTS

The City Council hereby finds that the following impacts are less than significant without mitigation measures. ***The findings below are for impacts where implementation of the proposed Project would result in less than significant environmental impacts without mitigation. These findings are based on the discussion of impacts in the detailed impact analyses in Section 5.1 through Section 5.13 and Section 6 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 proposed Project which mitigate the significant effects on the environment (to less than significant levels). (See Pub. Resources Code § 21081(a)(1); State CEQA Guidelines § 15091(a)(1).)

The potential impacts that are less than significant without mitigation are as follows:

A. AESTHETICS

Scenic Vista, Scenic Resources, and Public Views

Threshold A: Would the Project have a substantial adverse effect on a scenic vista?

Finding: Less than significant. The proposed Project would not result in a significant change in the viewshed from what currently exists in the Project area and the proposed Project's structures will not have a substantial adverse effect on an existing scenic vista and therefore potential impacts will be less than significant. (DEIR p. 5.1-25)

Explanation: The building heights of the proposed structures are anticipated to result in partial obstructions of the views from the Project site itself and immediate surrounding area to Mt. Rubidoux, Jurupa Hills, and Mt. San Antonio. However, due to the fact that the existing hill already partially obstructs views of these areas and the proposed highest building elevations are only up to 12 feet higher than the existing cut slope/hill, the proposed buildings are not anticipated to substantially affect existing views from the Project site itself and immediate surrounding area. Therefore, the proposed Project structures will not block the view of a vista. Although the views from the residential neighborhoods to the south and southeast of the Project site include the Project site, the proposed Project would not block or substantially obstruct the scenic vista of the Downtown Riverside area viewed from the residential neighborhood to the south and southeast, as it will be set in amongst other hills surrounding the Project site. (DEIR, p. 5.1-24)

The Project site itself is not located up on a hilltop and does not constitute a scenic vista. The site has evidence of previous earthwork or grading as identified in observation of the current surface topography as well as review of previous aerial photographs. Aerial photography indicates that the site was utilized

for construction staging operations and grading in 2005 to 2006 for the realignment of Sycamore Canyon Boulevard. Therefore, the Project site is not a vista itself that would be altered (i.e., development on a scenic hillside) by the proposed Project. (DEIR, p. 5.1-24)

A scenic resource near the Project site is the Sycamore Canyon Wilderness Park, located approximately 0.5 miles south. Between the proposed Project site, and this scenic resource, is an established neighborhood (south of Central Avenue). Because the Project does not entail any improvements or grading within Sycamore Canyon Wilderness Park, it will not result in any changes to the visual character of the Wilderness Park. The Project would not obstruct views of the Sycamore Canyon Wilderness Park from the established neighborhood south of Central Avenue. The most notable scenic resource near the Project site is Box Springs Mountain, located approximately 2 miles east, refer to Figure 3.0-3C, Photo 4. The SR-60 /I-215 freeway is located between the Project site and Box Springs Mountain. The Project may obstruct partial views of Box Springs Mountain for people traveling east along Central Avenue, while immediately adjacent to the site, but as this would be for a short distance and duration, it would not be considered significant. The Project would not significantly impact views of the Box Springs Mountain due to the distance of this scenic resource from the Project site as well as the higher elevations of these mountains compared to the Project site. (DEIR, pp. 5.1-24- 5.1-25)

Threshold B: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

Finding: Less than significant. The proposed Project would be required to follow the performance standards in the City's Zoning Code that regulate lighting to avoid light and glare impacts, including those that prevent light spillage onto the surrounding properties. (DEIR, p.5.1-26)

Explanation: The Project site is not located within a State scenic highway or near a City designated scenic or special boulevard. As identified in the GP 2025, there are no designated scenic vistas near the Project site. The most notable scenic resources near the Project site are the Sycamore Canyon Wilderness Park to the south and the Box Springs Mountain to the east. As mentioned in the analysis for Threshold A above, the Project would not obstruct views of the Sycamore Canyon Wilderness Park and would not obstruct views of the Box Springs Mountain due to the distance of this scenic resource and the higher elevations of these mountains compared to the Project site. (DEIR, p. 5.1-25)

The only trees located at the Project site are associated with a drainage course that extends across the southwest corner of the site, in a northwest direction, from a culvert that extends under Central Avenue. The drainage course contains riparian willow forest vegetation. This drainage course and associated riparian willow forest vegetation and trees are being preserved in place and will not be impacted by the proposed Project. There are no existing rock outcroppings within the previously disturbed portions of the site that will developed with the proposed Project. There is a rock outcropping located along the western edge of the property, as shown in Figure 3.0-3E, Photo 7. This rock outcropping is partially located within the Project property line and largely located in the adjacent property, the City's Quail Run Open Space Park. Within the Project property line this area will not be graded or disturbed but left in place and preserved. The Project site does not include any existing development, including historic buildings. (DEIR, p. 5.1-26)

Threshold C: In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced

from a publicly-accessible vantage point). If the project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

Finding: Less than significant. The proposed Project would not result in a significant change in the viewshed from what currently exists in the Project area and the proposed Project's structures will not have a substantial adverse effect on an existing scenic vista or publicly-accessible vantage point. Therefore, impacts to the applicable zoning and other regulations governing scenic quality would be less than significant. (DEIR, p. 5.1-26)

Explanation: Development of the Project will change the visual characteristic from a vacant property into a residential land use area by including seven multi-story buildings and associated amenities and infrastructure. The Project is currently vacant and has been heavily disturbed from past grading and construction staging activities and has low visual quality. The Project site is in an urbanized area with existing residential and multi-use residential areas south of Central Avenue and west of the Quail Run Open Space Park and adjacent to the SR-60/I-215 freeway. The Project is currently designated and zoned for commercial use, but the proposed Project will change the General Plan land use designation to VHDR and the zoning to R-4 – Multiple-Family Residential Zone. Both of these uses are compatible with the surrounding land uses and existing development. The Project design and landscaping will comply with City's Design Guidelines and the Zoning Code and would not substantially degrade the existing visual character of the area. (DEIR, p. 5.1-26)

B. AIR QUALITY

Conflict with Air Quality Plan

Threshold A: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Finding: Less than significant. The Project would not result in or cause California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS) violations. Although the Project would not be consistent with the current General Plan land use designation, construction and operational-source emissions would not exceed the applicable SCAQMD regional and localized thresholds. As such, the Project is therefore considered to be consistent with the AQMP and any potential impacts would be less than significant. (DEIR, p. 5.2-29)

Explanation: The Project's consistency with the 2016 Air Quality Management Plan (AQMP) was determined using criteria defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook and include Consistency Criterion No. 1 and 2. *Consistency Criterion No. 1: The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.* The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds (LST) were exceeded. (DEIR, p. 5.2-25)

Regional Construction Emissions

Construction activities associated with the Project will result in emissions of volatile organic compounds (VOCs), nitrogen oxides (NOx), sulfur oxides (SOx), carbon monoxide (CO), particulate matter 10 microns in diameter or less (PM₁₀), and particulate matter 2.5 microns in diameter or less (PM_{2.5}). Construction-related emissions are expected from the following construction activities: site preparation (including

blasting), crushing, grading, building construction, paving, and architectural coating. CalEEMod calculates maximum daily emissions for summer and winter periods. The estimated maximum daily construction emissions without mitigation are summarized in Table 5.2-7. Detailed construction model outputs are presented in Appendix 3.1 of the Project's Air Quality Impact Analysis (Appendix B of the EIR). Emissions resulting from the Project construction will not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant. (DEIR, pp. 5.2-25 – 5.2-26)

Localized Construction Emissions

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the NAAQS and CAAQS. Collectively, these are referred to as Localized Significance Thresholds (LSTs). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard at the nearest residence or sensitive receptor. The SCAQMD states that lead agencies can use the LSTs as another indicator of significance in its air quality impact analyses. Table 5.2-8 provides the maximum daily localized emissions thresholds, and Table 5.2-9 identifies the localized impacts at the nearest receptor location in the vicinity of the Project. Localized construction emissions would not exceed the applicable SCAQMD LSTs for emissions of any criteria pollutant. Mitigation is not required as emissions do not exceed thresholds. (DEIR, pp. 5.2-25 – 5.2-26)

Operational Emissions

As discussed in the Project's Air Quality Impact Analysis, CalEEMod utilizes summer and winter Emission Factor model (EMFAC) 2017 emission factors in order to derive vehicle emissions associated with Project operational activities, which vary by season. As such, operational activities for summer and winter scenarios were evaluated and the results are presented in Table 5.2-10. Detailed operational model outputs are presented in Appendix 3.1 of the Air Quality Impact Analysis. Project operational-source emissions would not exceed the SCAQMD regional thresholds of significance for any criteria pollutants. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). The Project is a multi-family development and does not include such uses; therefore, due to the lack of significant stationary source emissions, no long-term localized significance threshold analysis is needed. (DEIR, p. 5.2-28)

As the Project's regional and localized construction-source emissions and localized operational-source emissions would not exceed applicable regional significance or LST thresholds, the Project is determined to be consistent with Criterion 1. (DEIR, p. 5.2-28)

Consistency with Criterion 2: The project will not exceed the assumptions in the AQMP based on the years of project build-out phase. The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under Federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in City of Riverside General Plan is considered to be consistent with the AQMP. The City of Riverside General Plan designates the Project site as Commercial. The Commercial designation provides for retail, sales, service and office uses that serve multiple neighborhoods within the City. The Project consists of 237 multifamily residential dwelling units. The Project's residential land use and development is not consistent with the land use designation stated in the General Plan. However, since the Project construction and operational regional and localized emissions do not exceed the

thresholds of significance, the Project would not cause an exceedance of an air quality violation. It should also be noted that the residential use proposed by the Project will generate less traffic and consequently fewer emissions than if the Project site were developed consistent with the commercial land use designation (retail, sales, service and office uses), which would generate more trips and consequently more emissions than the Project. Therefore, the Project will not exceed the assumptions in the AQMP based on the years of project build-out phase and is determined to be consistent with Criterion 2. (DEIR, pp. 5.2-28 – 5.2-29)

Criteria Pollutants, Pollutant Concentrations, Emissions leading to Odors

Threshold B: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Finding: Less than significant. The Project-specific evaluation of emissions demonstrates that Project construction-source air pollutant emissions and Project operational-source emissions would not result in exceedances of criteria pollutant regional thresholds established by SCAQMD for any criteria pollutant. Accordingly, the Project would also not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment, and impacts would be less than significant. (DEIR, p. 5.2-29)

Explanation: The Project area is designated as a nonattainment area for ozone and PM_{2.5}, and PM₁₀. As outlined in the Project's Air Quality Impact Analysis, AQMD's published report, White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution outlines how to address cumulative impacts from air pollution. It states that individual projects that do not generate operational or construction emissions that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. (DEIR, p. 5.2-29)

Threshold C: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than Significant. Sensitive receptors would not be exposed to substantial criteria pollutant concentrations, construction dust concentrations or Toxic Air Contaminant concentrations as the result of Project construction or operation and potential impacts would be less than significant. (DEIR, pp. 5.2-30 – 5.2-32)

Explanation:

Criteria Pollutants

Sensitive receptors can include uses such as long-term health care facilities, rehabilitation centers, and retirement homes. Residences, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors. As previously discussed under Threshold A, LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable Federal or State ambient air quality standard at the nearest residence or sensitive

receptor. Localized air quality impacts were evaluated at sensitive receptor land uses nearest the Project site. The nearest receptor where an individual can stay for a 24-hour period is located at the existing residence at 5240 Lochmoor Drive, approximately 448 feet/137 meters southwest of the Project site. Results of the LST analysis indicate that the Project will not exceed the SCAQMD localized significance thresholds during construction. Therefore, sensitive receptors would not be exposed to substantial criteria pollutant concentrations during Project construction. (DEIR, p. 5.2-30)

An adverse CO concentration, known as a “hotspot”, would occur if an exceedance of the State one-hour standard of 20 ppm or the eight-hour standard of nine (9) ppm were to occur. At the time of the 1993 Handbook, the Basin was designated nonattainment under the CAAQS and NAAQS for CO. Currently, the allowable CO emissions standard in California is a maximum of 3.4 grams/mile for passenger cars (there are requirements for certain vehicles that are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of increasingly sophisticated and efficient emissions control technologies, CO concentration in the Basin is now designated as attainment. Results of the LST analysis indicate that the Project would not exceed the SCAQMD localized significance thresholds during construction or operational activity. Further, Project traffic would not create or result in a CO “hotspot.” The Project would not produce the volume of traffic required to generate a CO “hot spot” either in the context of the 2003 Los Angeles hot spot study or based on representative Bay Area Air Quality Management District CO threshold considerations. Therefore, CO “hot spots” are not an environmental impact of concern for the proposed Project. Localized air quality impacts related to mobile-source emissions would therefore be less than significant. Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations as the result of Project operations. (DEIR, p. 5.2-30)

Construction Dust

Project construction emissions of fugitive dust (PM₁₀) would not exceed SCAQMD LST daily thresholds. Therefore, sensitive receptors would not be exposed to substantial construction dust concentrations as the result of Project and potential impacts would be less than significant. (DEIR, p. 5.2-30)

Short-term Construction Toxic Air Contaminants

Exposure to concentrations of TACs was assessed based on the Project’s potential to result in increased exposure of sensitive receptors to TAC emission sources. The Project could potentially expose the adjacent sensitive receptors to temporary health hazards associated with TACs from diesel particulate matter from the use of construction equipment. As described under Threshold A, construction emissions would not exceed SCAQMD thresholds established to protect public health and air quality. Therefore, the health risk associated with construction emissions for the surrounding sensitive uses would be less than significant. (DEIR, p. 5.2-30)

A focused screening-level construction HRA has been prepared and included in the FEIR (Appendix M) utilizing the appropriate AERMOD modeling software (the same model used in the DEIR for operational Freeway HRA), which allows for calculation of annual average concentrations and allows for the geospatial placing of the source and receptors. Based on the screening-level construction HRA calculations, the maximum estimated risk would be 1.01 in one million which is less than the applicable threshold of 10 in one million. As such, no significant impact would occur and the DEIR finding of less than significant health risks is appropriate. (FEIR, pp. 2.0-408 – 2.0-409)

Operation Toxic Air Contaminants

High-volume TAC generators identified as potential health risk sources include the operation of commercial diesel engines and truck stops, landfills and incinerators, and chemical manufacturers. The Project, as a residential development project, does not include any of the operations listed above and would not be a high-volume TAC generator. As such, an Air Toxic and Criteria Pollutant Health Risk Assessment (HRA) is not warranted for Project operations and thus was not prepared. (DEIR, p. 5.2-31)

The Project is located approximately 237 feet southwest of the SR-60/I-215 freeway. An Air Toxic and Criteria Pollutant HRA was prepared (Appendix B) to assess the possible health effects on future proposed residents associated with exposure to criterial pollutants and diesel particulate emissions from the adjacent SR-60/I-215 freeway. The following presents a summary of the HRA's findings. For carcinogenic exposures resulting from exposure to toxics from the freeway, the summation of risk for the maximum exposed residential receptor totaled 3.45 in one million, which would not exceed the SCAQMD significance threshold of 10 in one million. For chronic noncarcinogenic effects, the hazard index identified for each toxicological endpoint totaled less than one. For acute exposures, the hazard indices for the identified averaging times did not exceed unity. Therefore, noncarcinogenic hazards are calculated to be within acceptable limits. For the maximum exposed residential receptor, results of the analysis predicted freeway emissions will produce PM₁₀ concentrations of 0.87 micro gram per cubic meter ($\mu\text{g}/\text{m}^3$) and 0.44 $\mu\text{g}/\text{m}^3$ for the 24-hour and annual averaging times. These values will not exceed the SCAQMD significance thresholds of 2.5 $\mu\text{g}/\text{m}^3$ and 1.0 $\mu\text{g}/\text{m}^3$, respectively. For PM_{2.5}, a maximum 24-hour average concentration of 0.30 $\mu\text{g}/\text{m}^3$ was predicted, which will not exceed the identified significance threshold of 2.5 $\mu\text{g}/\text{m}^3$. The maximum modeled one-hour average concentration for CO of 0.13 parts per million (ppm), when added to an existing background concentration of 2.2 ppm, would equal a total concentration of 2.33 ppm at the Project site. This would not cause an exceedance of the CAAQS of 20 ppm. For the eight-hour averaging time, the maximum predicted concentration of 0.10 ppm, when added to an existing background level of 2.0 ppm, would equal a total Project concentration of 2.10 ppm, which would not cause an exceedance of the CAAQS of 9 ppm. For NO₂, a maximum one-hour concentration of 0.013 ppm was predicted. This concentration, when added to a background concentration of 0.073 ppm, would equal a total concentration of 0.086 ppm at the Project site. This would not cause an exceedance of the CAAQS of 0.18 ppm. As described above, short duration (i.e., one and eight-hour) exposures associated with both toxic and criteria pollutants are within acceptable limits. Therefore, residents and visitors who would access and utilize outdoor amenities would not be exposed to concentrations that exceed acceptable levels. (DEIR, pp. 5.2-31 – 5.2-32)

Threshold D: Would the Project result in emissions (such as those leading to odors) adversely affecting a substantial number of people?

Finding: Less than significant. The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant.

It is anticipated that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, potential impacts related to odors associated with Project construction and operations would be less than significant. (DEIR, pp. 5.2-32 – 5.2-33)

Explanation: The Project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities and the temporary storage of typical solid waste (refuse) associated with the Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is anticipated that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The Project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, potential impacts related to odors associated with Project construction and operations would be less than significant.

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Although no Project-specific air quality mitigation measures were found to be required and were therefore not proposed, the Project's Air Quality Impact Analysis provides Standard Regulatory Requirements/Best Available Control Measures (BACMs). SCAQMD Rules that are currently applicable during construction activity for this Project include but are not limited to Rule 403 (Fugitive Dust) and Rule 1113 (Architectural Coatings). Although these are already required, they are included herein for inclusion in the Mitigation Monitoring and Reporting Program (MMRP) and tracking of compliance. (DEIR, p. 5.2-33)

BACM AQ-1: The contractor shall adhere to applicable measures contained in Table 1 of Rule 403 including, but not limited to:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.

- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.

BACM AQ-2: The following measures shall be incorporated into Project plans and specifications as implementation of SCAQMD Rule 1113: Only “Low-Volatile Organic Compounds (VOC)” paints (no more than 50 gram/liter of VOC) consistent with SCAQMD Rule 1113 shall be used.

BACM AQ-3: The Project is required to comply with SCAQMD Rule 445, which prohibits the use of wood burning stoves and fireplaces in new development.

C. BIOLOGICAL RESOURCES

Riparian Habitat, Federally Protected Wetlands, or other Sensitive Natural Community

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

Finding: Less than significant. Based on the design plans, no temporary or permanent disturbance impacts are anticipated to occur to the willow riparian plant community or its associated drainage course/streambed on the southwest corner of the Project site. The Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community and impacts are less than significant. (DEIR, p. 5.3-26)

Explanation: As defined under Section 6.1.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species. Any alteration or loss of riparian/riverine habitat from development of a Project will require the preparation of a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis to ensure the replacement of any lost functions and values of habitats in regard to the listed species. The majority of the Project site does not support any discernible drainage courses, inundated areas, or wetland vegetation that would be considered riparian/riverine habitat under the MSHCP. However, the willow riparian plant community and its associated drainage on the southwest corner of the Project site would qualify as riparian/riverine habitat under the MSHCP. Any impacts to the willow riparian plant community and its associated drainage that may occur as a result of the proposed Project will require a DBESP to be prepared. Based on the design plans, no temporary or permanent disturbance impacts are anticipated to occur to the willow riparian plant community or its associated drainage course/streambed on the southwest corner of the Project site. Therefore, a DBESP will not be required for impacts to riparian/riverine habitat. The Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community and impacts are less than significant. (DEIR, pp. 5.3-25-5.3-26)

Threshold C: 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: Less than significant. Based on design plans, no temporary or permanent impacts are anticipated to occur to the willow riparian plant community or its associated drainage on the southwest corner of the Project site. Therefore, development of the Project site will not result in impacts to Corps, Regional Board, or CDFW jurisdiction and regulatory approvals will not be required. No wetlands or vernal pools will be impacted from Project and impacts are less than significant.

Explanation: There are no on-site water features within the upland portion of the Project site. The majority of the Project site does not support any discernible drainage courses, inundated areas, wetland vegetation, or hydric soils that would be considered jurisdictional. However, the willow riparian plant community and its associated drainage on the southwest corner of the Project site would qualify as a jurisdictional feature under the regulatory authority of the Corps, Regional Board, and the CDFW, and riparian/riverine habitat under the MSHCP. Based on design plans, no temporary or permanent impacts are anticipated to occur to the willow riparian plant community or its associated drainage on the southwest corner of the Project site. Therefore, development of the Project site will not result in impacts to Corps, Regional Board, or CDFW jurisdiction and regulatory approvals will not be required. None of the clay soils needed to support vernal pools were observed on-site; therefore, special-status plant and wildlife species associated with vernal pools, including fairy shrimp, are presumed absent from the Project site. No wetlands or vernal pools will be impacted from Project and impacts are less than significant. (DEIR, pp. 5.3-26-5.3-27)

Conflict with Policies or Ordinances Protecting Biological Resources

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

Findings: Less than significant. The Project does not propose the removal of any existing trees within public rights-of-way. Since the Project would continue to participate in the MSHCP Program and would implement mitigation measures to preserve and protect significant areas it would comply with GP 2025 Objectives and Policies. The Project will not conflict with any local policies or ordinances protecting biological resources and therefore no impacts would occur. (DEIR, p. 5.3-29)

Explanation: The City's General Plan Land Use and Urban Design and Open Space and Conservation elements in the General Plan 2025 (GP 2025) seek to preserve existing natural resources in the City. Objectives and policies that relate to biological resources and would apply to the Project include Objective LU-7, Policies LU-7.2 and LU-7.4, Objective OS-5, Policies OS-5.2 and OS-5.4. The City does not have a tree preservation ordinance, but it has an adopted Urban Forestry Policy Manual to establish guidelines for planting, pruning, preservation, and removal of all trees in City rights-of-ways (PW). The City Public Works Department is responsible for the maintenance of all street trees planted by the Project within City right-of-way in accordance with the Urban Forestry Policy Manual (PW, p. 14). The Project does not propose the removal of any existing trees within public rights-of-way. Since the Project would continue to participate in the MSHCP Program and would implement mitigation measures to preserve and protect significant areas it would comply with Objectives and Policies listed above. As stated under Section 5.3.1 Project Design Considerations, the Project has been designed to provide 0.53 acres of conservation in the southwest corner of the site as shown in Figure 5.3-5 – MSHCP Conservation Area for the re-routed

Proposed Constrained Linkage 7 of the MSHCP. Additionally, the proposed Project would involve new development adjacent to native wildlife while still protecting and preserving habitat through onsite conservation and mitigation measures to minimize indirect impacts. Implementation of the proposed Project will not conflict with any local policies or ordinances protecting biological resources and therefore no impacts would occur. (DEIR, pp. 5.3-28- 5.3-29)

D. CULTURAL RESOURCES

Human Remains

Threshold C: Would the Project disturb any remains, including those interred outside of formal cemeteries?

Findings: Less than significant. The Project's Cultural Resource Assessment did not report the presence or discovery of human remains. In the event that Native American human remains, or other human remains are inadvertently discovered during Project-related construction activities, the implementation of the City's standard condition of approval, in accordance with State Law, would reduce potential Project-related impacts to less than significant. (DEIR, p. 5.4-17)

Explanation: The Project's Cultural Resource Assessment did not report the presence or discovery of human remains. However, as discussed in the Project's Initial Study (Appendix A), where construction is proposed in undeveloped areas, disturbance on vacant lands could have the potential to disturb or destroy buried Native American human remains as well as other human remains, including those interred outside of formal cemeteries. Consistent with State laws protecting these remains, sites containing human remains must be identified and treated in a sensitive manner. In the event that Native American human remains, or other human remains are inadvertently discovered during Project-related construction activities, the implementation of the City's standard condition of approval, in accordance with State Law, would reduce potential Project-related impacts to less than significant. (DEIR, p. 5.4-17)

E. ENERGY

Wasteful, unnecessary consumption of energy resources

Threshold A: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, unnecessary consumption of energy resources, during project construction or operation?

Findings: Less than significant. Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Project operations would not result in the inefficient, wasteful or unnecessary consumption of energy. Further, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California. Potential impacts would be less than significant. (DEIR, p. 5.5-22)

Explanation:

Construction Energy Demands

The estimated power cost of on-site electricity usage during the construction of the Project is assumed to be approximately \$11,388.75. Additionally, based on the assumed power cost, it is estimated that the

total electricity usage during construction, after full Project build-out, will be approximately 103,534 kilo watt hour (kWh). (DEIR, pp. 5.5-17)

Construction equipment fuel consumption is estimated to be 78,767 gallons of diesel fuel. Additionally, construction worker trips for full construction of the proposed Project would result in the estimated fuel consumption of 26,099 gallons of fuel and fuel consumption from construction vendor trips (Medium-Heavy-Duty-Trucks, MHDTs) will total approximately 3,199 gallons. Fuel consumption from vendor and hauling trips (Heavy-Heavy-Duty Trucks, HHDTs) would total 222,507 gallons. Thus, total estimated fuel consumption during construction would be approximately 330,572 gallons. Diesel fuel would be supplied by City and regional commercial vendors. Indirectly, construction energy efficiencies and energy conservation would be achieved through the use of bulk purchases, transport and use of construction materials. The 2019 IEPR released by the California Energy Commission (CEC) has shown that fuel efficiencies are getting better within on and off-road vehicle engines due to more stringent government requirements. (DEIR, p. 5.5-17 – 5.5-18)

The equipment used for Project construction would conform to CARB regulations and California emissions standards. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities, or equipment that would not conform to current emissions standards (and related fuel efficiencies). (DEIR, pp. 5.5-18)

The Project would utilize construction contractors which practice compliance with applicable CARB regulations regarding retrofitting, repowering, or replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other Toxic Air Contaminants (TAC). Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption. (DEIR, pp. 5.5-18)

Further, certain incidental construction-source energy efficiencies would likely accrue through implementation of California regulations and best available control measures (BACM). More specifically, California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. To this end, “grading plans shall reference the requirement that a sign shall be posted on-site stating that construction workers need to shut off engines at or before five minutes of idling.” In this manner, construction equipment operators are informed that engines are to be turned off at or prior to five minutes of idling. (DEIR, pp. 5.5-18)

Indirectly, construction energy efficiencies and energy conservation would be achieved for the proposed development through energy efficiencies realized from bulk purchase, transport and use of construction materials. In general, the construction processes promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing and refinement. Use of materials in bulk reduces energy demands associated with preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations. (DEIR, pp. 5.5-18)

As supported by the preceding discussions, Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (DEIR, pp. 5.5-18)

Operational Energy Demands

Transportation energy demands for the proposed Project were calculated for each vehicle category (light duty auto, light duty truck 1 & 2, medium-duty trucks, light-heavy-duty trucks 1& 2, medium-heavy-duty-trucks, heavy-heavy-duty trucks, other buses, urban bus, school buses, and MH) by dividing the annual VMT by the average vehicle fuel economy. The estimated annual fuel consumption of all vehicles for the proposed Project is estimated to be 178,273 gallons of fuel per year for the year 2023. (DEIR, p. 5.5-21)

Fuel would be provided by current and future commercial vendors. Trip generation and vehicle miles traveled (VMT) generated by the Project are consistent with other residential uses of similar scale and configuration, as reflected respectively in the Institute of Transportation Engineers (ITE) Trip Generation Manual and CalEEMod. That is, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. (DEIR, p. 5.5-21)

Enhanced fuel economies realized pursuant to federal and state regulatory actions, and related transition of LDAs to alternative energy sources (e.g., electricity, natural gas, biofuels, hydrogen cells) would likely decrease future gasoline fuel demands per VMT. Location of the Project proximate to regional and local roadway systems tends to reduce VMT within the region, acting to reduce regional vehicle energy demands. The Project would implement sidewalks, facilitating and encouraging pedestrian access. Facilitating pedestrian and bicycle access would reduce VMT and associated energy consumption. In compliance with the California Green Building Standards Code, the Project would promote the use of bicycles as an alternative mean of transportation by providing short-term and/or long-term bicycle parking accommodations. As supported by the preceding discussions, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. (DEIR, p. 5.5-21 - 5.5-22)

Project facility operational energy demands are estimated at: 2,432,854 kBTU¹/year of natural gas; and 919,955 kWh/year of electricity. Natural gas would be supplied to the Project by SoCalGas; electricity would be supplied by RPU. The Project proposes conventional residential uses reflecting contemporary energy efficient/energy conserving designs and operational programs. Uses proposed by the Project are not inherently energy intensive, and the Project energy demands in total would be comparable to, or less than, other residential projects of similar scale and configuration. (DEIR, p. 5.5-22)

Implementation of these project design features, including required Title 24 standards will ensure that the Project energy demands would not be considered inefficient, wasteful, or otherwise unnecessary. (DEIR, p. 5.5-22)

As supported by the preceding analyses, Project operations would not result in the inefficient, wasteful or unnecessary consumption of energy. Further, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy

¹ Thousand British Thermal Units

conservations goals within the State of California. Potential impacts would be less than significant. (DEIR, p. 5.5-22)

Conflict with a state or local plan for renewable energy or energy efficiency

Threshold B: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Finding: Less than significant.

Explanation: The Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and potential impacts would be less than significant. (DEIR, p. 5.5-23)

Consistency with Integrative Energy Policy Report (IEPR)

Electricity would be provided to the Project by Riverside Public Utilities (RPU) and natural gas is provided by SoCalGas. RPU's Integrated Resource Plan: 2017-2021 and SoCalGas 2018 Corporate Sustainability Report build on existing state programs and policies. As such, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation the goals presented in the 2019 IEPR. Additionally, the Project will comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the proposed Project would support the goals presented in the 2019 IEPR. (DEIR, p. 5.5-22)

Consistency with State of California Energy Plan

The Project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the Project facilitates access, acts to reduce VMT, takes advantage of existing infrastructure systems, and promotes land use compatibilities through the introduction of residential uses on a commercial-designated site. It should be noted that Project's proposed residential uses will generate less traffic than if the Project site were developed consistent with the commercial land use designation (retail, sales, service and office use). The Project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan. (DEIR, pp. 5.5-22- 5.2-23)

Consistency with California Code Title 24, Part 6, Energy Efficiency Standards

The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. The analysis herein assumes compliance with the 2019 Title 24 Standards. (DEIR, p. 5.5-23)

Consistency with Renewable Portfolio Standard (RPS)

California's Renewable Portfolio Standard is not applicable to the Project as it is a statewide measure that establishes a renewable energy mix. No feature of the Project would interfere with implementation of the requirements under RPS. (DEIR, p. 5.5-23)

Consistency with AB 1493

AB 1493 is not applicable to the Project as it is a statewide measure establishing vehicle emissions standards. No feature of the Project would interfere with implementation of the requirements under AB 1493. (DEIR, p. 5.5-23)

Consistency with SB 350

This measure is not directly applicable to development projects, but the proposed Project would use energy from Southern California Edison, which has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350. Refer to Tables 3-5 and 3-6 in the Greenhouse Gas Analysis Report for an analysis of the Project's consistency with SB 350. (DEIR, p. 5.5-23)

Consistency with City of Riverside Restorative Growth Climate Action Plan (RRG CAP)

The Project would implement energy-saving features and operational programs, consistent with the reduction measures set forth in the RRG CAP. (DEIR, p. 5.5-23)

Therefore, the Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and potential impacts would be less than significant. (DEIR, p. 5.5-23)

Energy Conservation

Threshold C: Would the Project achieve the goal of energy conservation by the following?

- Decreasing overall per capita energy consumption;
- Decreasing reliance on fossil fuels such as coal, natural gas and oil; and
- Increasing reliance on renewable energy sources.

Finding: Less than significant. The Project would decrease overall per capital energy consumption, reliance on fossil fuels such as coal, natural gas, and oil, and increase reliance on renewable energy sources. Therefore, potential impacts would be less than significant. (DEIR, p. 5.5-24)

Explanation: The proposed Project is subject to California Building Code requirements. New buildings must achieve compliance with 2019 Building and Energy Efficiency Standards and the 2019 California Green Building Standards requirements. As discussed in DEIR Section 3.3.1 Project Description, the residential units of the Project would include five 3-story buildings and two 2-4 split-story buildings. Per Energy Code definitions, multifamily buildings of three (3) habitable stories or less above grade are addressed in the residential requirements of the Energy Code, while multifamily buildings four (4) habitable stories or more above grade are addressed in the non-residential requirements of the Energy Code (Ace Resources 2021). Therefore, the Project is partially considered residential and partially considered multifamily per the Code definitions. As discussed, the 2019 Title 24 standards require solar PV systems for all low-rise residential buildings (single family homes and residential buildings three stories or less). Therefore, the Project is required to provide solar panels on buildings 1-5 and on the 2-story portion of building 7. Further, for residential buildings, the standards encourage demand responsive technologies, including heat pump water heaters and improvement of buildings' thermal envelopes through walls and windows to improve energy savings. For non-residential buildings, the standards update indoor and outdoor lighting and make maximum use of LED technology. Overall, adherence to the 2019 Title 24 standards would increase building efficiency and affect the energy grid less (CEC 2018). (DEIR, pp. 5.5-23-5.5-24) The use of demand responsive technologies and improvements to the buildings' thermal envelopes would decrease the

overall per capita energy consumption and the Project's use of solar would decrease reliance on fossil fuels and increase reliance on renewable energy sources.

F. GEOLOGY AND SOILS

Faulting and Surface Rupture, Seismic Shaking, Landslides

Threshold A: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42; ii) strong seismic ground shaking; iii) seismic-related ground failure, including liquefaction; and/or iv) landslides?

Finding: Less than significant. The potential hazards associated with fault rupture, strong seismic ground shaking, seismic related ground failure, including liquefaction, and landslides are considered less than significant. (DEIR, pp. 5.6-25-5.6-27)

Explanation:

Faulting and Surface Rupture

Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the surface. The Project site does not lie within or adjacent to an Alquist-Priolo Earthquake Fault Zone and no faults were identified on the site during site evaluations. Additionally, the site is not located within a fault zone as designated by the County of Riverside. The possibility of damage due to ground rupture is considered low since no active faults are known to cross the site. The closest known active faults are associated with the San Bernardino Valley section of the San Jacinto Fault, located approximately 5.8 miles northeast of the Project site, and the Glen Ivy section of the Elsinore Fault Zone, located approximately 16.3 miles southwest of the Project site. As shown on Figure 5.6-5 and Figure 5.6-6, the site is located approximately 0.19 miles west of an unnamed fault in the San Jacinto Fault Zone that is not mapped by the State of California but is designated as a fault by Riverside County. Thus, the potential for damage due to fault rupture is considered remote. Even so, the Project is required to comply with the building design standards of the California Building Code (CBC) for construction of new buildings related to seismicity. Therefore, the potential hazards associated with fault rupture are considered less than significant. (DEIR, p. 5.6-25)

Strong Seismic Ground Shaking

The Project site is located within the seismically active region of Southern California and may be subject to ground-shaking events. While no known active faults traverse the City, several faults in the region have the potential to produce seismic impacts within the City. As mentioned above, the two significant faults that are closest to the Project site are the Jacinto and Lake Elsinore Fault. The Project site is at risk for moderate-to-severe ground shaking in response to large-magnitude earthquakes during the lifetime of the Project. (DEIR, p. 5.6-26)

Also, the Project will be designed to resist seismic impacts in accordance with the applicable Municipal Code Title 16-Buildings and Construction standards. Such building code compliance is required for

development of all structures in the City. Project plans will be reviewed during the plan check process to confirm seismic safety measures and the structural engineer's seismic design considerations are incorporated. Moreover, there is nothing unique about the Project site that would require additional measures beyond compliance with the adopted building code and the structural engineer's seismic design considerations. Therefore, potential impacts associated with seismic ground shaking will be less than significant. (DEIR, p. 5.6-26)

Seismic-Related Ground Failure, Including Liquefaction

The entire Project site is underlain by Cretaceous-aged Val Verde Tonalite, a type of plutonic rock. Tonalite was encountered across the Project site from the surface at the northern portion of the site to depths up to 26 feet below ground surface in the central and southern portions of the site (NOVA, p. 28). In consideration of the lack of groundwater and related lack of the potential for saturated soils to occur in the near surface, the Project site is not at risk for liquefaction and related soil phenomena (i.e., lateral spreading, ground lurching, etc.). Further, the Project site is not in an area designated by the County of Riverside to be susceptible to liquefaction. Therefore, potential impacts associated with seismic ground failure, including liquefaction, would be less than significant. (DEIR, p. 5.6-26)

Landslides

Seismically induced landslides and other slope failures are common occurrences during or soon after earthquakes. The susceptibility of a geologic unit to landslides is dependent upon various factors, primarily: 1) the presence and orientation of weak structures, such as fractures, faults, and joints; 2) the height and steepness of the pertinent natural or cut slope; 3) the presence and quality of groundwater; and 4) the occurrence of strong seismic shaking. (DEIR, pp. 5.6-26-5.6-27)

Strong ground shaking can also worsen existing unstable slope conditions. The Project site is located near northeastern Riverside which has areas with low to locally moderate susceptibility to landslides and rock falls. The Project site does contain an approximately 38-foot high cut slope exposing granitic bedrock at the northwest corner of the property. However, as discussed in threshold A i) and ii) above, there are no active faults on the Project site and the possibility of damage due to ground rupture is considered low since no active faults are known to cross the site. The closest known active fault is the San Jacinto Fault approximately 5.8 miles northeast from the Project site. (DEIR, p. 5.6-27)

Moreover, clues to the landslide hazard for an area can additionally be obtained by review of mapping that depicts both historic landslides and landslide prone geology/topography. As previously shown in Figure 5.6-6, mapping indicates that the Project site is in an area judged to be at lower relative risk for landsliding. Further, no indication of large scale landsliding was observed at the time of Nova's investigation of the site, nor was there evidence of active landsliding in previous reports of the site. (DEIR, p. 5.6-27)

Per previous geologic reconnaissance studies, published maps, and the review of aerial photography, the site and surrounding area is considered to have a 'low' probability of landslide hazards. Potential impacts associated with seismically induced landslides would be less than significant. (DEIR, p. 5.6-27)

Expansive Soil

Threshold C: Will the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Finding: Less than significant. The onsite soils are not at risk for volume change on wetting and drying. Potential impacts associated with expansive soils would be less than significant. (DEIR, p. 5.6-28)

Explanation: Expansive soils are clayey soils characterized by their ability to undergo significant volume changes (shrinking or swelling) due to variations in moisture content, the magnitude of which is related to both clay content and plasticity index. These volume changes can be damaging to structures. Nationally, the annual value of real estate damage caused by expansive soils is exceeded only by that caused by termites. The dominantly sandy soils that comprise Unit 1 (unconsolidated fill) and Unit 2 (Quaternary Alluvial Deposits) are not at risk for volume change on wetting and drying. Potential impacts associated with expansive soils would be less than significant. (DEIR, p. 5.6-28)

G. GREENHOUSE GAS EMISSIONS

GHG Emissions

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

Findings: Less than significant. The Project will result in approximately 2,706.33 MTCO₂e per year, which would not exceed the SCAQMD/City's screening threshold of 3,000 MTCO₂e per year. Thus, Project-related emissions would have a less than significant direct or indirect impact on GHG emissions and climate change. (DEIR, p. 5.7-34)

Explanation: The City has not adopted its own numeric threshold of significance for determining impacts with respect to GHG emissions. A screening threshold of 3,000 MTCO₂e per year to determine if additional analysis is required is an acceptable approach for small projects. This approach is a widely accepted screening threshold used by the City and numerous cities in the Basin and is based on the SCAQMD staff's proposed GHG screening threshold for stationary source emissions for non-industrial projects, as described in the SCAQMD's Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans ("SCAQMD Interim GHG Threshold"). The SCAQMD Interim GHG Threshold identifies a screening threshold to determine whether additional analysis is required. (DEIR, p. 5.7-34)

As shown in Table 5.7-5, the Project will result in approximately 2,706.33 MTCO₂e per year, which would not exceed the SCAQMD/City's screening threshold of 3,000 MTCO₂e per year. Thus, Project-related emissions would have a less than significant direct or indirect impact on GHG emissions and climate change. (DEIR, p. 5.7-34)

Conflict with Plan, Policy, or Regulation for reducing GHG Emissions

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

Findings: Less than significant. As summarized by Table 5.7-6 - 2008 Scoping Plan Consistency Summary, Table 5.7-7 - 2017 Scoping Plan Consistency Summary, and Table 5.7-8 - RRG CAP Project Consistency, while some measures are not directly applicable, the Project will not conflict with any of the provisions of the 2008 Scoping Plan, SB 32/2017 Scoping Plan, or the City RRG CAP or conflict with their implementation and in fact supports several of the action categories. Thus, the Project would not conflict with any

applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions and potential impacts would be less than significant. (DEIR, pp. 5.7-47-5.7-48)

Explanation: Pursuant to 15604.4 of the CEQA Guidelines, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions. As such, the Project's consistency with AB 32 and SB 32 are discussed below. (DEIR, p. 5.7-35)

2008 Scoping Plan Consistency

CARB's Scoping Plan identifies strategies to reduce California's GHG emissions in support of AB 32, which requires the State to reduce its GHG emissions to 1990 levels by 2020. Many of the strategies identified in the Scoping Plan are not applicable at the project level, such as long-term technological improvements to reduce emissions from vehicles. Some measures are applicable and supported by the Project, such as energy efficiency. Finally, while some measures are not directly applicable, the Project would not conflict with their implementation. Table 5.7-6 summarizes the Project's consistency with the State Scoping Plan. As summarized, the Project will not conflict with any of the provisions of the Scoping Plan and in fact supports seven of the action categories through energy efficiency, water conservation, recycling, and landscaping. (DEIR, p. 5.7-35)

SB 32/2017 Scoping Plan Consistency

The 2017 Scoping Plan Update reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. Table 5.7-7 summarizes the Project's consistency with the 2017 Scoping Plan. As summarized, the Project will not conflict with any of the provisions of the 2017 Scoping Plan and in fact supports seven of the action categories. (DEIR, p. 5.7-38)

City of Riverside RRG CAP

The RRG CAP includes individual measures that would reduce GHG emissions in the City. Consistency with these measures are discussed in Table 5.7-8. The Project is consistent with all of the applicable measures in the RRG CAP. (DEIR, p. 5.7-43)

H. LAND USE AND PLANNING

Physically Divide an Established Community

Threshold A: Would the Project physically divide an established community?

Findings: Less than significant. The development of the Project would not displace residents or any established community or infrastructure. Impacts would be less than significant. (DEIR, p. 5.8-12)

Explanation: The Project site is currently vacant and undeveloped. There are no existing structures or other improvements on the site. There is no established community on the Project site. The development of the Project would not displace residents or any established community or infrastructure. Impacts would be less than significant. (DEIR, p. 5.8-12)

Threshold B: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: The proposed Project will comply with the General Plan Land Use density guidelines and intended land uses of VHDR - Very High Density Residential land use designation. The proposed Project would

comply with the development standards of the Zoning Code for the R-4 - Multiple-Family Residential Zone, with the exception of a fully landscaped front yard setbacks and solid walls within the front yard setback that are higher than allowed by the Zoning Code. Portions of various site improvements, including retaining walls and perimeter fencing, are proposed to encroach into the required 15-foot wide front yard setback. The variance will allow reasonable development of the property in accordance with the City's General Plan and Zoning Code. The granting of the variance will accommodate the required parking and amenities for the development. Further, the proposed walls will provide a safe, functional and stable transition between the Project site and the public roadways. The tiered retaining wall design provides better aesthetics and ample area to accommodate the desired front yard landscaping along Central Avenue. The site design provides ample landscape screening along the public street frontages and the required perimeter fencing. The multi-family residential development will provide quality rental opportunities with desired amenities in close proximity to public transportation and retail developments, in accordance with the objectives of the Housing Element. Implementation of the Project would include approval of the necessary General Plan Land Use Amendment, Zoning Code Amendment and Variance, and Grading Code Exceptions. No mitigation measures would be required. Therefore, the proposed Project will have less than significant environmental impacts as it will not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Table 5.8-5 provides a summary of the Project's consistency with applicable GP 2025 objectives and policies. (DEIR, p. 5.8-14)

Intersection improvements identified in the FEIR as Conditions of Approval (COA) LAND USE-1 through COA LAND USE-3 are the improvements needed under Opening Year Cumulative (2022) and Horizon Year (2040) traffic conditions at the intersection of Sycamore Canyon Boulevard & Central Avenue, to alleviate LOS deficiencies and to not conflict with the General Plan Circulation Element. Implementation of COA LAND USE-1 through COA LAND USE-3 is required to ensure the Project is consistent with GP 2025 Circulation and Community Mobility Element goals and policies. Potential impacts from conflict with GP 2025 Circulation and Community Mobility Element policies are less than significant with implementation of COA LAND USE-1 through COA LAND USE-3. (FEIR, 2.0-381 - 2.0-384 and 3.0-4 - 3.0-6)

Explanation: The current commercial land use designation and zoning would not allow the proposed Project's multi-family residential development. Therefore, the proposed Project application includes requests for a General Plan Amendment (GPA) and Zoning Code Amendment. The Project requires a Variance to: 1) to allow perimeter solid masonry walls and tubular steel fencing up to 6 feet in height within the front yard setbacks along Central Avenue and Sycamore Canyon Boulevard, where 3 foot high solid walls and 4 foot open fencing are permitted by the Zoning Code; and 2) to allow on site improvements to encroach into the 15 foot landscaped front yard setback along Central Avenue, required in the R-4 Zone when adjacent to an arterial. Additionally, grading exceptions are required to: 1) to allow the height of retaining walls not open to public view to be up to 11.7 feet, where the Grading Code allows a maximum height of 6 feet; and to allow the height of retaining walls visible from the public right of way (Central Avenue and Sycamore Canyon Boulevard) to be up to 5 feet, where the Grading Code allows a maximum height of 3 feet; and 2) to allow slopes having a ratio of 3.9:1 or steeper to be up to 28 feet in vertical height, where the Grading Code limits slopes having a ratio of 3.9:1 or greater to a maximum vertical height of 20 feet. The General Plan Land Use Amendment request would change the land use designation from C - Commercial to VHDR - Very High Density Residential for approximately 9.44 acres, also refer to Figure 5.8-1 – General Plan Land Use Map. Table 5.8-4 details the proposed General Plan Land Use density regulations and intended land uses. (DEIR, pp. 5.8-12-5.8-13)

The proposed Project will comply with the applicable GP 2025 Housing Element objectives and policies (H-2.2, H-2.3 and H-2.4) by increasing the types and availability of housing in the City. The Project will comply with smart growth principles by providing high-density housing near the SR-60/I-215 freeway, a major regional transportation corridor. The Project site is approximately 4 miles drive on surface streets from the Hunter Park/ UCR Metrolink station and about 4 ½ miles from the Riverside Metrolink station. Metrolink is a commuter rail system that provides service to Los Angeles, Orange County, and San Diego County. (DEIR, p. 5.8-13)

The Project will also provide appropriate site design, landscaping, and building design in order to comply with the GP 2025 Land Use and Urban Design Elements. The Project site includes a combination of undulating, undisturbed land, with a large, relatively flat area that was created previously by undocumented grading operations. The proposed Project will utilize the more flat and disturbed portions of the site for the apartment buildings, amenities and infrastructure. The western boundary is largely undisturbed with a large knoll near the northwesterly corner and a deep, vegetated ravine near the southwestern corner. These areas with the greatest extent of topographic relief and lack of disturbance will not be graded or impacted by the proposed development but will be preserved and left in place. Further, the Project would not impact adjacent RC-zoned areas (the Quail Run Open Space to the west of the Project, the residential area south of Central Avenue, off of Lockmoor Drive, as well as property to the north of the Project (across the SR-60/I-215 freeway) are in the RC Zone) in accordance with Proposition R and Measure C. The preservation of the drainage course and ravine in the southwest portion of the site will continue to allow for wildlife movement along this existing corridor (see Section 5.3 Biological Resources). With utilization of the disturbed portion of the site for development and preservation of the largely undisturbed areas, the Project will comply with objectives and policies related to the preservation of the City's hillsides (LU 3-1, LU-4.1 and LU-4.2). (DEIR, p. 5.8-13)

As outlined in the Transportation section for the DEIR, Section 5.10.5, based on the City's deficiency criteria, the following intersection was found to be deficient:

- Sycamore Canyon Boulevard & Central Avenue (#3) – The addition of proposed Project traffic increases the pre-project delay by more than 2.0 seconds during the AM peak hour resulting in a cumulative deficiency.

Intersection improvements are required to alleviate this Project related deficiency at the intersection of Sycamore Canyon Boulevard & Central Avenue (#3) in order to achieve consistency with LOS criteria and avoid conflict with GP policies. (DEIR, p. 5.8-14)

As outlined above in the Final EIR, the DEIR was prepared while the State and City were transitioning from LOS to VMT as a CEQA impact. While the DEIR includes LOS and VMT analysis, the Office of Planning and Research confirms that auto delay, on its own, is no longer an environmental impact under CEQA. By including a LOS analysis, the DEIR goes above and beyond CEQA requirements when analyzing transportation related deficiencies. As such, the Project does not have environmental impacts related to transportation and Mitigation Measures MM LAND USE-1 through MM LAND USE-3 are not required to lessen environmental impacts. However, the City will still require the Project to pay its fair share contribution as Conditions of Approval COA LAND USE-1 through COA LAND USE-3 for the project. (FEIR, pp. 2.0-381 - 2.0-384)

The following Conditions of Approval (COAs) identified in the FEIR will be implemented as required Conditions of Approval:

COA LAND USE-1: In order to alleviate an LOS deficiency and associated conflict with GP policies, prior to issuance of occupancy permits, the Sycamore Canyon Boulevard and Central Avenue intersection traffic signal shall be modified to implement overlap phasing on the northbound (NB) right turn lane. However, the Project will not be conditioned to pay fair share for these improvements as the adjacent Sycamore Commercial Development will construct them.

COA LAND USE-2: In order to alleviate a LOS deficiency and associated conflict with GP policies, prior to issuance of occupancy permits, the Sycamore Canyon Boulevard and Central Avenue intersection traffic signal shall be modified to add a 2nd NB right turn lane and to implement overlap phasing on the eastbound (EB) right turn lane. The Project shall contribute its fair share of 8.6% of the cost to the County of Riverside.

COA LAND USE-3: In order to alleviate a LOS deficiency and associated conflict with GP policies, prior to issuance of occupancy permits, Watkins Drive & SR-60/I-215 Westbound (WB) on-ramp shall be improved with installation of a traffic signal, addition of a 2nd NB left turn lane, and addition of a 2nd Southbound (SB) through lane. The Project shall contribute its fair share of 4.2% of the cost to the County of Riverside and Caltrans.

The City finds that Mitigation Measures MM LAND USE-1 through MM LAND USE-3 as initially identified in the DEIR, and to be implemented as required Conditions of Approval are feasible, are adopted, and will address LOS deficiencies identified in the traffic analysis. However, they are not required to reduce impacts associated with this issue to a level of less than significant, as LOS (auto delay) is no longer an environmental impact under CEQA. 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 are not required to mitigate or avoid the potentially significant impacts of the proposed Project related to this issue. (FEIR, pp. 2.0-381 - 2.0-384)

I. NOISE

Generate Substantial Increase in Ambient Noise Levels

Threshold A: Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Findings: Less than significant. Project traffic, operational, construction, and blasting-related noise levels will not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of applicable Federal Transit Authority (FTA) standards or exceed any of the applicable noise thresholds at the nearest sensitive residential receivers. (DEIR, p. 5.9-35)

Explanation:

Operational Noise

The proposed residential development is considered a noise-sensitive receiving land use and is not expected to include any specific type of operational noise levels beyond those typically associated with residential land use in the Project study area. This section analyzes the potential operational noise impacts

at the nearby receiver locations. Figure 5.9-4 shows the sensitive receiver locations and Figure 5.9-5 identifies the on-site operational noise sources and their locations. The on-site Project-related noise sources include: rooftop air conditioning units, trash enclosure activity, dog park activity, pool/spa activity, and parking lot vehicle movements, which were evaluated against standards established in the City Municipal code, Title 7 Noise Control. To estimate the Project operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels that would be expected from the proposed Project. Table 5.9-10 shows the reference noise level measurements used to estimate the Project operational noise impacts. It is important to note that the projected noise levels assume the worst-case noise environment with all noise sources operating continuously. These sources of noise activity will likely vary throughout the day. (DEIR, p. 5.9-26)

To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against exterior noise level thresholds based on the City exterior noise level standards at nearby noise-sensitive receiver locations. Table 5.9-11 shows the operational noise levels associated with the Project will satisfy the City 55 dBA Leq daytime and 45 dBA Leq nighttime exterior noise level standards at all nearby noise sensitive residential receiver locations. Therefore, the operational noise impacts are considered less than significant at the nearby noise-sensitive residential receiver locations. (DEIR, p. 5.9-29)

To describe the Project operational noise level increases, the Project operational noise levels are combined with the existing ambient noise levels measurements for the nearby receiver locations potentially impacted by Project operational noise sources. The difference between the combined Project and ambient noise levels describe the Project noise level increases to the existing ambient noise environment. As indicated on Tables 5.9-12 and 5.9-13, the Project will generate a daytime operational noise level increases ranging from 0.0 to 0.1 dBA Leq at the nearby receiver locations. Project-related operational noise level increases do not exceed operational noise level increase significance criteria presented on Table 5.9-6. Therefore, the incremental Project operational noise level increase is considered less than significant at all receiver locations. (DEIR, p. 5.9-29)

Construction Noise

According the City of Riverside Municipal Code Section 7.35.020 (G), Project construction noise levels are considered exempt from municipal regulation if noise levels activity associated with construction, repair, remodeling, or grading of any real property; provided a permit has been obtained from the City as required; do not take place between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, between the hours of 5:00 p.m. and 8:00 a.m. on Saturdays, or at any time on Sunday or a Federal holiday. In addition, neither the City of Riverside General Plan or Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers for CEQA analysis purposes. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual is used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use. (DEIR, p. 5.9-31)

Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators operating simultaneously that when combined, can reach high levels. The number and mix of construction equipment are expected to occur in the following stages: site preparation, grading, building construction, paving, then architectural coating. Noise levels generated by

heavy construction equipment can range from approximately 68 dBA to more than 80 dBA when measured at 50 feet. However, these noise levels diminish with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 80 dBA measured at 50 feet from the noise source to the receiver would be reduced to 74 dBA at 100 feet from the source to the receiver and would be further reduced to 68 dBA at 200 feet from the source to the receiver. Table 5.9-14 provides a summary of typical construction reference noise levels at a uniform reference distance of 50 feet. Figure 5.9-6 shows the limits of construction which is the construction noise source location, and its relation to the nearest sensitive receiver locations. (DEIR, p. 5.9-31)

Vibration

Threshold B:

Findings: Less than significant. As shown on Tables 5.9-16 and 5.9-18, neither Project construction vibration nor blasting vibration levels exceed maximum vibration level thresholds and would not result in the generation of excessive groundborne vibration or groundborne noise levels at the nearest sensitive residential receivers. Therefore, impacts would be less than significant. (DEIR p. 5.9-35)

Explanation: Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures, and soil type. Ground vibration levels associated with various types of construction equipment are summarized on Table 5.9-17. The vibration source levels describe a variety of equipment including several methods of pile driving. This includes impact pile driving and non-impact alternatives. Since the actual equipment used to support the Project construction may include deep dynamic compaction or rapid impact compaction, the Project's Noise Study conservatively relies on the highest worst-case impact pile driving reference vibration source levels to describe the Project vibration levels. Table 5.9-18 presents the potential construction equipment vibration levels. However, it is expected that the Project will rely on methods with substantially lower vibration impacts. Construction vibration levels are expected to range from 56.2 to 66.4 VdB at the nearby residential receiver locations. Using the construction vibration assessment methods provided by the FTA, Project construction vibration levels would not exceed the FTA 80 VdB threshold at all sensitive residential receiver locations, and therefore, is considered a less than significant impact. Further, vibration levels at the site of the closest sensitive receiver are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating at the Project site perimeter. (DEIR, p.5.9-36)

Table 5.9-16 shows the calculated vibration levels for the worst-case (closest) blast locations near the adjacent residential homes north and west of the Project site. The vibration levels of Project blasts are expected to range from 0.02 to 0.10 in/sec PPV based on the distances to nearby residential noise sensitive receiver locations. Table 5.9-16 shows that the Project blasting vibration levels will remain below the maximum acceptable transient peak-particle-velocity (PPV) vibration threshold 0.5 PPV (in/sec) all the nearby noise sensitive residential receiver locations, and therefore, represent a less than significant impact. (DEIR, p.5.9-36)

J. TRANSPORTATION

Conflict with Program, Plan, Ordinance or Policy Addressing Circulation System

Threshold A: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Findings: Less than significant. The Project will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities; potential impacts are less than significant and no mitigation is required. (DEIR, p. 5.10-37)

Explanation:

Circulation Element of the General Plan

As outlined above for Land Use and Planning, implementation of COA LAND USE-1 through COA LAND USE-3 is required to ensure the Project is consistent with GP 2025 Circulation and Community Mobility Element goals and policies. Potential impacts from conflict with GP 2025 Circulation and Community Mobility Element policies are less than significant with implementation of COA LAND USE-1 through COA LAND USE-3. (FEIR, pp. 2.0-381 - 2.0-384 and 3.0-4 - 3.0-6)

Bicycle Master Plan

Central Avenue, along the Project's frontage, has an existing Class II Bike Lane, which is identified in the City of Riverside Bicycle Master Plan, as an existing bicycle facility (Figure 3-3: City of Riverside Existing Bikeways). Sycamore Canyon Boulevard, along the Project's frontage, does not have an existing bike lane. The City of Riverside Bicycle Master Plan (Table 6-2: Recommended Class II Bike Lanes) identifies Sycamore Canyon Boulevard, from El Cerrito Drive to Lochmoor Drive (which includes the Project's frontage) for Class II Bike Lane improvements. (DEIR, p. 5.10-37)

The Project will construct its ultimate half-section of Central Avenue including curb and gutter and sidewalk improvements. The project area is currently served by Riverside Transit Agency (RTA), a public transit agency serving various jurisdictions within Riverside County. RTA Route 16 currently provides service along Central Avenue. Transit service is reviewed and updated by RTA periodically to address ridership, budget and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. As part of the Project design, a bus turnout with an ADA compliant connected sidewalk along Central Avenue, will be constructed, as requested by RTA. Providing a bus stop within walking distance (less than 0.25 mile) of the Project site would help encourage public transit use. The Project will also construct its curb and gutter and sidewalk improvements along Sycamore Canyon Boulevard. The Project does not include street improvements along Sycamore Canyon Boulevard that would prohibit Class II Bike Lane improvements. The Project will install a pedestrian gate in the southeast area of the Project site. The pedestrian gate will provide access to the sidewalk along Sycamore Canyon Boulevard and the proposed future commercial development, across Sycamore Canyon Boulevard (gas station with convenient store and fast-food restaurant with drive thru) and adjoining streets, bike lanes, and sidewalks. Therefore, the Project will not conflict with the Bicycle Master Plan or a program, plan, or policy addressing bicycle and pedestrian facilities. (DEIR, p. 5.10-37)

K. UTILITIES AND SERVICE SYSTEMS

New or Expanded Water, Wastewater Treatment, Storm Water Drainage, Electric Power, Natural Gas or Telecommunication Facilities

Threshold A: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Findings: Less than significant. As there are existing dry and wet utility facilities in the adjacent roadways and only extensions into the Project site are required, the Project will not require or result in the relocation or construction of new or expanded facilities offsite, or relocation of facilities. Potential impacts would be less than significant. (DEIR, p. 5.12-16)

Explanation:

Water

The Project will be required to construct an 8-inch water main extension in Central Avenue from Sycamore Canyon Boulevard across the Project frontage and a 12-inch water main extension in Sycamore Canyon Boulevard from Central across the project frontage, as determined by the City's Public Utilities – Water Division. These extensions will connect the Project to existing City water lines in City street rights-of-way and no additional improvements or relocations are needed to serve the Project. (DEIR, p. 5.12-15)

Wastewater

A Sewer Capacity Evaluation (Carollo, 2020, Appendix J) was conducted to assess the impact the Project could have on the City's wastewater collection system. The Project will connect to an existing 21-inch diameter gravity sewer pipeline along Central Avenue, west of Sycamore Canyon Boulevard. Figure 5.12-2 shows the 21-inch sewer pipeline alignment and the Project's point of connection to the existing sewer system. The Sewer Capacity Evaluation included an existing hydraulic evaluation to verify that the existing system improvements were appropriately sized to convey existing peak wet weather flows (PWWFs) in addition to Project flows and to identify new locations of sewers that cannot convey the increased flows. The evaluation showed that the City's existing collection system has sufficient capacity to convey proposed PWWFs downstream of the Project without exceeding the established flow depth criterion. Additionally, the hydraulic analysis showed that the City's 2020 Update of the Integrated Master Plan for the Wastewater Collection and Treatment Facilities' (Master Plan Update's) proposed existing collection system projects are adequately sized to handle the change in the land use type at the proposed point of connection. Further, the Sewer Capacity Evaluation's future capacity evaluation including the Project did not identify new system deficiencies not already identified in the Master Plan Update. The hydraulic analysis showed that the proposed Master Plan Update's proposed future projects are adequately sized for the change in land use type at the proposed point of connection. The Project's Sewer Capacity Evaluation determined that the City's collection system has sufficient capacity to convey existing PWWFs downstream of the Project without exceeding the established flow depth criteria. Thus, the Project would not result in the relocation or construction of new or expanded wastewater facilities that would cause significant environmental effects. (DEIR, p. 5.12-15)

Stormwater

As outlined in the Initial Study (Appendix A), Section 10 Hydrology and Water Quality, the drainage patterns on the site have been identified as southwesterly overland flow towards an existing drainage feature in the southwest corner of the site from where an existing 84-inch culvert that crosses under

Central Avenue conveys waterflows to the site. The outlet or discharge point of the culvert to the project site is clear and flowing freely. The drainage feature crosses the southwest corner of the site and continues off-site in a northwest direction. This drainage feature supports riparian vegetation. The drainage feature will not be impacted, but preserved in place, with implementation of the proposed Project. The proposed drainage patterns will preserve the existing site drainage discharge locations. There are no other storm drain improvements on the undeveloped vacant Project site. (DEIR, pp. 5.12-15-5.12-16)

Per the Initial Study, on-site storm water runoff and erosion would be minimized through site development, including buildings, parking and paved areas and storm drain infrastructure. Storm drain infrastructure planned for the site includes various size storm drains (8, 12, 18, and 24-inch), inlet catch basin, 24 x 24-inch drain box, underground detention system, 12-inch landscape catch basin with atrium grate, and 12-inch diameter angular rip rap at two storm drain outlets along the western development boundary. As outlined in the Preliminary Project Specific WQMP (page 24) the volume and time of concentration of storm water runoff for the post-development condition is not significantly different from the pre-development conditions for a 2-year return frequency storm (a difference of 5% or less is considered insignificant). As shown below in Table 5.12-6, the Project is below the 5% threshold and therefore construction of the Project will not affect stormwater flows. Therefore, the project would not result in storm water runoff from the site that requires the construction of additional stormwater facilities downstream and off-site. (DEIR, p. 5.12-16)

Dry Utilities

As discussed in Section 5.12.1 Setting, RPU will provide electricity to the proposed Project. Natural gas will be provided by SoCalGas, and telecommunications will be provided by a local provider such as Spectrum or AT&T. Per the Project's Energy Analysis (Appendix E), the Project would not result in a substantial increase in demand or transmission service that would result in the need for new or expanded sources of energy supply or new or expanding energy delivery systems or infrastructure as the Project would be served by the existing electric utility lines in the Project vicinity. Natural gas and telecommunication lines will have extensions from existing lines in Sycamore Canyon Boulevard and Central Avenue within the City's street Right-of-Way (ROW) into the development. Therefore, natural gas and telecommunications would not result in the need for new or expanded sources. As there are existing dry and wet utility facilities in the adjacent roadways and only extensions into the Project site are required, the Project will not require or result in the relocation or construction of new or expanded facilities offsite, or relocation of facilities. Potential impacts would be less than significant. (DEIR, p. 5.12-16)

Sufficient Water Supplies

Threshold B: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Findings: Less than significant. Given the temporary and minimal nature of construction water demand in addition to the fact that the City would restrict water intensive construction activities through a Water Shortage Emergency declaration if it lacked adequate water supply, impacts related to construction water consumption would be less than significant. (DEIR, p. 5.12-18) The Project is within the City's anticipated 2025 growth projection and implementation of the Project would not require new or expanded entitlements for water supplies; thus, potential impacts would be less than significant. (DEIR, p. 5.12-19)

Explanation:

Construction Demand

Water would be required for temporary construction activities on the Project site, including dust suppression, grading and grubbing, compaction, construction equipment wheel washing, and concrete mixing and casting. Water consumption by construction workers and cleaning of portable toilets on the Project site may also account for a small portion of overall construction water demand. Construction water demand would be temporary and, therefore, would not result in long-term strain on water supplies. As discussed in Section 5.12.2.3, Regional Regulations, the City's Water Conservation Ordinance allows the City Council to declare a Water Shortage Emergency, during which no construction water may be used for earthwork, including dust suppression and compaction activities. However, the City is currently in Stage 1 and not experiencing a water emergency. As previously discussed in threshold A, RPU would be the water provider for the Project. Per the 2015 UWMP, RPU's potable distribution system delivers water to Gage Canal Company (GCC), Home Garden County Water District (HGCWD), and Western Municipal Water District (WMWD). Non-potable water is distributed to GCC and WMWD. Table 5.12-3 and Table 5.12-4 show the projected water demands throughout 2040. RPU has also conducted dry year predictions as shown on Table 5.12-5 to determine if water will be available during single and multiple dry years. RPU assumes 100 percent of its groundwater and recycled water supplies would remain available during these scenarios. Since the Project is under the 500 dwelling units threshold that would result in a WSA, the RPU's current water supply would be able to support the Project. Given the temporary and minimal nature of construction water demand in addition to the fact that the City would restrict water intensive construction activities through a Water Shortage Emergency declaration if it lacked adequate water supply, impacts related to construction water consumption would be less than significant. (DEIR, p. 5.12-18)

Operational Demand – Indoor and Outdoor Use

The Project would introduce a new development consisting of multi-family residential uses. The Project would comply with all requirements of the California Green Building Code, as adopted by the City, pertaining to maximum flow rates for plumbing fixtures, such as toilets, showerheads, and faucets in the residential buildings. (DEIR, p. 5.12-18)

Further, because the Project would involve more than 2,500 square feet of developer-installed landscape area, it would be subject to the requirements of the City's Water Efficient Landscaping and Irrigation Ordinance, codified in Chapter 19.570 of RMC. Pursuant to the ordinance, the Project would prepare and submit for approval planting, irrigation design, and soil management plans and comply with landscape design and irrigation efficiency requirements. The City's Water Efficient Landscaping and Irrigation Ordinance was implemented to limit water supply due to increasing demands. Therefore, with the implementation of the planting, irrigation design, and soil management plans the Project would comply with the ordinance. (DEIR, pp. 5.12-18-5.12-19)

As discussed in DEIR Section 3, Project Description, Project construction is expected to begin in 2021 and take approximately 18 months to complete. The Project is anticipated to be fully built and open in 2023. Thus, the projected RPU water demand for 2025 is the closest year to the Project's completion for which water demand and supply estimates are provided in the UWMP. Per Table 5.12-3, RPU projects that groundwater supplies in 2025 would total 93,573 acre feet/year (AFY), which is approximately 15,004 AFY more than the anticipated potable water demand for 2025 (see Table 5.12-4). (DEIR, p. 5.12-19)

Moreover, as discussed in DEIR Section 5.12.1 for Dry Year Projections, given the adjudication of the groundwater basins upon which it depends and the dependability of recycled water as a supply, RPU assumes 100 percent of its groundwater and recycled water supplies would remain available during both single and multiple dry years. As described and exemplified in Table 5.12-5, under all scenarios for all years, water supply exceeds demand through 2040. (DEIR, p. 5.12-19)

Therefore, as the Project's number of residential units falls below the threshold to prepare a WSA to determine if the identified water supply or water supplier will be able to meet projected demands for the Project; the Project would be subject to compliance with the City's Water Conservation Ordinance and the California Green Building Code; and based on the water supply and demand projections, projected water supplies would be sufficient to meet the projected water demand for the Project. Planned expansions in the City's recycled water distribution system and the availability of 21,700 AFY of imported water (see Table 5.12-1) will further increase RPU's projected water supplies and would thus reduce the Project's share of excess and dry year supplies in 2025 and subsequent years. Although the Project is changing land use, as outlined in the Initial Study (Appendix A), Section 14, Population and Housing, the Project would result in a very small incremental increase in population growth, approximately one percent, of what was anticipated under the typical growth scenario. Thus, the Project is within the City's anticipated 2025 growth projection. Implementation of the Project would not require new or expanded entitlements for water supplies; potential impacts would be less than significant. (DEIR, p. 5.12-19)

Adequate Wastewater Treatment Capacity

Threshold C: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Findings: Less than significant. As it has been determined that the City's existing collection system has sufficient capacity to convey proposed PWWFs downstream of the Project without exceeding the established flow depth criterion, the Project would result in a determination that the Project's wastewater treatment provider (the City) has adequate capacity to serve the Project's projected demand in addition to the City's existing commitments. Therefore, potential impacts would be less than significant. (DEIR, 5.12-20)

Explanation: The City's Public Works Department provides sewer services to the Project site. The sewer system would collect, treat, and dispose of Project wastewater through the Riverside Regional Water Quality Control Plant (RRWQCP). In 2015, RRWQCP's plant capacity was expanded to 46 million gallons per day (mgd) (City of Riverside 2016). Per the UWMP, the RRWQCP served approximately 295,000 people, who generated approximately 18 mgd, indicating the RRWQCP currently had excess capacity. As stated in the Initial Study (Appendix A), Section 14, Population and Housing, the estimated population growth from the Project would be 753 persons which would only occupy one percent of the 295,000 people serviced by RRWQCP which is only a fraction of the served area. (DEIR, p. 5.12-19-5.12-20)

As discussed for Threshold A, a Sewer Capacity Evaluation (Carollo, 2020, Appendix J) was conducted to assess the impact the Project will have on the City's wastewater collection system. As described for Threshold A above, the Sewer Capacity Evaluation determined that the City's collection system has sufficient capacity to convey existing PWWFs downstream of the Project without exceeding the established flow depth criteria. As it has been determined that the City's existing collection system has

sufficient capacity to convey proposed PWWFs downstream of the Project without exceeding the established flow depth criterion, the Project would result in a determination that the Project's wastewater treatment provider (the City) has adequate capacity to serve the Project's projected demand in addition to the City's existing commitments. Therefore, potential impacts would be less than significant. (DEIR, p. 5.12-20)

Solid Waste Generation

Threshold D: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Findings: Less than significant. With compliance with the 2019 CALGreen standards, the Project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be less than significant. (DEIR, p. 5.12-21)

Explanation: The City of Riverside Public Works Department collects trash from 70 percent of the City's households and the remainder is collected by private contractors. One of the City's franchise haulers (Burrtec, Athens, or CR&R) provide solid waste disposal services for the Project. The Project would generate both construction and operational solid waste, which would be disposed of at nearby landfills. Per the City of Riverside's General Plan, Public Facilities and Infrastructure Element, all solid waste collected is tipped at the Robert A. Nelson Transfer Station, which is owned by the County of Riverside. The waste is then transferred to either the Badlands Landfill in Moreno Valley, the El Sobrante Landfill located south of the City of Corona or the Lamb Canyon Landfill located between the City of Beaumont and the City of San Jacinto for disposal. Implementation of the General Plan is anticipated to increase solid waste collection and disposal capacity between 884 tons per day and 2,573 tons per day at buildout. By 2025 the City will contribute 14% of the amount of solid waste. Currently, the Badlands landfill has a remaining capacity of 15.749 million, El Sobrante landfill has a remaining capacity of 143.977 million, and Lamb Canyon has a capacity of 19.243 million. As shown on Table 5.16-M of the City's FEIR, the generation of solid waste for Multi-Family Residents is anticipated to increase between 139.30 tons for typical and 208.90 for maximum and Max w/PRD. The Project fall under this category as it has more than 15du/acre. (FEIR, p. 5-16-47) County Solid Waste Management has indicted that land to expand both the Badland Landfill and Lamb Canyon Landfill will be used to provide more capacity. Riverside County has submitted a CEQA document to allow the Badlands landfill to remain open for another 50 years by increasing the 278 acres landfill to 811 acres. (CEQAnet.opr.ca.gov) With the remaining capacity, the proposed General Plan is not anticipated to exceed capacity of the landfills. In addition, Public Resource Code Section 41780 requires every city and county to divert from landfills at least 50% of waste generated within their jurisdiction, and the City has exceeded its required reduction in recent years. (GP 2025) (DEIR, p. 5.12-20)

Per the California Integrated Waste Management Act of 1989, the Project would have access to green waste collection, curbside recycling, newspaper drop-off, car tire amnesty, household hazardous waste and other service which will divert solid waste to the landfills (GP 2025). With compliance with the 2019 CALGreen standards, the Project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be less than significant. (DEIR, p. 5.12-21)

L. WILDFIRE

Impair an Adopted Emergency Response Plan or Emergency Evacuation Plan

Threshold A: Would the Project Substantially impair an adopted emergency response plan or emergency evacuation plan?

Findings: Less than significant. The Project would not impair an adopted emergency response plan or evacuation plan and would comply with necessary procedures. The Project's surrounding roadways would continue to provide emergency access to the Project area and to surrounding properties during construction and operation of the Project. Therefore, the Project will have a less than significant impact directly or indirectly to an emergency response or evacuation plan. (DEIR, p. 5.13-19)

Explanation: The Project will be served by Sycamore Canyon Boulevard and Central Avenue. No street closures are required during the Project's construction. Per the GP 2025, Public Safety Element, Figure-PS 8.1 Evacuation Routes, Central Avenue is an arterial evacuation route and the SR-60 and I-215 are designated as freeway evacuation routes. Thus, the Project site is located adjacent to and has immediate access to Central Avenue and SR-60 and I-215, designated evacuation routes. (DEIR, p. 5.13-18)

In the event of an accident or natural disaster, the increase in traffic in the City may impede the rate of evacuation for the residents. The City's Office of Emergency Management (OEM) is also known as the RFD's Emergency Service Division. The RFD operates and manages the OEM, a comprehensive all-hazards community-based emergency management program. According to the RFD's OEM, and per the GP 2025 FPEIR, in the event of a disaster, the location of a shelter will only be established if needed; otherwise a "shelter-in-place" order will be enacted to provide protection. "Shelter-in-place" is intended to protect public safety by encouraging people to remain indoors. This order would keep unnecessary traffic off the roads to allow emergency vehicles to respond and/or direct an orderly evacuation, if needed. In certain circumstances, local officials may direct people to go to a community shelter for safety purposes. (DEIR, p. 5.13-19)

Emergency response and evacuation procedures would be coordinated through the City in coordination with the police and RFD. The Project would not impair an adopted emergency response plan or evacuation plan and would comply with necessary procedures. The Project's surrounding roadways would continue to provide emergency access to the Project area and to surrounding properties during construction and operation of the Project. Therefore, the Project will have a less than significant impact directly or indirectly to an emergency response or evacuation plan. (DEIR, p. 5.13-19)

Fire Protection Public Services

Threshold B: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Fire Protection Public Services?

Findings: Less than significant. As there are already two existing fire stations (# 13 and 14) within RFD's 5-minute initial action response time, construction of new fire stations would not be triggered by the Project. The City of Riverside does not collect development impact fees as all fire stations have been built. With the Project design (including Fire Access Plan), the nearest Fire Station being less than a mile from

the Project site, the Project's incremental impacts on fire protection services would be less than significant. (DEIR, p. 5.13-20)

Explanation: The Project site is within RFD's 5-minute initial action response time. The nearest fire station is Fire Station 14 – Sycamore Canyon (725 Central Avenue) and is less than a mile from the Project site. It would be the first engine to arrive on scene to the furthest structure (3 or 4-minutes driving time depending on traffic). The second engine would be from Fire Station 13 – Box Springs (6490 Sycamore Canyon Boulevard) approximately 5 minutes driving time to the Project. The next closest station is Fire Station 9 – Canyon Crest (6674 Alessandro Boulevard), approximately 8 minutes from the Project. Additional agencies such as Riverside County and nearby cities would also likely respond, but they would probably arrive after RFD. (FPP p., 20) (DEIR, p. 5.13-19)

According to the GP 2025 FPEIR, the average time for on-site response to fire calls is 5 minutes, 30 seconds. Delivering and maintaining such a high level of service in the future as the City grows is a major concern to the RFD. The RFD's goal is to maintain a 5-minute response time for the first arriving units 90% of the time for all EMS and fire related incidents. As earlier mentioned, the Project is within the RFD's 5-minute initial action response time, with the first fire engine arriving on scene from the Sycamore Canyon station within three to four minutes depending on traffic. The first arriving unit can advance the first line for fire control, initiating rescue, or providing basic life support for medical incidents. Additionally, the RFD policy states that units will be located and staffed such that an effective response force of 4 units with 12 personnel minimum shall be available to all areas of the City within a maximum of 10 minutes (total response time). (DEIR, p. 5.13-19)

The Project includes a Fire Access Plan to ensure fire trucks will be able to navigate through the planned development to reach all areas of Project. The fire access plan also allows of a typical apparatus turning radius that will allow a typical standard fire truck can navigate through. As RFD requires a clear fire access lane width of 20 feet and the City requires a width of 24 feet for two-way traffic, all clear fire lane access within the Project is 24-feet wide. (DEIR, p. 5.13-20)

Additionally, the Project does not propose to use substantially hazardous materials or engage in hazardous activities that will require new or expanded fire protection equipment to meet potential emergency demand. (DEIR, p. 5.13-20)

As there are already two existing fire stations (# 13 and 14) within RFD's 5-minute initial action response time, construction of new fire stations would not be triggered by the Project. The City of Riverside does not collect development impact fees as all fire stations have been built. With the Project design (including Fire Access Plan), the nearest Fire Station being less than a mile from the Project site, the Project's incremental impacts on fire protection services would be less than significant. (DEIR, p. 5.13-20)

Infrastructure Installation or Maintenance that May Exacerbate Fire Risk

Threshold D: Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Findings: Less than significant. Implementation of the Project would not require installation of new or increased level of infrastructure maintenance into wildland areas that could exacerbate fire risk or result

in temporary or ongoing impacts to the environment. The Project's potential to exacerbate wildfire risk from installation and maintenance of infrastructure would be less than significant. (DEIR, p. 5.13-23)

Explanation: The Project site is partially within a Very High Fire Hazard Severity Zone (VHFHSZ) at the northern portion and sits on vacant land in a mostly developed area with roadways, residential units, and open space adjacent to the site and its surrounding area. Additionally, the SR-60 and I-215 is in close proximity to the north and east of the Project site. There are existing utilities adjacent to the Project site such as power lines, pad-mounted transformers, water sources, and other utilities. There are no offsite staging areas, and the only offsite improvements are wet and dry utility connections from the Project site to existing facilities/pipelines in Sycamore Canyon Boulevard and Central Avenue. There are no offsite improvements required to the west of the Project that would extend into the undeveloped wildland area. (DEIR, p. 5.13-23)

The Project would not require the installation or maintenance of other associated infrastructure to the west, or beyond already existing developed conditions in Sycamore Canyon Boulevard and Central Avenue to the north, east, and south, where the Project would connect to existing utilities. Implementation of the Project would not require installation of new or increased level of infrastructure maintenance into wildland areas that could exacerbate fire risk or result in temporary or ongoing impacts to the environment. The Project's potential to exacerbate wildfire risk from installation and maintenance of infrastructure would be less than significant. (DEIR, p. 5.13-23)

IV. 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 these Findings, will reduce the following otherwise significant environmental impacts to a less than significant level, and have been required in or incorporated into the proposed Project. ***The findings below are for impacts where implementation of the proposed 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 5.1 through Section 5.13 and Section 6 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 (IV):

Changes or alterations have been required in, or incorporated into, the proposed Project which mitigate the significant effects on the environment (to less than significant levels). (See Pub. Resources Code § 21081(a)(1); State CEQA Guidelines § 15091(a)(1).)

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

A. AESTHETICS

Create a new source of substantial light or glare

Threshold D: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant with mitigation. The proposed Project would introduce new lighting and glare to the area. The addition of residential property would generate vehicle use and associated light and glare, along the street and security lights, and light emitted from buildings and signage. The Project shall be designed to prevent light spillage from the Project to be confirmed with review and approval of a Photometric Plan by the City's Community & Economic Development Department, as outlined in MM AES-1. The Project will not result in a substantial new source of light or glare and impacts with regard to daytime or nighttime views in the vicinity of the project site will be less than significant with implementation of MM AES-1. (DEIR pp. 5.1-27- 5.1-28)

Explanation: The proposed Project would be required to follow the performance standards in the City's Zoning Code that regulate lighting to avoid light and glare impacts, including those that prevent light spillage onto the surrounding properties.

Although the Project site itself is undeveloped and does not produce on-site sources of light or glare, it is within an urbanized area with an existing mix of uses that contribute to current light and glare levels. The primary sources of light and glare in the vicinity of the Project site are those associated with vehicles traveling on Sycamore Canyon Boulevard, Central Avenue, and SR-60/I-215, those generated by building-mounted lighting on existing residential, commercial, and institutional structures, and the street lighting from the Sycamore Canyon Boulevard and Central Avenue interchange and along Central Avenue.

The Project would introduce new sources of light from fixtures installed on pedestrian walkways, buildings, and in parking areas; the headlights of cars entering and leaving the site at night, the lighted signs, and building windows that emit light at night will also form new sources on the site. The Project will create new sources of light, particularly in the evening hours when interior lights would be on inside buildings.

The proposed Project's exterior lighting from the residential units or from the parking area will meet the City's Zoning Code requirements for support structure height, intensity, flickering/ flashing, placement, shielding, orientation, and style. The City will require an exterior lighting plan as a condition of proposed Project approval (City of Riverside Zoning Code, Chapter 19.566). The exterior facades of the proposed Project's structures will feature muted, earth-toned colors and non-reflective materials, reducing their capacity to reflect light. Overall levels of light generated by the new buildings and passing cars would be comparable to typical light levels in an urban environment and the surrounding areas. Additionally, the proposed Project shall be designed to prevent light spillage from the proposed Project to the adjacent open space, to be confirmed with review and approval of a Photometric Plan by the City's Community & Economic Development Department, as outlined in MM AES-1.

The proposed residential buildings will be designed with a variety of recessed and canopied windows that will reduce the potential for reflected incident light or glare. Overall levels of glare generated by the new buildings and cars will be comparable to expected levels of glare in an urban environment. The proposed landscape design, including trees, will reduce the effects of light and glare on the proposed Project site and on the area surrounding the proposed Project site. The trees would moderate glare and light generated from the proposed Project. The proposed Project will comply with the City's Zoning Code requirements for lighting that supports safety in the proposed Project without excessive spillage to adjacent uses. Further, as mentioned in Section 5.3 Biological Resources, the MSHCP urban/wildlands interface guidelines would be implemented to help reduce potential indirect effects to wildlife. The proposed Project will not result in a substantial new source of light or glare and impacts with regard to

daytime or nighttime views in the vicinity of the proposed Project site will be less than significant with implementation of MM AES-1.

The following mitigation measure will be implemented:

MM AES-1: Prior to the issuance of building permits, the applicant shall submit a photometric (lighting) plan for approval by the Community & Economic Development Department, Planning Division. The approved light design requirements shall be included on the final building plan sheets. The lighting plan shall incorporate the following requirements:

- The Project shall be designed in such a manner as to prevent light spillage from the Project to the adjacent and nearby open space areas
- Lighting levels shall comply with Chapter 19.556 of the Riverside Municipal Code
- Shielding shall be employed, where feasible
- Any night lighting shall be directed away from natural open space areas and directed downward and towards the center of the development
- No Project lights shall blink, flash, oscillate, or be of unusually high intensity or brightness
- Energy-efficient LPS or HPS lamps shall be used exclusively throughout the Project site to dampen glare
- Exterior lights shall be only “warm” LED lights (<3000K color temperature).

The City finds the Mitigation Measure AES-1 is feasible, can be 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, as identified in the EIR. As previously mentioned, the proposed Project will not result in a substantial new source of light or glare and impacts with regard to daytime or nighttime views in the vicinity of the proposed Project site will be less than significant with implementation of MM AES-1, which requires approval of a photometric plan to ensure the Project is designed to prevent light spillage to adjacent and nearby open space areas. (DEIR, pp. 5.1-28)

B. BIOLOGICAL RESOURCES

Candidate, Sensitive, or Special Status Species

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

Finding: Based on habitat requirements for specific special-status plant species and the availability and quality of habitats needed by each species, it was determined that the Project site does not provide suitable habitat for any of the special-status plant species known to occur in the area and are presumed

to be absent from the Project site. Additionally, it was determined that the Project site does not provide suitable habitat for the three (3) MSHCP listed Criteria Area Plant species Nevin's barberry, smooth tarplant or round-leaved filaree, and are presumed absent. No special-status wildlife species were observed on-site during the habitat assessment. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the proposed Project site has a moderate potential to support Cooper's hawk, sharp-shinned hawk, yellow warbler, and least Bell's vireo; and a low potential to provide suitable habitat for burrowing owl, California horned lark, and loggerhead shrike. Potential impacts to these special-status species, in the event they were to occur on the Project site at the time of construction, would be less than significant with implementation of mitigation measures MM BIO-1 and MM BIO-2. (DEIR pp. 5.3-24 – 5.3-25)

Explanation: The proposed Project site lacks mammal burrows capable of providing suitable roosting and nesting opportunities for burrowing owl (BUOW). The only burrows observed during the site investigation were too small (less than 4 inches in diameter) to be used by BUOW. Despite a systematic search of all burrows and open habitat throughout the proposed Project site, no burrowing owl or sign (pellets, feathers, castings, or white-wash) was observed. Additionally, focused surveys for BUOW were conducted in 2006/2007 by Michael Brandman Associates, and the focused survey results were negative. Therefore, BUOW is presumed absent from the proposed Project site and no additional focused surveys are recommended or required. (DEIR pp. 5.3-25)

In order to ensure impacts to sensitive-status birds (including BUOW) or those protected under the Migratory Bird Treaty Act (MBTA) do not occur from the proposed Project, in the event they were to occur at the proposed Project site at the time of construction start, pre-construction nesting bird (mitigation measure MM BIO-1) and burrowing owl clearance surveys (mitigation measure MM BIO-2) shall be conducted prior to ground disturbance as well as the presence of a biological monitor during all ground disturbing activities. Potential Project impacts to these special-status species will be less than significant with implementation of mitigation measures MM BIO-1 and MM BIO-2. (DEIR pp. 5.3-25)

The following mitigation measures will be implemented:

MM BIO-1: Pursuant to the MBTA and Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. The nesting season generally extends from February 1 through August 31, beginning as early as January 1 for raptor species, but can vary slightly from year to year based upon seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season (September 1 through January 31), a pre-construction clearance survey for nesting birds shall be conducted within three (3) days of the start of any ground disturbing activities to ensure that no nesting birds will be disturbed during construction.

If the biologist finds an active nest on the proposed Project site and determines that the nest may be impacted, the biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the biologist and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of raptors and listed species. Any active nests observed during the

survey shall be mapped on an aerial photograph. Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to ensure that no inadvertent impacts on these nests occur. Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds.

MM BIO-2: In accordance with the *Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan*, a 30-day pre-construction survey for burrowing owls is required prior to initial ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, grading, tree removal, site watering, equipment staging) to ensure that no burrowing owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the Project site prior to the initiation of ground-disturbing activities, the Project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies, and will need to coordinate further with RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure that burrowing owl have not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.

If burrowing owls are observed on the proposed Project site during the pre-construction surveys, a burrowing owl relocation plan shall be prepared and submitted to CDFW and the RCA for review and approval prior to commencement of vegetation clearing/grubbing, grading, and construction activities on the proposed Project site. The burrowing owl relocation plan shall outline methods to relocate any burrowing owls occurring on the proposed Project site and ensure compliance with the MSHCP, MBTA and California Fish and Game Code. If an active burrow is found during the breeding season (February 1 through August 31) occupied burrows will not be disturbed and will be provided with a protective buffer unless a qualified biologist verifies through noninvasive means that either: (1) the birds have not begun egg laying, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer will depend on the time of year and level of disturbance.

The City finds that Mitigation Measures BIO-1 and BIO-2 are feasible, can be 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, as identified in the EIR. Potential Project impacts to these special-status species will be less than significant with implementation of mitigation measures MM BIO-1 and MM BIO-2, which require preconstruction surveys to protect sensitive-status birds and species protected under the MBTA. (DEIR pp. 5.3-25)

Interfere with Migratory Wildlife Corridors

Threshold D: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?

Finding: The proposed Project site is located immediately north of the MSHCP Proposed Constrained Linkage 7, which connects Sycamore Canyon Wilderness Park to the south, to the Box Springs Reserve to the east (east of SR-60/I-215), and is generally constrained by urban development. Mitigation measures MM BIO-2 through MM BIO-12 and MM AES-1 include Project specific measures for implementing the MSHCP urban/wildlife interface guidelines and reducing potential indirect impacts to wildlife corridors and linkages. Potential Project impacts to wildlife movement will be less than significant with implementation of mitigation measures MM BIO-2 through MM BIO-15 and MM AES-1.

Explanation: The Project will not directly impact, prevent or restrict the use of Box Spring Canyon or the willow riparian plant community as a corridor by wildlife. Disturbances from the Project are not expected to directly or indirectly impact wildlife movement opportunities through this area. The MSHCP urban/wildlands interface guidelines will be implemented to help reduce potential indirect effects to wildlife movement. (DEIR pp. 5.3-27)

A pre-construction survey for BUOW is required prior to initial ground-disturbing activities (MM BIO-2) to ensure there are no impacts to these birds in the event they were to start occupying the site since the site visit and habitat assessment conducted in 2020. A temporary fence will be installed to ensure grading activities and/or construction equipment does not encroach into the 0.53-acre conservation area (MM BIO-3). To minimize indirect impacts to species under Section 6.1.2 of the MSHCP, from noise generated by the Project construction equipment, a 12-foot high temporary noise barrier will be constructed. The barrier will be located between the construction activities and the adjacent riparian habitat on the southwest corner of the Project site. The barrier shall be continuous without openings, holes or cracks, and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a reduction of at least 13 dB(A) to ensure noise levels do not exceed 65 dB(A) at the on-site conservation area. Other materials providing the same reduction shall also be permitted (MM BIO-4). To further reduce noise, heavy grade rubber mats/pads will be used and all construction equipment shall have properly operating mufflers. Stationary equipment shall be directed away from the noise sensitive receptors and shall not be left to idle when not in use. Staging areas shall be located at the largest possible distance from the sensitive receptors and music/sound amplification is prohibited on the site. Haul truck deliveries will only be allowed between 7:00 am to 7:00 pm on weekdays, and 8:00 am to 5:00 pm on Saturdays. Heavy equipment such as vibratory rollers and soils compressors shall be limited along the Project boundaries. Jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded and noise shall be directed away from sensitive receptors (MM BIO-5). If pile driving and rock blasting activities are needed, to minimize direct impacts to species protected under Section 6.1.2 of the MSHCP, activities shall be conducted outside of the avian nesting season and a pre-construction nesting bird clearance survey shall be conducted prior (MM BIO-6). To avoid direct construction impacts to riparian plant communities and wildlife corridors, the Project has been designed to stay within previously disturbed areas (MM BIO-7). Best Management Practices shall be implemented to reduce fugitive dust emissions (MM BIO-8). Additional short-term noise levels efforts will be implemented by the on-site construction

contractor (MM BIO-9). Potential short-term impacts to on-site drainages from construction runoff shall be addressed via a Stormwater Pollution Prevention Plan (SWPPP) and any necessary BMPs (MM BIO-10). To avoid potential construction-related impacts to the conserved riparian habitat, construction worker training shall be provided by a qualified biologist, Project boundaries shall be clearly marked, and staging areas shall be prohibited within 20 feet from the top of slope adjacent to the conserved riparian habitat (MM BIO-11). Lastly, the Project shall incorporate special edge treatments to minimize edge effects by providing a safe transition between developed areas and the conserved riparian habitat (MM BIO-12). Mitigation measure MM BIO-13 requires the applicant and/or grading contractor to provide the City with proof that a qualified biologist has been retained and is available for biological monitoring. Mitigation measure MM BIO-14 requires that prior to grading the conservation area, temporary flagging and noise barrier are plotted on the grading plans and provided to the City for review and approval. Mitigation measure MM BIO-15 requires that prior to issuance of grading permit, the mitigation measures that are to be satisfied prior to and during construction activities are added to the grading plans as notes, and the plans are submitted to the City for review and approval. To reduce impacts to wildlife due to lighting, a photometric plan shall be submitted for approval to the City's Community & Economic Development Department as outlined in MM AES-1 in Section 5.1 Aesthetics. Mitigation measures MM BIO-2 through MM BIO-12 and MM AES-1 include Project specific measures for implementing the MSHCP urban/wildlife interface guidelines and reducing potential indirect impacts to wildlife corridors or linkages. Potential Project impacts to wildlife movement will be less than significant with implementation of mitigation measures MM BIO-2 through MM BIO-15 and MM AES-1.

The following mitigation measures will be implemented:

MM BIO-2: Previously discussed under Biological Resources Threshold A

MM BIO-3: To ensure grading activities and/or construction equipment does not encroach into the 0.53 acre conservation area on the southwest corner of the Project site, prior to ground disturbing and construction activities, temporary flagging (i.e. stakes with bright colored flagging or bright colored temporary construction fencing) shall be installed to visually demark the conservation area. A biological monitor shall be required to ensure that no encroachment into the conservation area occurs.

MM BIO-4: To minimize indirect impacts to species protected under Section 6.1.2 of the MSHCP, that have the potential to be present within the riparian habitat on the southwest corner of the Project site, from noise generated by Project construction equipment, the following measures shall be implemented prior to ground disturbing and construction activities:

- Install a 12-foot high temporary noise barrier at the perimeter of the limits of disturbance between the construction activities and the adjacent riparian habitat on the southwest corner of the Project site. The barrier shall be continuous without openings, holes or cracks, and shall reach the ground. The barrier may be constructed with 1-inch plywood and provide a reduction of at least 13 dB(A) to ensure noise levels do not exceed 65 dB(A) at the on-site conservation area. Other materials providing the same reduction shall also be permitted.

MM BIO-5: To minimize indirect impacts to species protected under Section 6.1.2 of the MSHCP, that have the potential to be present within the riparian habitat on the southwest corner of the Project site, from noise generated by Project construction equipment, the following measures shall be implemented during ground disturbing and construction activities:

- Heavy grade rubber mats/pads shall be used within the bed of the trucks. These mats will help attenuate initial impact noise generated when an excavator drops rock and debris into the bed of the truck. These mats must be maintained and/or replaced as necessary.
- During all Project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.
- The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site.
- Equipment shall be shut off and not left to idle when not in use.
- The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the Project site during all Project construction.
- The Project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the Project site during construction.
- The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (7:00 am to 7:00 pm on weekdays, and 8:00 am to 5:00 pm on Saturdays).
- Limit the use of heavy equipment or vibratory rollers and soil compressors along the Project boundaries to the greatest extent possible. It is acknowledged that some soil compression may be necessary along the Project boundaries.
- Any jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded and noise shall be directed away from sensitive receptors.

MM BIO-6: Project Construction Vibration – If pile driving and rock blasting activities are needed, in order to minimize indirect impacts to species protected under Section 6.1.2 of the MSHCP from construction vibration generated by these activities, the following measures shall be implemented:

- All pile driving and rock blasting activities shall be conducted outside of the avian nesting season (generally February 1 to August 31).
- Out of abundance of caution, a pre-construction nesting bird clearance survey shall be conducted prior to pile driving and rock blasting activities to ensure avian species are not actively nesting, within the sensitive riparian habitat on the southwest corner of the Project site, or within 500 feet of the limits of disturbance.

MM BIO-7: The Project has been designed to avoid direct construction impacts to riparian plant communities and wildlife corridors by staying within previously disturbed areas. Avoidance and minimization measures shall be included in the Project specifications for implementation during construction to further reduce the potential for any temporary, indirect impacts to occur to these areas during ground disturbing and construction activities, including the following:

- During ground disturbing and construction activities, a biological monitor shall be required to ensure that no encroachment into the conservation area occurs. The biological monitor shall be present and monitor flagging installation, as well as all grading and construction activities in the southwest corner of the site including installation of the retaining walls and landscaping.
- During ground disturbing and construction activities, trash and other debris shall be properly disposed of and not left on-site in areas where it could fall into protected habitat.
- During ground disturbing and construction activities, refueling, washing, or other vehicular maintenance activities shall occur a minimum of 100 feet away from riparian areas, including the conserved riparian habitat.
- During ground disturbing and construction activities, equipment shall be maintained and checked at least on a daily basis for leaks.
- During ground disturbing and construction activities, all vehicle leaks or other hazardous material leaks shall be contained and cleaned up immediately. All contaminated soil shall be removed from the site and disposed of properly.

MM BIO-8: During soil excavation, grading, or other subsurface disturbances, the construction contractor shall supervise provision and maintenance of all standard dust control Best Management Practices (BMPs) to reduce fugitive dust emissions, including but not limited to the following actions:

- Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent.
- Pave, periodically water, or apply acceptable non-toxic chemical stabilizer as identified in the SWPPP to construction access/egress points.
- Minimize the amount of area disturbed by clearing, grading, earthmoving, or excavation operations at all times.
- Operate all vehicles on graded areas at speeds less than 15 miles per hour.
- Cover all stockpiles that would not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with an acceptable non-toxic chemical stabilizer as identified in the SWPPP.

MM BIO-9: During ground disturbing and construction activities the on-site construction contractor shall implement the following measures to minimize short-term noise levels caused by construction activities. Measures to reduce construction noise shall be included in contractor specifications and include, but not be limited to, the following:

- Properly outfit and maintain construction equipment with manufacturer-recommended noise-reduction devices to minimize construction-generated noise.
- Operate all diesel equipment with closed engine doors and equip with factory-recommended mufflers.
- Use electrical power, when feasible, to operate air compressors and similar power tools.
- Employ additional noise attenuation techniques, as needed, to reduce excessive noise levels within the conserved Riparian/Riverine Habitat on-site, such as placement of temporary sound barriers or sound blankets at the top of slope adjacent to these areas.
- Locate construction staging areas at least 100 feet from the conserved riparian habitat.

MM BIO-10: To address potential short-term impacts to water quality within the on-site drainages from construction runoff that may carry storm water pollutants, a Stormwater Pollution Prevention Plan (SWPPP) shall be implemented by the construction contractor as required by the California General Construction Storm Water Permit pursuant the Regional Board regulations prior to grading permit issuance. The SWPPP shall identify BMPs related to the control of toxic substances, including construction fuels, oils, and other liquids. These BMPs would be implemented by the construction contractor prior to the start of any ground clearing activity, shall be subject to periodic inspections by the City and the Project's hydrological consultant, shall be maintained throughout the construction period and remain in place until all landscape and permanent BMPs are in place. BMPs shall be monitored and repaired if necessary, to ensure maximum erosion, sediment, and pollution control.

- The use of erosion control materials potentially harmful to fish and wildlife species, such as mono-filament netting (erosion control matting) or similar material, within and adjacent to conserved riparian habitat shall be prohibited.
- All fiber rolls², straw wattles, and/or hay bales utilized within and adjacent to the Project site shall be free of non-native plant materials.
- Construction contractor shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws.

² Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves. Non-welded weaves reduce entanglement risks to wildlife by allowing animals to push through the weave, which expands when spread.

- Water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities shall not be allowed to enter the conserved riparian habitat or be placed in locations that may be subjected to high storm flows.
- Spoil sites shall not be located within jurisdictional areas and MSHCP Conservation Areas or locations that may be subjected to high storm flows, where spoil shall be washed back into the conserved riparian habitat where it would impact streambed habitat and aquatic or riparian vegetation.
- Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from Project related activities shall be prevented from contaminating the soil and/or entering the conserved riparian habitat. These materials, placed within or where they may enter the conserved riparian habitat or any party working under contract to the construction contractor, shall be removed immediately.
- No equipment maintenance shall be done within or near the conserved riparian habitat where petroleum products or other pollutants from the equipment may enter these areas under any flow.

MM BIO-11: The following measures shall also be incorporated into the construction documents and specifications, and implemented by the contractor, to avoid potential construction-related impacts to the conserved riparian habitat outside of the approved disturbance limits:

- Prior to grading and construction activities construction worker training shall be provided by a qualified biologist at the first on-site construction meeting;
- Prior to grading and construction activities Project boundaries shall be clearly marked and or signs shall be erected near the top of slope adjacent to the conserved riparian habitat to prevent accidental/unauthorized intrusions during construction; and
- During all construction activities staging areas for storage of materials and heavy equipment, and for fueling, cleaning, or maintenance of construction vehicles or equipment, shall be prohibited within 20 feet from the top of slope adjacent to the conserved riparian habitat.

MM BIO-12: During construction the Project shall incorporate special edge treatments to minimize edge effects by providing a safe transition between developed areas and the conserved riparian habitat, and which would be compatible with Project operation and the protection and sustainability of conserved areas. The following special edge treatments are applicable to the Project, and shall be implemented:

- The Project is required to stage construction vehicles and equipment outside of the limits of CDFW jurisdictional streambed and riparian habitat to the maximum feasible distance;

- Construction-related noise shall not exceed 65 dBA at the on-site conservation area; and
- Any manufactured slopes shall be kept within the boundaries of the Project footprint and not encroach into the conserved riparian habitat or the MSHCP Conservation Area.

MM BIO-13: Prior to issuance of a grading permit, the applicant and/or grading contractor shall submit to the Community & Economic Development Department, Planning Division proof that a qualified biologist has been retained and is available to conduct biological monitoring of ground disturbing and construction activities, as identified in MM BIO-3 and MM BIO-7.

MM BIO-14: Prior to issuance of a grading permit, the conservation area in the southwest corner of the Project site shall be plotted on the grading plans, as well as the temporary flagging (identified in MM BIO-3) and the temporary noise barrier (identified in MM BIO-4). The grading plans shall be reviewed and approved by the Public Works Department and the Community & Economic Development Department, Planning Division.

MM BIO-15: Prior to issuance of a grading permit, all Mitigation Measures that must be satisfied prior to, and during, ground disturbing and construction activities (MM BIO-1, -2, -3, -4, -5, -6, -7, -8, -10, -11, and -12) shall be added to the grading plans as notes. The grading plans shall be reviewed and approved by the Public Works Department and the Community & Economic Development Department, Planning Division.

MM AES-1: Previously discussed under Aesthetics Threshold D.

The City finds that MM BIO-2 through MM BIO-15 and MM AES-1 are feasible, can be adopted, and will further reduce impacts associated with this issue to a level 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, as identified in the EIR. Potential Project impacts to wildlife movement will be less than significant with implementation of mitigation measures MM BIO-2 through MM BIO-15 and MM AES-1. (DEIR, pp. 5.3-28)

Conflict with Local, Regional, or State Habitat Conservation Plan

Threshold F: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Finding: With implementation of project design considerations, mitigation measures MM BIO-1 through MM BIO-15, and payment of both of the MSHCP and SKR-HCP Local Development Mitigation Fees the Project would not conflict with provisions of an adopted HCP or NCCP and impacts will be less than significant with implementation of mitigation measures MM BIO-1 through MM BIO-15 and MM AES-1.

Explanation: Based on the result of the habitat assessment, the proposed Project site was determined not to provide suitable habitat for burrowing owl or the listed Criteria Area Plant Species. With implementation of proposed Project design considerations, mitigation measures MM BIO-1 through MM BIO-15 and MM AES-1, and payment of the MSHCP Local Development Mitigation Fee, the proposed

Project is fully consistent with the MSHCP. Compliance with the MSHCP covers biological impacts to 146 species, and this proposed Project complies with the MSHCP. Table 5.3-2 in Section 5.3 Biological Resources, shows the MSHCP Guidelines and how the proposed Project features comply. (DEIR pp. 5.3-29).

The Project site is not located within a SKR-HCP Core Reserve; however, it is within the SKR fee assessment area. The Project proponent is required to pay the Stephens' Kangaroo Rat Preservation fee in effect at the time a grading permit is issued which is collected per Riverside Municipal Code Section 16.40.040. With payment of the SKR-HCP Local Development Mitigation Fee, the Project is fully consistent with the SKR-HCP. (DEIR pp. 5.3-34)

The full text of Mitigation Measures MM BIO-1 through MM BIO-15 and MM AES-1 are contained under Biological Resources Threshold A and Threshold D above.

The City finds that Mitigation Measure MM BIO-1 through MM BIO-15 and MM AES-1 are feasible, can be 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, as identified in the EIR. With implementation of proposed Project design considerations, mitigation measures MM BIO-1 through MM BIO-15, and payment of both of the MSHCP and SKR-HCP Local Development Mitigation Fees the proposed Project would not conflict with provisions of an adopted HCP or NCCP and impacts will be less than significant with implementation of mitigation measures MM BIO-1 through MM BIO-15 and MM AES-1. (DEIR pp. 5.3-29 – 5.3-34)

C. CULTURAL RESOURCES

Historical Resources

Threshold A: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5 of the CEQA Guidelines?

Finding: Since two cultural resources (P-33-6002 and P-33-6003) were previously recorded within the proposed Project site boundaries, although they were destroyed during construction of a 1995 project, the proposed Project site is considered to be sensitive for buried cultural resources. Potential Project impacts to historical resources would be less than significant with implementation of mitigation measures MM CUL-1 through MM CUL-4. (DEIR pp. 5.4-16)

Explanation: Two previously-recorded cultural resources, prehistoric bedrock milling site P-33-6002 and historic-period refuse scatter P-33-6003, have been destroyed during mechanical grading activities for a 1995 construction job. This mechanical grading was monitored and recorded by archaeologists in 1995 and the resources were determined to have been destroyed during grading. However, tribes will be notified of, and invited to consult on, any changes to site plans in order to avoid and/or preserve as many cultural and paleontological resources on the site as possible (see MM CUL-1, discussed below). Also, archaeological and paleontological monitoring will be performed for any ground-breaking activities in an effort to identify any unknown archaeological resources (MM CUL-2). Additionally, if any cultural resources are inadvertently discovered, the detailed provisions for the treatment and disposition of the resources in MM CUL-3 will be followed. Finally, cultural sensitivity training will be provided for all

construction personnel (MM CUL-4). These mitigation measures will ensure that any inadvertently discovered cultural resources are avoided and/or preserved. Therefore, with the implementation of these recommended mitigation measures, potential Project impacts to historical resources would be less than significant with implementation of mitigation measures MM CUL-1 through MM CUL-4. (DEIR pp. 5.4-16)

The following mitigation measures will be implemented:

MM CUL-1: Prior to grading permit issuance, if there are any changes to Project site design and/or proposed grades, the Applicant and the City shall contact consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of the cultural resources on the Project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located on the Project site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.

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

1. The Project archaeologist, in consultation with 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:
 - a. Project grading and development scheduling;
 - b. The development of a rotating or simultaneous schedule in coordination with the developer/applicant 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;
 - c. The protocols and stipulations that the Applicant, tribes, and Project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation;
 - d. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the Project site; and

- e. The scheduling and timing of the Cultural Sensitivity Training noted in mitigation measure MM-CUL-4.

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

1. **Consulting Tribes Notified:** within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall provide the City evidence of notification to consulting tribes. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation.
2. **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 will need to be thoroughly inventoried with tribal monitor oversight of the process; and
3. **Treatment and Final Disposition:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The Applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
 - a. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed;
 - b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation;
 - c. If more than one Native American tribe or band is involved with the Project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside by default; and

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 proposed Project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held

during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.

MM CUL-4: Cultural Sensitivity Training: The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

The City finds that Mitigation Measures MM CUL-1 through MM CUL-4 are feasible, can be 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, as identified in the EIR. With the implementation of these recommended mitigation measures, potential Project impacts to historical resources would be less than significant with implementation of mitigation measures MM CUL-1 through MM CUL-4 (DEIR, pp. 5.4-16).

Archaeological Resources

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

Findings: Though the proposed Project site is considered to be sensitive for buried cultural resources, with the implementation of recommended mitigation measures (see above, Threshold A discussion), potential Project impacts to archaeological resources would be less than significant with implementation of mitigation measures MM CUL-1 through MM CUL-4. (DEIR pp. 5.4-17)

Explanation: Previously recorded resources P-33-6002 and -6003 had both been destroyed during mechanical grading activities for a 1995 construction job. This mechanical grading was monitored and recorded by archaeologists in 1995 and the resources were determined to have been destroyed by grading. The two resources were identified to lack the integrity to be eligible for the CRHR. No known archaeological resources occur within the Project site.

Implementation of Mitigation Measures MM CUL-1 through MM CUL-4 would reduce potential impacts to unknown potential subsurface archeological resources, by requiring archaeological and paleontological monitoring be performed for any ground-breaking activities. Therefore, potential Project impacts to archaeological resources would be less than significant with implementation of mitigation measures MM CUL-1 through MM CUL-4.

The full text of Mitigation Measures MM CUL-1 through MM CUL-4 are contained under Cultural Resources Threshold A above.

The City finds that Mitigation Measure MM CUL-1 through MM CUL-4 are feasible, can be 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, as identified in the EIR. Though the proposed Project site is considered to be sensitive for buried cultural resources, with the implementation of recommended mitigation measures (see above, Threshold A discussion), potential proposed Project impacts to archaeological resources would be less than significant with implementation of mitigation measures MM CUL-1 through MM CUL-4. (DEIR, pp. 5.4-17)

D. GEOLOGY AND SOILS

Seismic-Related Ground Failure, Including Liquefaction

Threshold A iii: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Finding: The unsaturated sandy soils of Unit 1 (unconsolidated fill) are presently of sufficiently loose consistency so that these soils will be prone to measurable seismic settlement. Ground improvement by densification is required to reduce this risk to less than significant levels. Implementation of mitigation measure MM GEO-1 is required to reduce potential impacts from settlement to less than significant with mitigation. (DEIR, pp. 5.6-26)

Explanation: The entire Project site is underlain by Cretaceous-aged Val Verde Tonalite, a type of plutonic rock. Tonalite was encountered across the Project site from the surface at the northern portion of the site to depths up to 26 feet below ground surface in the central and southern portions of the site. In consideration of the lack of groundwater and related lack of the potential for saturated soils to occur in the near surface, the Project site is not at risk for liquefaction and related soil phenomena (i.e., lateral spreading, ground lurching, etc.). Further, the Project site is not in an area designated to be susceptible to liquefaction. Therefore, potential impacts associated with seismic ground failure, including liquefaction, would be less than significant. (DEIR, p. 5.6-26)

Apart from liquefaction, a strong seismic event can induce settlement within loose to moderately dense, unsaturated granular soils. The unsaturated sandy soils of Unit 1 (unconsolidated fill) are presently of sufficiently loose consistency so that these soils will be prone to measurable seismic settlement. Ground improvement by densification is required to reduce this risk to less than significant levels. Mitigation measure MM GEO-1 includes densification of the unconsolidated fill by method of Deep Dynamic Compaction (DDC). (DEIR, pp. 5.6-26)

The following mitigation measure will be implemented:

MM GEO-1 – Deep dynamic compaction (DDC) shall be used for ground improvement at this site to accomplish the following:

Objective 1, Depth of Improvement. Densify the undocumented fill as it may occur beneath the finished pad levels of structures to depths of up to 25 feet.

Objective 2, Foundation Bearing. Densify the near-surface soils sufficient to develop an allowable bearing pressure (i.e., contact stress) as great as about 6,000 pressure per square foot (psf) for shallow foundations.

The City finds that Mitigation Measure MM GEO-1 is feasible, can be 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, as identified in the EIR. Implementation of mitigation measure MM GEO-1, which requires DDC for ground improvement, is required to reduce potential impacts from settlement to less than significant with mitigation. (DEIR, pp. 5.6-26)

Threshold B: Will 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: The site is not within an area designated to be susceptible to subsidence. However, the loosely placed sands of Unit 1 are at some risk of soil collapse upon wetting. Implementation of mitigation measure MM GEO-1 described above in Geology & Soils Threshold A, is required to reduce potential impacts from subsidence and settlement to less than significant with mitigation. (DEIR, pp. 5.6-27)

Explanation: The Project site is not susceptible to liquefaction and has a low risk of landsliding. Due to the lack of groundwater and related lack of the potential for saturated soils to occur in the near surface, the site is not at risk for liquefaction and related soil phenomena (i.e., lateral spreading, ground lurching, etc.).

The soil grains of hydro-collapsible soils were initially deposited in a loose state (i.e., high initial 'void ratio') and thereafter lightly bonded by water sensitive binding agents (e.g., clay particles, low-grade cementation, etc.). While relatively strong in a dry state, the introduction of water into these soils causes the binding agents to fail. Destruction of the bonds/binding causes relatively rapid densification and volume loss (collapse) of the soil. This change is manifested at the ground surface as subsidence or settlement. Ground settlements from the wetting can be damaging to structures and civil works. Human activities that can facilitate soil collapse include irrigation, water impoundment, changes to the natural drainage, disposal of wastewater, etc. Implementation of mitigation measure MM GEO-1 is required to reduce potential impacts from subsidence and settlement to less than significant with mitigation. 5.6-27)

The full text of mitigation measure MM GEO-1 is contained under Geology & Soils Threshold A above.

The City finds that Mitigation Measure MM GEO-1 is feasible, can be 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, as identified in the EIR. With the implementation of mitigation measure MM GEO-1 subsidence and settlement impacts will be less than significant. (DEIR, pp. 5.6-27)

Threshold D: Will the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: The Project site and surrounding areas have low potential for paleontological sensitivity. However, if a discovery of a paleontological or unique geological resources is found, all work shall temporarily halt and the protocols listed in the Archaeological Monitoring Plan shall be followed as listed in MM CUL-2. Therefore, impacts related to paleontological or unique geological resources would be less than significant with mitigation MM CUL-1 through MM CUL-4. (DEIR, pp. 5.6-28)

Explanation: The Paleontological Sensitivity map included in the proposed Project's Cultural Resources Assessment (Appendix D to the EIR) indicates the proposed Project site and surrounding areas have low potential for paleontological sensitivity. However, as previously stated under Section C. Cultural Resources, MM CUL-1, the City and the developer/applicant shall make all attempts to avoid and/or preserve cultural and paleontological resources. If a discovery is found, all work shall temporarily halt and the protocols listed in the Archaeological Monitoring Plan shall be followed as listed in MM CUL-2. Therefore, impacts related to paleontological or unique geological resources would be less than significant with mitigation. The full text of Mitigation Measures MM CUL-1 and MM CUL-2 are contained under Threshold A in Section C. Cultural Resources above.

The City finds that Mitigation Measures MM CUL-1 and MM CUL-2 are feasible, can be 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, as identified in the EIR. Impacts related to paleontological or unique geological resources would be less than significant with mitigation. (DEIR, pp. 5.6-28)

E. NOISE

Construction Noise and Vibration Impacts on Sensitive Residential Receivers

Threshold A: Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: The construction noise analysis shows that the nearest noise sensitive residential receiver locations will satisfy the reasonable daytime 80 dBA L_{eq} significance threshold during Project construction activities, as shown in Table 5.9-15. As outlined in Section B. Biological Resources, mitigation measures (MM BIO-4, MM BIO-5 and MM BIO-6) are required to ensure construction noise and vibration impacts on sensitive biological receivers (which are located closer to the limits of construction than the nearby sensitive residential receivers), are reduced to less than significant levels. (DEIR, pp. 5.9-32 - 5.9-35)

Explanation: Per the Project's noise study, Project traffic noise level increases are less than significant under Existing with Project, Opening Year 2022 with Project, and Horizon Year 2040 with Project conditions. (DEIR, pp. 5.9-23) As indicated on Tables 5.9-12 and 5.9-13 of the DEIR, the Project will generate a daytime operational noise level increases ranging from 0.0 to 0.1 dBA L_{eq} at the nearby receiver locations. Project-related operational noise level increases will satisfy the operational noise level increase significance criteria. Therefore, the incremental Project operational noise level increase is considered less than significant at all receiver locations. (DEIR, p. 5.9-29)

According the City of Riverside Municipal Code Section 7.35.020 (G), Project construction noise levels are considered exempt from municipal regulation if noise levels activity associated with construction, repair, remodeling, or grading of any real property; provided a permit has been obtained from the City as required; do not take place between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, between the hours of 5:00 p.m. and 8:00 a.m. on Saturdays, or at any time on Sunday or a Federal holiday. (DEIR, p. 5.9-31)

In addition, neither the City of Riverside General Plan or Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers for CEQA analysis purposes. Therefore, a numerical construction threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* is used for analysis of daytime construction impacts. The FTA considers a daytime exterior construction noise level of 80 dBA Leq as a reasonable threshold for noise sensitive residential land use. (DEIR, p. 5.9-31)

Noise generated by the Project construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators operating simultaneously that when combined, can reach high levels. The number and mix of construction equipment are expected to occur in the following stages:

- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating

Noise levels generated by heavy construction equipment can range from approximately 68 dBA to more than 80 dBA when measured at 50 feet. However, these noise levels diminish with distance from the construction site at a rate of 6 dBA per doubling of distance. The construction noise analysis shows that the nearest noise sensitive residential receiver locations will satisfy the reasonable daytime 80 dBA Leq significance threshold during Project construction activities, as shown on DEIR Table 5.9-15. Therefore, potential impacts due to the Project's typical construction noise is considered less than significant at all the noise sensitive residential receiver locations. (DEIR, p. 5.9-31)

Regarding blasting, the blasting contractor is required to obtain blasting permit(s) from the City and the State, and to notify Riverside County Sheriff's Department within 24 hours of planned blasting events. The Project blasting-related vibration and airblast levels are based on the 133 dB criteria for airblasts identified by the ISEE and U.S. Bureau of Mines. The blasting impacts described below represent the worst-case (closest) blast locations describing the potential impacts when measured from the edge of the nearest blast area to the nearest receiver location. When measured at greater distances, the blasts will result in lower airblast noise and vibration levels. (DEIR, p. 5.9-35)

The Project's Noise Study describes partially confined airblast levels since they are calculated using the *Blasters' Handbook* equation for general construction blasting activities. The calculated airblast levels from the worst-case (closest) Project blasting activities are expected to range from 106 to 116 dB. The Project airblast levels are shown to satisfy the 133 dB airblast threshold at the nearest noise sensitive

residential receiver locations. Therefore, the Project-related airblast noise level impacts are considered less than significant during typical construction activities at the Project site. (DEIR, p. 5.9-35)

Project traffic, operational, construction, and blasting-related noise levels will not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of applicable FTA standards or exceed any of the applicable noise thresholds at the nearest sensitive residential receivers. However, mitigation measures (MM BIO-4, MM BIO-5 and MM BIO-6) are required to ensure construction noise and vibration impacts on sensitive biological receivers (which are located closer to the limits of construction than the nearby sensitive residential receivers), are reduced to less than significant levels. (DEIR, pp. 5.9-31 – 5.9-35)

The full text of Mitigation Measures MM BIO-4 through MM BIO-6 are contained under Section B. Biological Resources above.

The City finds that Mitigation Measures MM BIO-4 through MM BIO-6 are feasible, can be 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, as identified in the EIR. With the implementation of mitigation measures MM BIO-4, MM BIO-5 and MM Bio-6 impacts on sensitive biological receivers will be reduced to less than significant levels. (DEIR, p. 5.9-35)

F. TRANSPORTATION

Project's Effect on VMT

Threshold B: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Finding: The proposed Project would exceed the City's threshold for baseline City Home-Based (HB) VMT per capita and would be considered significant without mitigation. The necessary Transportation Demand Management (TDM) strategies identified as mitigation measures MM TRANS-1 through MM TRANS-3 are required to reduce impacts related to VMT to less than significant levels. (DEIR, pp. 5.10-41 – 5.10-42)

Explanation: The proposed Project does not meet any of the Project level screening criteria, and therefore a proposed Project level VMT analysis was prepared. The proposed Project's baseline HB VMT per capita exceeds the City threshold of 15 percent below the current baseline City HB VMT per capita, while the proposed Project's cumulative HB VMT per capita does not exceed the City's threshold. Furthermore, the proposed Project's effect on VMT was calculated and found to also not exceed the City's threshold of no net increase in VMT for either baseline or cumulative traffic conditions.

Transportation demand management (TDM) strategies have been evaluated for the purpose of reducing VMT impacts (baseline HB VMT per capita) determined to be potentially significant.

- **Provide Pedestrian Network Improvements:** The proposed Project would provide for on-site pedestrian connections linking the site to existing pedestrian network along Central Avenue that would provide pedestrian connectivity to existing and planned commercial and residential uses in the area. In a suburban center context, a maximum 2.0% reduction in proposed Project VMT may be achieved. This TDM strategy is included as MM TRANS-1. (DEIR, p. 5.10-41)

- **Provide Traffic Calming Measure:** Providing traffic calming measures encourages people to walk or bike instead of using a passenger car. There is limited opportunity for the proposed Project to implement meaningful enhanced traffic calming measures in the area. A high visibility crosswalk feature with an accessible pedestrian signal is a potential pedestrian enhancement along Central Avenue identified by City staff. This measure on its own would provide a nominal 0.25% reduction in VMT. This TDM strategy is included as MM TRANS-2 (DEIR, p. 5.10-41)
- **Increase Transit Service Frequency and Speed:** This measure serves to reduce transit-passenger travel time through more reduced headways and increased speed and reliability. An ADA compliant bus turnout along the proposed Project's frontage was requested by RTA. Providing a bus stop in walking distance (less than ¼ mile) of the proposed Project site would help encourage transit use and reduce VMT. The potential reduction in VMT related to providing enhanced service near the proposed Project site is estimated to be at the low end of the estimated range between 0.1% and 10.5%. Given the suburban center context of the area it is conservatively estimated that a maximum of a 4.0% reduction in proposed Project may be achieved with this measure. This TDM strategy is included as MM TRANS-3. (DEIR, p. 5.10-41)

With implementation of the limited feasible TDM measures, a potential reduction in proposed Project VMT of 6.25% would achieve the City's target threshold of 15% below current baseline HB VMT per capita that would result in a less than significant VMT impact based on the City's impact thresholds as described in the City Guidelines. (DEIR, p. 5.10-41)

The TDM strategies, identified as the following mitigation measures will be implemented:

MM TRANS-1: In order to reduce VMT, prior to issuance of occupancy permit the Project shall provide for on-site pedestrian sidewalk connections linking the site to existing pedestrian sidewalk network along Central Avenue that would provide pedestrian connectivity to existing and planned commercial and residential uses in the area.

MM TRANS-2: In order to reduce VMT, prior to issuance of occupancy permit a high visibility crosswalk feature with an accessible pedestrian signal shall be provided along Central Avenue.

MM TRANS-3: In order to reduce VMT, prior to issuance of occupancy permit an ADA compliant bus turnout shall be provided along the Project site's frontage on Central Avenue.

The City finds that Mitigation Measures MM TRANS-1 through MM TRANS-3 are feasible, can be 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, as identified in the EIR. As stated above, mitigation measures MM TRANS-1 through MM TRANS-3 are required for the Project, to reduce impacts related to VMT to less than significant levels. (DEIR, pp. 5.10-41 – 5.10-42)

G. TRIBAL CULTURAL RESOURCES

Inadvertent discovery of previously unknown cultural resources

Threshold A: 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 that is

- 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)?
- 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 Resources Code Section 5024.1, would the lead agency consider the significance of the resource to a California Native American tribe?

Finding: No known significant tribal cultural resources are located on the Project site based on the findings of the Project-specific Cultural Resources Assessment (DEIR, Appendix D) and on consultation with the Native American tribes who requested consultation. All consulting tribes accepted the City's standard mitigation measures (MM CUL-1 through MM CUL-4), to ensure that potential impacts in the event of an inadvertent discovery of resources remain at less than a significant level. Therefore, potential proposed Project impacts to tribal cultural resources would be less than significant with mitigation measures MM CUL-1 through MM CUL-4. (DEIR, pp. 5.11-8)

Explanation: As previously discussed in Section C. Cultural Resources, two cultural resources have been previously recorded within the site's boundary but were destroyed in 1995 by construction excavation of a project. Careful inspection of the areas that formerly contained the resources failed to yield any remaining evidence of either resource. This entire eastern portion of the Project site has been subject to grading activities that have completely altered the native landscape and have destroyed the resources. No known significant tribal cultural resources are located on the proposed Project site based on the findings of the proposed Project-specific Cultural Resources Assessment (DEIR, Appendix D) and on consultation with the Native American tribes who requested consultation. An archaeological field survey of the proposed Project site was conducted on December 20, 2019. During the field survey, BCR archaeologists did not identify any cultural resources within the Project site boundaries. However, grading and ground-disturbing activities during Project construction could impact currently unknown subsurface resources of tribal or Native American importance. (DEIR, pp. 5.11-8)

The City and the consulting tribes agreed that, in the event of the inadvertent discovery of previously unknown cultural resources of tribal or Native American importance during construction activities, appropriate mitigation measures would be implemented and followed. All consulting tribes accepted the City's standard mitigation measures (MM CUL-1 through MM CUL-4), to ensure that potential impacts in the event of an inadvertent discovery of resources remain at less than a significant level. Therefore, potential proposed Project impacts to tribal cultural resources would be less than significant with mitigation measures MM CUL-1 through MM CUL-4. (DEIR, pp. 5.11-8)

The full text of Mitigation Measures MM CUL-1 through MM CUL-4 are contained under Section C. Cultural Resources above.

The City finds that Mitigation Measures MM CUL-1 through MM CUL-4 are feasible, can be 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, as identified in the EIR. Potential proposed Project impacts to tribal cultural resources would be less than significant with mitigation measures MM CUL-1 through MM CUL-4. (DEIR, pp. 5.11-8)

H. WILDFIRE

Exacerbate wildfire risks

Threshold C: Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Finding: The Project would be constructed in compliance with the California Fire Code (CFC) and California Building Code (CBC), along with being compliant with the GP 2025 and Riverside Fire Department (RFD) requirements as reflected in the Project's Fire Protection Plan (FPP). Additionally, with the implementation of proposed mitigation measures MM FIRE-1 through MM FIRE-17, the Project would not expose Project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire by exacerbating wildfire risks. Impacts would be less than significant with mitigation measures MM FIRE-1 through MM FIRE-17, compliance with the CFC and CBC, and implementation of design considerations (including landscaping, retaining walls, and Water Quality Management Plan Low Impact Development Best Management Practices) and approved Alternative Means & Methods (AM&M) design considerations.

Explanation: The northern portion of the Project site is within a VHFHSZ. Wildland fire may impact the project as there are wildland fuels within 1,000 feet of the project on all sides. The greatest threat comes from the adjacent undeveloped properties and steep terrain. Sycamore Canyon Boulevard is to the north and east of the Project site as well as the SR-60 and I-215. A fire starting along the I-215/SR-60 corridor during a strong Santa Ana wind condition would blow embers directly toward the Project site. However, the combination of the boulevard and freeways results in over 200 feet of a near vegetation free landscape. Thus, the risk for the Project site to exacerbate wildfire risks for a wildfire spreading to the Project site from these roadways or vice versa would be lessened as there is generally little wildfire fuel on roadways and with the implementation of the AM&M design considerations described in DEIR Section 5.13.3 Project Design Considerations. (DEIR, pp. 5.13-20 – 5.13-21)

The eastern boundary of the Project site abuts Sycamore Canyon Boulevard. The presence of Sycamore Canyon Boulevard along the eastern boundary is highly important as this roadway is approximately 70 feet in width. The presence of this roadway in addition to required irrigated fire resistant landscape planted along the west side of Sycamore Canyon Boulevard; the installation of ignition resistant construction in all the buildings, parking lots, emergency access roadways; and construction requirements provided in the Project's FPP would be sufficient to lessen any threat of wildfire and embers coming from the east of the Project, and thus lessen the risk for the Project to exacerbate wildfire risks from this area of the Project site. (DEIR, p. 5.13-21)

The southern boundary of the Project abuts Central Avenue, which borders approximately 101 acres of undeveloped land on the other side of the road from the Project. Southwest or west winds of up to 30 mph may occur along the southern boundary. These "*rare event*" dry winds pose a threat to the structures near the southern Project boundary, mostly from embers from a wildland fire occurring to the south in the undeveloped land adjacent to Central Avenue. However, the wildland fuels would be removed within

the Project due to grading and replaced with structures and Zone 1 landscaping. This removal of wildland fuels, in addition to implementation of required fuel treatments, installation of ignition resistant construction, and construction requirements per the Project's FPP would reduce the risk of the Project exacerbating wildfire risks along the Project's southern boundary. (DEIR, pp. 5.13-21 – 5.13-22)

The western proposed Project boundary is the greatest wildland fire threat to the proposed Project. A wildland fire burning west of the proposed Project during a "*rare event*" west or southwest wind could burn with high intensity towards the proposed Project site. Fuels in the area are light to moderate with slopes in the adjacent open space area ranging from 25-40%. Most of the proposed buildings are located uphill from the expected fire behavior, which is a concern as a fire will generally spread uphill, as described in more detail in Section 5.13 Wildfire of the DEIR. However, several parking areas and paved drive aisles would separate buildings 1, 2, 3, 4, 5, and portions of buildings 6 and 7 from the wildland fuels, and per the FPP, carports within the defensible space area(s) would be constructed with non-combustible materials. (FPP pp., 14, 24) As depicted in Figure 5.13-4 Fuel Treatment Site Plan of the DEIR, the portions of buildings 6 and 7 that are along/within closer proximity to the western proposed Project boundary would be buffered by Irrigated Zone 1 areas as well as portions of Thinning Zone 2 areas. Additionally, as is also depicted and described in Figure 5.13-4 of the DEIR, building 7 and the exposed faces of building 6 would be wrapped with 2-hour rated walls, equipped with NFPA 13 sprinkler systems, and would have fire hydrants located within close proximity to each building (see Figure 5.13-4). (DEIR, p. 5.13-22)

The proposed Project specific FPP was reviewed and approved by RFD and includes proposed Project construction requirements as described in Section 5.13.3 of the DEIR, as well as proposed mitigation measures MM FIRE-1 through MM FIRE-17, that would reduce the proposed Project's potential to exacerbate wildfire risks to a less than significant level. The proposed Project will also incorporate RMC standards related to fire suppression at the proposed Project site such as smoke detectors meeting the current CBC and CFCs installed in all units and other enclosed common areas such as hallways, recreation rooms, and utility rooms. Additional fire suppression equipment such as alarm systems, fire extinguishers and sprinklers will also be incorporated as recommended by the RFD. Furthermore, the proposed Project structures would be required to comply with the CFC with regard to emergency fire access and use of building materials that would limit the spread of wildfire to the greatest extent possible. This would reduce potential spread of a wildfire from the proposed Project site to areas outside the proposed Project site boundary, reducing the proposed Project's potential to exacerbate wildfire risks. (DEIR, p. 5.13-22)

The following mitigation measure will be implemented:

MM FIRE-1: Prior to issuance of building permits, water and power utilities shall be installed and approved by the appropriate inspecting City department (Riverside Fire Department and/or Public Utilities) prior to the delivery of combustible building construction materials to the Project site. An approved permanent water supply capable of supplying the required fire flow for each fire protection system shall be installed and shall be a looped system served from two points.

MM FIRE-2: Fuel treatment in the Project shall require meeting the minimum City fuel treatments of 50-feet of Irrigated Zone 1 (described in Section 5.13.3 Project Design Considerations), which includes all manufactured slopes located within the Project. Irrigated Zone 1 additionally includes 30 feet of fuel treatment on either side of each roadway. Thinning Zone 2 fuel treatment (described in Section 5.13.3 Project Design Considerations) shall be required between 50 and 100 feet of any structure. The establishment of the Project fuel treatment Zones 1 and 2 shall be

reviewed and must be approved by the Riverside Fire Department prior to the issuance of building permits.

MM FIRE-3: Irrigated Zone 1 Required Landscaping

Irrigated Zone 1 is the defensible space zone and shall be free of all combustible construction and materials. The establishment of the Irrigated Zone 1 shall be inspected and must be approved by the Riverside Fire Department prior to the issuance of occupancy permits. Containerized plants and landscaping located in Zone 1 shall meet the following requirements of this mitigation measure:

- Plants in this zone shall be fire resistant and shall not include any pyrophytes that are high in oils and resins such as pines, eucalyptus, cedar, cypress or juniper species. Thick, succulent or leathery leaf species with high moisture content are the most 'fire resistant'. Refer to APPENDIX 'A' of the Project's Fire Protection, which is incorporated by reference into this mitigation measure, Plan for the Prohibited Plant list.
- Zone 1 shall be cleared of all fire prone and prohibited plant species (refer to APPENDIX 'A' of the Project's Fire Protection Plan).
- All landscaping shall be fire-resistant. Landscaping elements shall be coordinated with the Case Planner through Landscape and Irrigation Design Review.

MM FIRE-4: Irrigated Zone 1 Required Maintenance

The following maintenance measures shall be implemented for Irrigated Zone 1. Maintenance shall be performed year-round by the Project owner/manager and a Maintenance Schedule Log shall be kept on site at all times and made available upon City Staff request.

- Maintenance shall be year-round by the owner as required by the Fire Protection Plan in addition to the Weed Abatement Program in accordance with Riverside Municipal Code 6.15.020, which is managed by the Code Enforcement Division.
- Remove and replace any dead or dying plant material monthly.
- Native annual and perennial grasses will be allowed to grow and produce seed during the winter and spring. As grasses begin to cure (dry out), they shall be cut to four inches or less in height.
- Trees shall be maintained to a minimum of six feet of vertical separation from low growing, irrigated vegetation beneath the canopy of each tree. All trees must be maintained to the current ANSI A300 standards [*Tree, Shrub, and Other Woody Plant Maintenance —Standard Practices (Pruning)*]
- The owner/manager shall be responsible for maintaining Fuel Modification Zone 1. All highly flammable plant species identified in Appendix A of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure, shall be permanently removed from the Irrigated Zone 1 due to their susceptibility to wildland fire.

MM FIRE-5: Thinning Zone 2 Vegetation Management

Zone 2 is the fuel treatment zone, 50-to-100-feet away from any structure and shall include the removal of 50% of the above ground vegetation and the application of mulch to maintain soil moisture, reduce soil erosion and reduce weed growth. The Thinning Zone 2 plan shall be reviewed and approved through the Landscape and Irrigation Design Review process. Vegetation located in Zone 2 shall meet the following requirements of this mitigation measure:

- Mulches, chips and other small multi-cuttings (cut to less than 2 inches in diameter and 4 inches in length) shall be evenly spread over the area to prevent weed and grass encroachment into the treated area.
- Allowances for the needs of protected species and habitats shall be considered in this zone.
- The Thinning Zone 2 Plan shall include a note not allowing combustible construction or materials in Zone 2.

MM FIRE-6: Thinning Zone 2 Signage

Prior to issuance of occupancy permits, the western side boundary of Zone 2 abutting wildland fuels shall be permanently marked on the ground where it transitions to wildland fuels for the purpose of guiding annual fuel treatment maintenance and inspection operations. As the most reliable markers are steel fence posts with a baked on painted finish, these types of markers shall be installed and maintained/replaced as needed. These Fuel Modification Zone markers shall be spaced no more than 100 feet apart so that the markers on each side of an installed marker can be seen from that marker. (See APPENDIX 'F' of the Project's Fire Protection Plan for an example).

MM FIRE-7: Thinning Zone 2 Required Maintenance

The following required maintenance measures shall be implemented for Thinning Zone 2. Maintenance shall be performed year-round by the Project owner/manager and a Maintenance Schedule Log shall be kept on site at all times and made available upon City Staff request.

- Thinning/removal of the native vegetation shall be completed to create 50 percent of open space, with no vegetation.
- All native grasses or weeds shall be mowed or weed-whipped to a 4-inch stubble height by June 15th or earlier if they dry out earlier.
- All dead, woody debris, and exotic or native flammable vegetation shall be removed (refer to APPENDIX 'A' of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure)
- Annually maintain all tree crowns to keep a separation of six feet between the ground fuels (shrubs and ground covers) and the lower limbs. All trees shall be maintained to the current ANSI A300 standards [*Tree, Shrub, and Other Woody Plant Maintenance — Standard Practices (Pruning)*]

- Annually prune vegetation (refer to APPENDIX 'B' of the Project's Fire Protection Plan) to maintain a 50% thinning from the original vegetation cover. Selected native plant clusters shall be separated by at least 1 ½ times the fully developed height of the retained plants.
- Annually, native annual and perennial grasses are allowed to grow and produce seed during the winter and spring. As grasses begin to cure (dry out), they shall be cut to 4 inches or less in height. Note that the Code Enforcement Division regulates weed abatement year-round and requires weed abatement to be performed by May 15th. The owners shall provide an additional cutting should the rainy season be prolonged into June.
- Annually remove all dead and dying vegetation and highly flammable exotic species (refer to APPENDIX 'B' of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure) by June 15th of each year or when the fuels become cured, whichever occurs first.
- Any vegetative biomass (debris and trimmings) produced by thinning and pruning shall be removed from the site or converted to mulch by coarse chipping or multi-cut into 4-inch lengths and evenly distributed to a maximum depth of four (4) inches.
- Mulches, chips, and other small multi-cuttings (cut to less than two (2) inches in diameter and four (4) inches in length) shall be evenly spread over the area to prevent grass and weed encroachment within the treated areas. This mulching concept helps to maintain soil moisture for the designated plants, reduces the growth of annual grass, minimizes soil erosion, and recycles plant residue thus reducing disposal cost.
- The owner/manager shall be responsible for maintaining Fuel Modification Zone 2. All highly flammable plant species identified in Appendix A of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure, shall be permanently removed from the Thinning Zone 2 due to their susceptibility to wildland fire.

MM FIRE-8: In order to reduce potential wildfire risks to the Project, as being partially located within and adjacent to, a mapped Very High Fire Hazard Severity Zone (VHFHSZ) zone, the following additional structural protection elements shall be designed and installed during construction. These elements shall be included in the Construction Drawings, to be reviewed and approved by the Riverside Fire Department and Building and Safety Division, prior to issuance of building permit.

- All buildings (1-7) shall be compartmentalized with two-hour fire walls, as required to be compliant with standard NFPA 13R sprinkler systems.
- Buildings 4 and 5 shall be protected with standard NFPA 13R fire sprinkler systems.
- Buildings 1, 2, 3, 6 and 7 shall be protected with full NFPA 13 sprinkler systems.
- Buildings 1, 2, 3, and 7 shall have two-hour exterior wall assemblies (gypsum board assembly, not type III construction with fire retardant-treated lumber).

- The northern portion of Building 6 shall have two-hour exterior wall assemblies (gypsum board assembly, not type III construction with fire retardant-treated lumber), as this portion of the building is within or facing the VHFHSZ.
- Carports within the defensible space area(s), within 50 feet of buildings, shall be constructed of non-combustible material.

MM FIRE-9: All non-habitable accessory structures such as decks, balconies, patio covers, gazebos and fences shall be built from non-combustible materials as described in APPENDIX D of the Project's Fire Protection Plan. The owner/manager is not restricted from having concrete/brick patios or walkways within the Fuel Modification Zones in compliance with other codes. Refer to APPENDIX 'D' of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure, for photos and descriptions of non-combustible decks, patio covers, and railings for these non-habitable accessory structures. These elements shall be included in the Construction Drawings, to be reviewed and approved by the Riverside Fire Department and Building and Safety Division, prior to issuance of building permit.

MM FIRE-10: To further mitigate the hazard of showering embers from a wildfire in the adjacent wildlands and for the lack of 100 feet of fuel treatment for Building 7, the following additional construction requirements shall be implemented:

- All vents in the structures shall be "Brandguard", "O'Hagin Fire & Ice® Line – Flame and Ember Resistant" or equivalent type vents.
- All operable windows shall be provided with metal mesh bug screens over the operable opening to replace traditional vinyl bug screens to prevent embers from entering the structure during high wind conditions when windows may be inadvertently left open.
- All swinging exterior doors shall be self-closing (e.g., pneumatic or spring-loaded hinges) and self-latching.

These elements shall be included in the Construction Drawings, to be reviewed and approved by the Riverside Fire Department and Building and Safety Division, prior to issuance of building permit.

MM FIRE-11: A copy of the Project's Fire Protection Plan shall be available in the Crestview Apartments Manager's office for review by any potential renter or employee. The Office shall provide a copy of this Fire Protection Plan to any new owner at the close of escrow. Subsequent sellers shall include copies of the Fire Protection Plan in all escrow papers.

MM FIRE-12: The Crestview Apartments' owner/manager shall be responsible for conducting a safety training for all new employees that includes the recommendations outlined in the Fire Protection Plan (Section 8.0, Owner, Occupant/Employee Education, page 25). The Crestview Apartments Manager's office shall keep a log of all new employee safety trainings on file for inspection at any time by the City of Riverside Staff.

MM FIRE-13: Water supplies for fire protection and hydrants shall be provided in accordance with the 2019 California Fire Code, or applicable Fire Code at time of building permit issuance, as amended by the City. The minimum fire flow shall be 3,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for a 4-hour duration for all buildings classified as R-2 occupancies per the State Fire Code.

MM FIRE-14: Fire hydrant installation shall conform to City standards and the 2019 NFPA 14, Standard for the Installation of Standpipe, Private Hydrant, and Hose Systems. Hydrant spacing shall be not less than 300 feet between hydrants, as measured from an approved emergency access route and shall be placed at all road intersections. Fire hydrants shall be tested, accepted and placed in service prior to the delivery of any combustible materials to the Project site.

MM FIRE-15: The Project plans shall retain two means of public access into the Project. One via Sycamore Canyon Boulevard from the north and the second from the east. Rolling gates shall be installed for the northern entrance and west of Building 3.

MM FIRE-16: Driveways and access roads within the development shall be termed 'Fire Access Roads'. All fire access roads shall meet the requirements of the Riverside Fire Department, and shall be all weather surface capable of supporting loads of 80,000 pounds gross vehicle weight. Unless otherwise approved by the Riverside Fire Department Fire Marshal, the grade of a fire apparatus access road shall not exceed 16 percent and the cross slope shall not exceed 2.5 percent. Access to all exterior portions of each structure must be within 150 feet of the available fire department access. The required turning radius of a fire apparatus access road shall be 28-foot inside radius and a minimum 48-foot outside radius on all turns in the fire apparatus access road, in accordance with City standards, unless otherwise approved by the fire code official. Fire lanes shall be marked in accordance with City standards.

MM FIRE-17: Gates to be installed shall meet Riverside Fire Department standards and shall be approved by the Riverside Fire Department prior to fabrication and installation. A Knox override key switch or similar device must be installed outside the gate in an approved, readily visible, and unobstructed location at or near the gate to provide emergency access. Gates accessing major roadways shall also be equipped with approved emergency traffic control-activating strobe light sensor(s), or other devices approved by the Fire Chief, which will activate the gate on the approach of emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure. All gates shall always be equipped to allow for automatic egress from the Crestview Apartments.

The City finds that Mitigation Measures MM FIRE-1 through MM FIRE-17 are feasible, can be 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, as identified in the EIR. Impacts would be less than significant with mitigation measures MM FIRE-1 through MM FIRE-17, compliance with the CFC and CBC, and implementation of design considerations (including landscaping, retaining walls, and WQMP LID BMPs) and approved AM&M design considerations. (DEIR, pp. 5.13-22)

Exposure to flooding or landslides due to post-fire instability

Threshold E: Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Finding: The proposed Project would be constructed in compliance with the CFC and CBC, along with being compliant with the GP 2025 and RFD requirements as reflected in the proposed Project's FPP and would implement City and RFD-approved AM&M design considerations as described in Section 5.13.3 Project Design Features of the DEIR. Additionally, with the implementation of proposed mitigation measures MM FIRE-1 through MM FIRE-17, the proposed Project would not expose people or structures within the proposed Project to significant risks from wildfire or exacerbate wildfire risks from the proposed Project to adjacent areas to the west and south that are downslope. (DEIR, p. 5.13-23)

Explanation: As outlined under Wildfire Threshold C above, the northern portion of the proposed Project site is within a VHFHSZ. Wildland fire may impact the proposed Project as there are wildland fuels within 1,000 feet of the proposed Project on all sides. The greatest threat comes from the adjacent undeveloped properties and steep terrain. There is potential for wildfire to enter the proposed Project primarily from the west thus exposing numerous structures to wildfire convective and radiant heat. All the structures within the proposed Project are subject to embers showers. (FPP p., 8) With implementation of mitigation measures MM FIRE-1 through MM FIRE-17, the Project would not expose people or structures within the proposed Project to significant risks from wildfire or exacerbate wildfire risks from the proposed Project to adjacent areas to the west and south that are downslope. (DEIR, p. 5.13-23)

Irrigated landscaping is proposed throughout the Project site and will consist of low water use trees, shrubs, and ground cover. Trees, groundcover, shrubs and accent plants are proposed along walkways and throughout the residential common open space areas. The stormwater runoff bioretention areas include trees, and shrubs and grass. A concrete walkway perimeter loop trail surrounds the apartment development and outside of the walkway there are terraced retaining walls along Central Avenue and at the southwest corner of the site. The slopes between the walls will include irrigated landscaping as well. All of the fences and walls will be designed to enhance the aesthetics of the proposed project, while providing security, privacy, and slope stability where needed. A hillside landscape buffer with shrubs and groundcovers is proposed along the western edge of the project. The landscaping along the perimeters of the development is required to be fire resistant within all areas that fall within the VHFHSZ. The landscaping would not only mitigate the spread of wildfire but also help stabilize the slopes and prevent erosion and landslides. (DEIR, pp. 5.13-23 – 5.13-24)

The Preliminary Project Specific WQMP outlines the Low Impact Development (LID) Best Management Practices (BMPs) required to adequately meet water quality standards and reduce storm water runoff and include fourteen bioretention/biotreatment basins located throughout the site. On-site storm water runoff and erosion would be minimized through site development, including buildings, parking and paved areas and storm drain infrastructure. Storm drain infrastructure planned for the site includes various size storm drains, underground detention system, landscape catch basin, and rip rap at two storm drain outlets along the western development boundary. As outlined in the Preliminary Project Specific WQMP prepared for the project and reviewed and approved by the City of Riverside, the volume and time of concentration of storm water runoff for the post-development condition is not significantly different from the pre-development conditions. Therefore, the project would not result in storm water runoff from the site that would result in erosion or flooding off-site. Prior to issuance of a grading permit, a final approved WQMP

will be required, as well as coverage under the State's General Permit for Construction Activities. (DEIR, p. 5.13-24)

Impacts related to exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would be less than significant with mitigation measures MM FIRE-1 through MM FIRE-17, compliance with the CFC and CBC and implementation of design considerations (including landscaping, retaining walls, and WQMP LID BMPs and approved AM&M design considerations. (DEIR, pp. 5.13-23 – 5.13-24)

The full text of Mitigation Measures MM FIRE-1 through MM FIRE-17 are contained under Wildfire Threshold C, above.

The City finds that Mitigation Measures MM FIRE-1 through MM FIRE-17 are feasible, can be 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, as identified in the EIR. Impacts related to exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would be less than significant with mitigation measures MM FIRE-1 through MM FIRE-17, compliance with the CFC and CBC and implementation of design considerations (including landscaping, retaining walls, and WQMP LID BMPs and approved AM&M design considerations. (DEIR, p. 5.13-24)

Very High Fire Hazard Severity Zone

Threshold F: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Finding: The proposed Project would be constructed in compliance with the CFC and CBC, along with being compliant with the GP 2025 and RFD requirements as reflected in the proposed Project's FPP. Additionally, with the implementation of proposed mitigation measures MM FIRE-1 through MM FIRE-17, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. (DEIR, pp. 13-25).

Explanation: The northern portion of the proposed Project site is within a VHFHSZ. Wildland fire may impact the proposed Project as there are wildland fuels within 1,000 feet of the proposed Project on all sides. The greatest threat comes from the adjacent undeveloped properties and steep terrain. There is potential for wildfire to enter the proposed Project primarily from the west; thus, exposing numerous structures to wildfire convective and radiant heat. All the structures within proposed Project are subject to embers showers. (FPP p., 8) (DEIR, p. 5.13-24)

The nearest fire station is Fire Station 14 – Sycamore Canyon (725 Central Avenue, Riverside, CA 92507) and is less than a mile from the proposed Project site (approx. 0.7 miles west). Per the FPP prepared for the proposed Project, the proposed Project is within the RFD's 5-minute initial action response time, with the first fire engine arriving on scene from the Canyon Crest station within three to four minutes depending on traffic. The next closest station is Fire Station 13 – Box Springs (6490 Sycamore Canyon Blvd.) approximately 5 minutes driving time to the proposed Project. Due to the proposed Project's close

proximity to existing fires stations, adequate response times can be provided by RFD. Also, the proposed Project plans include a Fire Access Plan as seen in Figure 5.13-3 of the DEIR. The proposed Project will provide adequate fire access to ensure the safety of the residences. As seen on the fire access exhibit, the fire access will leave room for fire trucks to come in and out of the proposed development and will allow them to reach all areas of the proposed Project site in case of a fire. (DEIR, pp. 5.3-25)

The proposed Project would be constructed in compliance with the CFC and CBC, along with being compliant with the GP 2025 and RFD requirements as reflected in the proposed Project's FPP. Additionally, with the implementation of proposed mitigation measures MM FIRE-1 through MM FIRE-17, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. (DEIR, p. 5.13-25).

The full text of Mitigation Measures MM FIRE-1 through MM FIRE-17 are contained under Wildfire Threshold C, above.

The City finds that Mitigation Measures MM FIRE-1 through MM FIRE-17 are feasible, can be 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, as identified in the EIR. Impacts would be less than significant with compliance with the CFC and CBC and implementation of design considerations (including landscaping, retaining walls, and WQMP LID BMPs), including approved AM&M design considerations, and mitigation measures MM FIRE-1 through MM FIRE-17. (DEIR, p. 5.13-25)

V. FINDINGS REGARDING CUMULATIVE IMPACTS

Consistent with CEQA's requirements, the EIR includes an analysis of cumulative impacts, which include the impacts of the proposed 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 4.0-1). Cumulative projects in the vicinity of this proposed Project include residential, warehouse, commercial, hotel, school, and the University of California, Riverside (UCR) 2021 Long Range Development Plan. Those in the immediate vicinity of the proposed Project include a currently undeveloped but recently approved drive thru restaurant and convenient store/ gas station to the east, across Sycamore Canyon Boulevard. (DEIR, pp. 4.0-2 – 4.0-3) Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

A. AESTHETICS

Cumulative development in the City and the surrounding area would modify the visual characteristic of the surrounding area through the development of vacant lots or through redevelopment. Cumulatively the proposed Project does not have a substantial adverse effect on a scenic vista or resource, substantially degrade the existing visual character of the area, or create a substantial new source of light or glare, when considered with other cumulative projects. (DEIR, p. 5.1-28)

Similar to the proposed Project, visual quality 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. Potential cumulative aesthetics impacts were found to be less than significant with implementation of mitigation measure MM AES-1. (DEIR, p. 5.1-29)

B. AIR QUALITY

Cumulative development in the City and surrounding cities and county would include residential development, warehouses, commercial, office, and public facilities. The proposed Project area is designated as a non-attainment area for ozone and PM_{2.5}, and PM₁₀. (DEIR, p. 5.2-33)

The SCAQMD recommends that proposed Project-specific air quality impacts be used to determine whether a project's emissions are cumulatively considerable. As discussed in Section 5.2.6 of the DEIR, the proposed Project-specific evaluation of emissions demonstrates that Project construction-source air pollutant emissions and Project operational-source emissions would not result in exceedances of criteria pollutant regional thresholds established by SCAQMD for any criteria pollutant. Accordingly, the proposed Project would also not result in a cumulatively considerable net increase of any criteria pollutant for which the proposed Project region is nonattainment, and impacts would be less than significant, and no mitigation is required. Thus, cumulative impacts would be less than significant (DEIR, p. 5.2-34).

C. BIOLOGICAL RESOURCES

The MSHCP addresses 146 Covered Species that depend on a broad range of habitats and geographic areas within Western Riverside County and includes threatened and endangered species and regionally- or locally- sensitive species that have specific habitat requirements and conservation and management needs. The MSHCP addresses biological impacts for take of Covered Species within the MSHCP Area. Impacts to Covered Species and establishment and implementation of a regional conservation strategy and other measures included in the MSHCP address federal, state, and local mitigation requirements for these species and their habitats. Specifically, Section 4.4 of the MSHCP states that:

"The MSHCP was specifically designed to cover a large geographical area so that it would protect numerous endangered species and habitats throughout the region. It is the projected cumulative effect of future development that has required the preparation and implementation of the MSHCP to protect multiple habitats and multiple endangered species." (DEIR, p. 5.3-41)

The MSHCP goes on to state that:

"The LDMF [Local Development Mitigation Fee] is to be charged throughout the Plan Area to all future development within the western part of the County and the Cities in order to provide a coordinated conservation area and implementation program that will facilitate the preservation of biological diversity, as well as maintain the region's quality of life." (DEIR, pp. 5.3-41- 5.3-42)

The reason for the imposition of the mitigation fee over the entire region is that the loss of habitat for endangered species is a regional issue resulting from the cumulative effect of continuing development throughout all the jurisdictions in Western Riverside County. Finally, Section 5.1 of the MSHCP states that:

"It is anticipated that new development in the Plan Area will fund not only the mitigation of the impacts associated with its proportionate share of regional development, but also the impacts associated with the future development of more than 332,000 residential units and commercial and industrial development projected to be built in the Plan Area over the next 25 years." (DEIR p. 5.3-42)

Compliance with the MSHCP covers biological impacts to 146 species, and this proposed Project complies with the MSHCP. With implementation of the proposed Project design considerations, mitigation measures MM BIO-1 through MM BIO-15, MM AES-1, and payment of the MSHCP Local Development Mitigation Fee, the proposed Project is fully consistent with the MSHCP. As the proposed Project complies with the MSHCP, compliance with the MSHCP provide a mechanism of mitigation for both project specific and cumulative development mitigation. All development projects within the City of Riverside and Riverside County are required to comply with the MSHCP as these agencies are all permittees under the plan. With implementation of mitigation measures MM BIO-1 through MM BIO-12, which would ensure the Project's compliance with the MSHCP, and payment of the MSHCP Local Development Mitigation Fee, potential cumulative impacts to sensitive biological resources were found to be less than significant with implementation of mitigation measures MM BIO-1 through MM BIO-15 and AES-1 (DEIR, p. 5.3-42).

D. CULTURAL RESOURCES

The proposed Project, in conjunction with other planned and pending projects in the proposed Project vicinity (described in Chapter 4 Environmental Setting of the DEIR), would cumulatively increase the potential to encounter sensitive cultural and archaeological resources. There would be cumulatively considerable impacts to cultural resources if the proposed Project level impacts were significant for any of the cumulative projects. In the event that cultural and/or archaeological 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 MM CUL-1 through MM CUL-4 that would protect cultural and archaeological resources and state law, California Health and Safety Code Section 7050.5(b), that would protect human remains. Compliance with CEQA requirements, including the implementation of recommendations provided in proposed Project-specific cultural resource studies, on all new development would ensure that, cumulative impacts to cultural resources would be less than significant with mitigation and would not be cumulatively considerable. (DEIR, p. 5.4-20).

E. ENERGY

Energy consumed by the Project is calculated to be comparable to, or less than, energy consumed by other residential, commercial, and recreational uses of similar scale and intensity that are constructed and operating in the State. Further, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems; thus, the Project would not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California and does not conflict with or obstruct applicable State or local plans for renewable energy or energy efficiency. Potential impacts to energy from the proposed Project would be less than significant and no mitigation is required. 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. (DEIR, p. 5.5-24)

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 the cumulative projects in the City. Additionally, Riverside Public Utilities (RPU) has a number of incentive programs for residences and businesses to reduce their electrical consumption and that will result in cumulatively reducing GHG emissions from energy use. (DEIR, p. 5.5-25)

The cumulative projects in the area would consume a fraction of the energy supplies provided by 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. As indicated in Table 5.5-2 of the DEIR, the 2019 RPU Power Mix has renewable energy at 37.6 percent of the overall energy resources. Power content mixes are generally released in July each year and 2020 data was not available at the time this Draft EIR was being prepared significant. (DEIR, p. 5.5-25)

Therefore, SoCalGas and RPU would have adequate supplies and the cumulative projects would not place a significant demand on the suppliers. Potential cumulative impacts would be less than significant. (DEIR, p. 5.5-25)

F. GEOLOGY AND SOILS

Implementation of mitigation measure MM GEO-1 is required to reduce impacts from subsidence and settlement. Implementation of mitigation measure MM CUL-1 would require the City and the developer/applicant to make all attempts to avoid and/or preserve in place as many cultural and paleontological resources. Mitigation measure MM CUL-2 would require development of an Archaeological Monitoring Plan which includes protocols for the discovery of a paleontological resources. (DEIR, p. 5.6-29)

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 site-specific, and individual developments would not create additive 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 with mitigation. (DEIR, p. 5.6-30)

G. GREENHOUSE GAS EMISSIONS

As discussed in Chapter 4 Environmental Setting of the DEIR, cumulative development in the City and surrounding cities and County would include residential development, warehouses, commercial, office, and public facilities. Each of the proposed 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. (DEIR, p. 5.7-48).

The City 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. RPU has a number of incentive programs for residences and businesses to reduce their electricity consumption and cumulatively reduce GHG emissions from energy use. (DEIR, p. 5.7-48)

As discussed, the proposed Project would not exceed the SCAQMD/City's screening threshold of 3,000 MTCO₂e per year, nor would the proposed Project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. Further, while some measures are not directly applicable, the proposed Project will not conflict with any of the provisions of the 2008 Scoping Plan, SB 32/2017 Scoping Plan, or the City RRG CAP or conflict with their implementation and in fact, supports several of the action categories. Thus, the proposed Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions and potential impacts would be less than significant. Therefore, cumulative impacts would be less than significant. (DEIR, p. 5.7-48)

H. LAND USE PLANNING

Cumulative development in the City and the surrounding area 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 proposed Project, listed in Table 4-1: Summary of Cumulative Development Projects, include about 22 projects consisting of residential, retail, warehouse, office, institutional, hotel, gas station, fast food, church, health/fitness club, and carwash. In the immediate vicinity of the proposed Project a recently approved drive thru restaurant and convenience store/ gas station located east across Sycamore Canyon Boulevard. Cumulatively the proposed Project does not physically divide an established community or area in the City when considered alongside nearby cumulative projects. There are no existing structures or other improvements on the site, nor is there an established community on the proposed Project site. The development of the proposed Project would not displace residents or any established community or infrastructure (DEIR, p. 5.8-26 – 5.8-27)

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. The proposed Project would be consistent with the proposed land use regulations and policies upon approval of the necessary land use entitlements. Therefore, the proposed Project would have a less than significant cumulative land use and planning impact. (DEIR, p. 5.8-27)

I. NOISE

Each of the proposed developments listed in Table 4-1: Summary of Cumulative Development Projects 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 attenuate. Therefore, the proposed Project would not contribute considerably to temporary cumulative construction noise and vibration impacts (DEIR, pp. 5.9-39 – 5.9-40).

Because noise dissipates as it travels away from its sources, noise impacts associated with on-site activities and other stationary sources would be limited to the proposed Project site and vicinity. Therefore, on-site operation activities at the proposed Project site, in combination with other planned and pending development, would not contribute considerable to long-term, cumulative noise or vibration impacts. As discussed, the proposed Project does not exceed any of the applicable noise significance criteria or significance thresholds; therefore, cumulative impacts would be less than significant (DEIR, p. 5.9-40).

J. TRANSPORTATION

The proposed Project will contribute to the following intersection that is anticipated to operate at a deficient LOS during peak hours for Opening Year Cumulative (2022) without the proposed Project:

- Sycamore Canyon Boulevard & Central Avenue (#3) – LOS E AM peak hour only

With implementation of Condition of Approval COA LAND USE-1, the intersection would not be deficient.

The DEIR was prepared while the State and City were transitioning from LOS to VMT as a CEQA impact. While the DEIR includes LOS and VMT analysis, the Office of Planning and Research confirms that auto delay, on its own, is no longer an environmental impact under CEQA. By including a LOS analysis, the DEIR goes above and beyond CEQA requirements when analyzing transportation related deficiencies. As such, the Project does not have environmental impacts related to transportation and Mitigation Measures MM LAND USE-1 through MM LAND USE-3 are not required to lessen environmental impacts. However, the City will still require the Project to pay its fair share contribution as Conditions of Approval COA LAND USE-1 through COA LAND USE-3 for the Project. (FEIR, pp. 2.0-381 - 2.0-384) With the implementation of the intersection recommendations in COA LAND USE-1, there are no Project-related deficiencies anticipated to the study area intersections. Instead, the assessment of LOS is intended to identify key access, circulation and operational issues within the proposed Project area, and to confirm consistency with the City's General Plan. Consistency with General Plan policies are addressed in Section 5.8 Land Use of the DEIR. As auto delay, on its own, is no longer an environmental pursuant to updated CEQA guidelines, the proposed Project will have no impacts to transportation, as a result of LOS deficiency.

The TA evaluated a Horizon Year (2040) conditions, which represents the cumulative traffic conditions for this EIR. This section discusses the methods used to develop Horizon Year (2040) without and with proposed Project traffic forecasts, and the resulting intersection operations, roadway segment operations, and traffic signal warrant analyses.

Horizon Year Without Project Traffic Conditions

This scenario includes the refined post-processed volumes obtained from the RIVTAM traffic model. The weekday ADT and weekday AM and PM peak hour volumes which can be expected for Horizon Year (2040) without proposed Project traffic conditions are shown on Figure 5.10-16 of the DEIR.

Horizon Year With Project Traffic Conditions

Project traffic has been added to the Horizon Year (2040) without proposed Project traffic forecasts for Horizon Year (2040) with proposed Project traffic conditions. The weekday ADT and weekday AM and PM peak hour volumes which can be expected for Horizon Year (2040) with proposed Project traffic conditions are shown on Figure 5.10-17 of the DEIR.

Roadway Improvements

The lane configurations and traffic controls assumed to be in place for Horizon Year (2040) conditions are consistent with those shown previously on Figure 5.10-1, with the exception of the following:

- Project driveways and those facilities assumed to be constructed by the proposed Project to provide site access are also assumed to be in place for Horizon Year (2040) conditions only (e.g., intersection and roadway improvements along the proposed Project's frontage and driveways).

- Driveways and those facilities assumed to be constructed by cumulative developments to provide site access are also assumed to be in place for Horizon Year (2040) conditions only (e.g., intersection and roadway improvements along the cumulative development's frontages and driveways, such as the eastern extension of Driveway 2).

Intersection Operations Analysis

Horizon Year Without Project Traffic Conditions

LOS calculations were conducted for the study intersections to evaluate their operations under Horizon Year (2040) without proposed Project conditions with roadway and intersection geometrics consistent with Figure 5.10-1. As shown in Table 5.10-15, the study area intersections are anticipated to operate at acceptable levels of service, with the exception of the following locations:

- Sycamore Canyon Boulevard & Central Avenue (#3) – LOS F AM and PM peak hours
- Central Avenue & SR-60 Eastbound Ramps (#4) – LOS E AM peak hour only
- Watkins Drive & SR-60 Westbound On-Ramp (#6) – LOS F AM peak hour only

A summary of the peak hour intersection LOS for Horizon Year (2040) Without Project conditions are shown on Figure 5.10-18.

Horizon Year With Project Traffic Conditions

As shown in Table 5.10-16 and illustrated on Figure 5.10-19, there are no additional study area intersections anticipated to experience unacceptable LOS (LOS E or worse) with the addition of Project traffic during one or more peak hours in addition to those previously identified under Horizon Year (2040) without proposed Project conditions.

Roadway Segment Analysis

The roadway segment capacities utilized for the purposes of this analysis are approximate figures only and are used at the General Plan level to assist in determining the roadway functional classification (number of through lanes) needed to meet traffic demand. Table 5.10-17 provides a summary of the Horizon Year (2040) conditions roadway segment capacity analysis based on the applicable roadway segment capacity. As shown in Table 5.10-17, all the study area roadway segments are anticipated to operate at an acceptable LOS under Horizon Year (2040) without proposed Project conditions, with the exception of the following roadway segments:

- Central Avenue, West of Sycamore Canyon Boulevard (#1) – LOS E
- Sycamore Canyon Boulevard, South of Central Avenue (#4) – LOS F

There are no additional roadway segments anticipated to operate at an unacceptable LOS with the addition of the proposed Project traffic.

Traffic Signal Warrant Analysis

There are no unsignalized intersections for Horizon Year (2040) without the proposed Project traffic conditions, as such, no traffic signal warrant analysis has been conducted. There are no additional study

area intersections that are anticipated to meet either peak hour volume-based or planning level traffic signal warrants for Horizon Year (2040) with the proposed Project traffic conditions, in addition to the location previously warranted under Opening Year Cumulative (2022) traffic conditions.

Off-Ramp Queuing Analysis

A queuing analysis was performed for the off-ramps at the SR-60 at Central Avenue to assess vehicle queues for the off-ramps that may potentially result in deficient peak hour operations at the ramp-to-arterial intersections and may potentially “spill back” onto the SR-60/I-215 mainline. Queuing analysis findings are presented in Table 5.10-18 for Horizon Year (2040) traffic conditions. It is important to note that off-ramp lengths are consistent with the measured distance between the intersection and the freeway mainline. As shown in Table 5.10-18, there are no movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows for Horizon Year (2040) traffic conditions.

Based on the City’s deficiency criteria, the following intersections were found to be deficient in the cumulative traffic scenario:

- Sycamore Canyon Boulevard & Central Avenue (#3) – The addition of Project traffic increases the pre-project delay by more than 1.0 second during the AM and PM peak hours resulting in a cumulative traffic deficiency.
- Central Avenue & SR-60/I-215 Eastbound Ramps (#4) – The addition of Project traffic is anticipated to increase the pre-project delay by less than 2.0 seconds during the deficient peak hour. As such, the deficiency is not considered to be a Project-specific traffic deficiency.
- Watkins Drive & SR-60/I-215 Westbound On-Ramp (#6) – The addition of Project traffic increases the pre-project delay by more than 1.0 second during the AM peak hour and causes a deficiency in the PM peak hour, resulting in a cumulative traffic deficiency.

The effectiveness of the proposed recommended intersection improvements are presented in Table 5.10-19 for Horizon Year (2040) with the proposed Project traffic conditions. The Sycamore Canyon Boulevard and Central Avenue intersection traffic signal shall be modified to add a 2nd NB right turn lane and to implement overlap phasing on the eastbound (EB) right turn lane. As a condition of approval, the proposed Project shall contribute its fair share of 8.6 percent of the cost. The Watkins Drive & SR-60/I-215 Westbound (WB) on-ramp shall be improved with installation of a traffic signal, addition of a 2nd NB left turn lane, and addition of a 2nd Southbound (SB) through lane. As a condition of approval, the proposed Project shall contribute its fair share of 4.2 percent of the cost. With the implementation of the intersection recommendations shown in Table 5.10-19, there are no proposed Project-related deficiencies anticipated to the study area intersections.

It should be noted, although not included for analysis in the TA, pursuant to comments received by the City, Gernert Road (located north of the intersection of Watkins Drive and SR-60/I-215 Westbound on-ramp) should be restricted to right-in/right-out access only with the implementation of the intersection improvements shown in Table 5.10-19.

There are no proposed Project-related deficiencies anticipated to the study area intersections in the cumulative traffic condition. (DEIR, pp. 5.10-42 - 5.10-52)

As outlined in the Final EIR, the DEIR was prepared while the State and City were transitioning from LOS to VMT as a CEQA impact. While the DEIR includes LOS and VMT impacts, the Office of Planning and Research confirms that auto delay, on its own, is no longer an environmental impact under CEQA. As such, the Project does not have cumulative environmental impacts related to transportation and Mitigation Measures MM LAND USE-1 through MM LAND USE-3, as initially identified in the DEIR, are not required to lessen cumulative environmental impacts. However, the City will still require the Project to pay its fair share contribution as Conditions of Approval COA LAND USE-1 through COA LAND USE-3. (FEIR, pp. 2.0-381 - 2.0-384 and 3.0-4 - 3.0-6)

K. TRIBAL CULTURAL RESOURCES

No tribal cultural resources were identified within the proposed Project site, however, mitigation measures MM CUL-1 through MM CUL-4 would be implemented to ensure that potential impacts are reduced to less than significant levels if unknown cultural resources of tribal or Native American importance are inadvertently discovered during construction activities. However, the proposed Project, in conjunction with other development in the City and surrounding areas, would cumulatively increase the potential to encounter sensitive tribal cultural resources. However, 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 AB 52, and SB 18 if applicable, to determine and mitigate any potential impacts to tribal cultural resources. Therefore, cumulative impacts to tribal cultural resources would be less than significant with mitigation and would not be cumulatively considerable. (DEIR, pp. 5.11-11 - 5.11-12)

L. UTILITIES

As discussed in Section 4, Environmental Setting of the DEIR, cumulative development in the City and surrounding cities and County would include residential development, warehouses, commercial, office, and public facilities. As discussed in Section 5.12 Utilities of the DEIR, the proposed Project would not result in any significant impacts related to utilities and service systems, nor would the proposed Project impair the attainment of solid waste reduction goals. Therefore, cumulative impacts would be less than significant related to utilities and service systems. (DEIR, p. 5.12-21)

M. WILDFIRE

The planned and pending projects near the proposed Project site, listed in Table 4-1 of this EIR, include residential, warehouse, commercial, office, fast food, gas station, hotel, church, carwash, and school-related land uses. These planned and pending projects would increase structural development near the proposed Project site, in turn exposing new residents and property to potential risks from fires in the area. (DEIR, p. 5.13-30)

The proposed Project site is in a VHFHSZ. The only other cumulative project (from Table 4.0-1: Summary of Cumulative Development Projects) that is located in a VHFHSZ is MV1, a 25 dwelling unit single family detached residential development, in Moreno Valley, near the southern foothills of Box Springs Mountain. With compliance with the CFC and CBC and implementation of design considerations and mitigation measures MM FIRE-1 through MM FIRE-17 potential impacts from the proposed Project are reduced to less than significant levels. The MV1 project in Moreno Valley would also be required to comply with applicable codes, the (Moreno Valley Municipal Code, CFC, and CBC), laws and standards and implement

any project specific mitigation measures as appropriate identified through the CEQA review process for that project's specific site conditions and design. In addition, as the MV1 project is located within a VHFHSZ, it would also be required to be designed and built-in accordance with Chapter 7a (Materials and Construction Methods for Exterior Wildfire Exposure) of the 2019 CBC. Both projects are required to be constructed in compliance with applicable CBC and CFC that ensure appropriate measures, including fire prevention and fuel modification features, are provided so that urban development does not expose project occupants to increased and uncontrolled wildfire hazards. Applicable CBC and CFC standards are designed to minimize the potential for uncontrolled fires. Furthermore, the cumulative projects would not result in permanent road closures, nor impede an established emergency or evacuation access route, or interfere with emergency response requirements, or fire protection response time standards. The proposed Project is surrounded by mostly urban development and served by existing infrastructure. It would not contribute incrementally with other projects in the City or surrounding area to create an environment that would exacerbate wildfire risks. Cumulative wildfire hazard impacts would be less than significant with mitigation. (DEIR, pp. 5.13-30 – 5.13-31)

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 proposed Project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the proposed Project would generally commit future generations to similar uses;
- The proposed 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 proposed 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: Construction of the proposed Project would involve an irreversible commitment of construction materials and non-renewable energy resources. The proposed Project would involve the use of building materials and energy resources, some of which are non-renewable, to construct the 237 apartment units. Consumption of these resources would occur with any development of the proposed Project site and are not unique to the proposed Project. (DEIR, p. 6.0-4)

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, will offset this demand to some degree by reducing energy demands of the proposed Project. The proposed Project will be subject to the energy conservation requirements of the California Energy Code 2019 (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 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 proposed 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 proposed Project site and would not be unique to the proposed Project. (DEIR, p.6.0-4)

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 GP 2025 land use designations and zoning of the proposed Project site, as detailed in the DEIR Section 5.8, Land Use and Planning. The change in the underlying regulations would allow for a change from C – Commercial to VHDR – Very High Density Residential for a multi-family development. This would result, in turn, in an increase in population as compared to commercial development as envisioned in the City’s GP 2025. However, as outlined in the DEIR Section 7.0 Environmental Effects Found Not Significant, the GP 2025 was designed to accommodate anticipated growth under the typical development scenario by providing adequate services, access and infrastructure. The proposed Project area is currently served by existing roads and other infrastructure and the proposed Project would only require minor extensions or laterals from nearby roads and utilities to the site. Also, the proposed Project would result in a very small incremental increase in population growth one (1) percent beyond what was anticipated under the typical growth scenario. A one (1) percent incremental increase is anticipated to be a less than significant increase. The proposed 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 DEIR Section 5.12 Utilities, Section 5.13 Wildfire, and Section 7.0 Environmental Effects Found Not Significant, impacts to these services and systems would not be significant. (DEIR, pp. 6.0-4 – 6.0-5)

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 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. (DEIR, p. 6.0-5)

Population Growth: The proposed Project would involve the development of multi-family residences, which will directly increase the City's population. The proposed Project proposes 237 residential units. Using the average City household size of 3.18, the proposed Project would create a population growth of approximately 753 persons (CalEEMod). In 2013, the City had 311,955 residents. According to the GP 2025 FPEIR, the City has a projected population of 383,077 at the ultimate buildout of the City, which equates to a population increase of 71,122. Therefore, the proposed Project is anticipated to directly contribute approximately one (1) percent of this total anticipated growth. A population growth of 735 could therefore be accommodated under the City's current growth projections. In regard to indirect population growth, the proposed Project area is currently served by existing roads and other infrastructure and the proposed Project would only require minor extensions or laterals from nearby roads and utilities to the site. Therefore, the proposed Project is not anticipated to indirectly induce population growth by the extension of infrastructure into undeveloped areas. (DEIR, p. 6.0-5)

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 proposed Project would not be growth-inducing from a temporary employment standpoint. The operations (on-site leasing office) and maintenance of the development (cleaning and landscape maintenance of the on-site amenities) would generate new employment opportunities. However, the proposed Project would not provide a substantial number of long-term jobs and workers would be expected to come from the existing regional work force. The proposed Project would not be expected to induce substantial economic expansion in the proposed Project vicinity to the extent that direct physical environmental effects would result. (DEIR, pp. 6.0-5 – 6.0-6)

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 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 proposed 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 proposed 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 proposed 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.)

However, when a project would not result in any significant and unavoidable impacts, the lead agency has no obligation to consider the feasibility of alternatives to lessen or avoid environmental impacts, even if the alternative would reduce the impact to a greater degree than the proposed project. (Pub. Res. Code § 21002; *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.) 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 proposed Project's significant impacts.

B. SUMMARY OF PROJECT OBJECTIVES

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 Crestview Apartments Project include:

- Provide a high-quality residential development in close proximity to the University of California, Riverside, Downtown Riverside, and high-quality transit corridors.
- Provide housing to increase the type and amount of housing available consistent with the goals of the City's Housing Element and to assist the City in meeting project housing demand as part of the City's growth projections. Per Regional Housing Need Allocation (RHNA), the City will need to make space for a minimum of 18,458 housing units, with an anticipated goal of 24,000 units, by 2029.
- Use land resources more efficiently by providing a well-planned, infill development on a currently vacant and largely disturbed site.
- Implement green building practices and other sustainable development methods throughout the project, consistent with the City's Climate Action Plan.
- Preserve the existing natural bed and bank of the drainage course and associated sensitive vegetation outside of the development footprint to maintain its hydrologic and biological function for water flow conveyance and wildlife movement.
- Incorporate design and landscaping elements that complement and are responsive to the Canyon Crest community and edge conditions that buffer the project's effect on the nearby natural environments, including the City of Riverside's Quail Run Open Space and the Sycamore Canyon Wilderness Park.
- Provide for an aesthetically pleasing project with design elements that have compatible overall theme and identity that harmonizes with the surrounding environment in terms of colors and materials and landscaping.

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 proposed 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)).

Mixed use development with General Plan and Zoning Amendment to MU-V – Mixed Use-Village Zone. The MU-V Zone allows high-density residential development with retail, office, and service uses primarily at the street level to facilitate a pedestrian environment. It is intended to encourage new housing opportunities, such as live/work units and residential over retail units that are nearby to commercial services. Plazas, courtyards, outdoor dining, transit stops, and other public gathering spaces and community amenities, such as art in public spaces, are strongly encouraged. The focus of the development and design standards is on landscaping and buffering techniques to provide transitions from developed

commercial areas to lower density residential neighborhoods. Per the City's Municipal Code, the maximum residential density for a MU-V is 30 dwelling units per acre and a lot area minimum of 20,000 SF. With the Project site of 9.44 acres, the maximum allowed dwelling units would be 283 units, with 46 more units than the proposed Project. Because this alternative would be a more intense development, with nearly 50 more dwelling units in addition to the commercial component, potential impacts related to transportation, air quality, greenhouse gases, energy, land use and planning, and utility demands are anticipated to be greater than the proposed Project. Potential impacts related to aesthetics, biological, cultural, and tribal resources, geology and soils, noise and wildfire are anticipated to be the same or similar to the proposed Project. The proposed Project's objectives do not include commercial development. Therefore, this alternative was eliminated from further consideration. (DEIR, p. 8.0-18) This alternative would create greater environmental impacts than the proposed Project and therefore, was eliminated as a feasible alternative.

Finding: The City Council rejects the Mixed Use development with General Plan and Zoning Amendment to MU-V – Mixed Use-Village Zone, on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet the Project objectives, which do not contain commercial development; (2) the alternative results in greater impacts than the Project and is infeasible. This alternative would be a more intense development, with nearly 50 more dwelling units in addition to the commercial component, potential impacts related to transportation, air quality, greenhouse gases, energy, land use and planning, and utility demands are anticipated to be greater than the proposed Project. Therefore, the Mixed Use development with General Plan and Zoning Amendment to MU-V – Mixed Use-Village Zone is eliminated from further consideration.

D. ALTERNATIVES CARRIED FORWARD FOR FURTHER ANALYSIS

The proposed alternatives to the Crestview Apartments 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 proposed Project and alternatives are described in more detail in the Crestview Apartments Final EIR and Appendices thereto.

The three alternatives considered for the proposed Crestview Apartments Project are:

Alternative 1: No Project. Assumes that the proposed 237 residential unit development will not be constructed. Alternative 1 considers no development/disturbance on the proposed Project site beyond which occurs under the existing conditions. As such, the entire 9.44-acre site would remain vacant and undeveloped. Further, the No Project alternative would not fulfill any of the proposed Project's objectives as the existing site would not provide housing. Under this alternative, no improvements would be made to the proposed Project site and none of the proposed Project infrastructure improvements such as roadway, utilities, and construction and grading would be made. This alternative has no characteristics in common with the proposed Project nor any of the other alternatives as no proposed development would occur. Impacts under the No Project alternative would be less than impacts under the proposed Project. (DEIR, p. 8.0-3)

Alternative 2: Develop the Site Pursuant to Current Underlying Zoning Regulations. Under this alternative, development of the site would remain in accord with the current land use and zoning designations. Under this alternative, the land use designation and zoning would remain as

is, and development on the proposed Project site would be subject to the development standards of the CG - Commercial General Zone. Development under Alternative 2 would include general commercial uses and would include a total square footage (SF) of 61,800 and approximately 400 parking spots. This development would include a 34,000 SF fitness club, a 3,400 SF drive-thru restaurant, a 12,000 SF restaurant building, and an 8,800 SF multi-tenant building with retail along with a drive-thru restaurant. A 3,600 SF convenient store/gas station would also be provided under this alternative that would include a car wash, fuel pump station, and store. (DEIR, p. 8.0-6)

Alternative 3: Mixed Use Development: Very High Density Residential and General Commercial. This alternative would include both residential and commercial uses. Under Alternative 3, the site would require a General Plan Amendment (GPA) from C – Commercial to MU-U – Mixed Use-Urban designation and a Zoning Code Amendment (RZ) from C – Commercial to MU-U – Mixed Use-Urban Zone. The proposed Project applicant previously considered development of the site as mixed use and had a conceptual site plan prepared, refer to Figure 8.0-2 - Alternative 3 Mixed Use Development Conceptual Site Plan. Under Alternative 3, the residential component of the proposed Project is approximately 4.66 acres, with seven apartment buildings with 10 to 20 dwelling units each, with a total of 120 units. Alternative 3 with 120 units, is 117 less units than those of the proposed Project. The remaining portion of the site, approximately 4.78 acres, includes three commercial buildings: 3,600-SF food/retail with drive thru, and 3,230 SF food/retail, a 3,400-SF drive-thru restaurant and an 8,820-SF multi-tenant building with food/retail uses and drive-thru. (DEIR, p. 8.0-12)

1. Alternative 1: No Project/No Development

Description

The No Project/No Development Alternative assumes that the proposed 237 residential unit development will not be constructed. Alternative 1 considers no development/disturbance on the proposed Project site beyond which occurs under the existing conditions. As such, the entire 9.44-acre site would remain vacant and undeveloped. Further, the No Project alternative would not fulfill any of the proposed Project's objectives as the existing site would not provide housing. Under this alternative, no improvements would be made to the proposed Project site and none of the proposed Project infrastructure improvements such as roadway, utilities, and construction and grading would be made. This alternative has no characteristics in common with the proposed Project nor any of the other alternatives as no proposed development would occur. Impacts under the No Project alternative would be less than impacts under the proposed Project. (DEIR, p. 8.0-3)

Summary of Impacts

The No Project/No Development alternative would not result in significant and unavoidable impacts. Thus, the CEQA policy of reducing significant environmental effects to the extent feasible would be satisfied through the adoption of Alternative 1. Alternative 1: No Project/No Development, would result in similar impacts for one environmental issues (wildfire) and would reduce impacts for all other environmental issues (aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, land use/planning, noise, transportation, tribal cultural resources, utilities, and VMT), compared to the proposed Project.

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 proposed Project objectives as it would not include residential development in close proximity to the University of California, Riverside, Downtown Riverside, and high-quality transit corridors.

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. 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).

2. Alternative 2: Commercial Development

Description

Development under Alternative 2 would include general commercial uses. The proposed Project applicant previously considered development of the site as commercial and had a conceptual site plan prepared, refer to Figure 8.0-1 - Alternative 2 Commercial Development Conceptual Site Plan of the DEIR. Development under Alternative 2 would include a total square footage (SF) of 61,800 and approximately 400 parking spots. This development would include a 34,000 SF fitness club, a 3,400 SF drive-thru restaurant, a 12,000 SF restaurant building, and an 8,800 SF multi-tenant building with retail along with a drive-thru restaurant. A 3,600 SF convenient store/gas station would also be provided under this alternative that would include a car wash, fuel pump station, and store. (DEIR, p. 8.0-6)

Summary of Impacts

Alternative 2: Commercial Development, would result in an increase in impacts for more environmental issues (aesthetics, air quality, energy, greenhouse gas emissions, operational noise, traffic, utilities, wildfire) than it would reduce impacts (land use/planning, VMT), compared to the proposed Project. Impacts for the following environmental issues would be similar for the proposed Project and Alternative 2: biological resources, cultural resources, geology and soils, construction noise, and tribal cultural resources.

Relationship to Project Objectives

Alternative 2 would not meet the objective of Provide a high-quality residential development in close proximity to the University of California, Riverside, Downtown Riverside, and high-quality transit corridors. Of the other alternatives evaluated in this EIR, Alternative 2: Commercial Development, is determined to not be the environmentally superior alternative, as this Alternative would result in an increase in impacts for more environmental issues (aesthetics, air quality, energy, greenhouse gas emissions, operational noise, traffic, utilities, wildfire) than it would reduce impacts (land use/planning, VMT), compared to the proposed Project. Alternative 2 it is also not consistent with the proposed Project's Objectives and Goals. Alternative 2 – Commercial Development would not meet the following Project objectives:

- Provide a high-quality residential development in close proximity to the University of California, Riverside, Downtown Riverside, and high-quality transit corridors.
- Provide housing to increase the type and amount of housing available consistent with the goals of the City's Housing Element and to assist the City in meeting project housing demand as part of the City's growth projections. Per Regional Housing Need Allocation (RHNA), the City will need to make space for a minimum of 18,458 housing units, with an anticipated goal of 24,000 units, by 2029.

Alternative 2 – Commercial Development would be able to meet the following Project objectives:

- Use land resources more efficiently by providing a well-planned, infill development on a currently vacant and largely disturbed site.
- Implement green building practices and other sustainable development methods throughout the project, consistent with the City's Climate Action Plan.
- Preserve the existing natural bed and bank of the drainage course and associated sensitive vegetation outside of the development footprint to maintain its hydrologic and biological function for water flow conveyance and wildlife movement.
- Incorporate design and landscaping elements that complement and are responsive to the Canyon Crest community and edge conditions that buffer the project's effect on the nearby natural environments, including the City of Riverside's Quail Run Open Space and the Sycamore Canyon Wilderness Park.
- Provide for an aesthetically pleasing project with design elements that have compatible overall theme and identity that harmonizes with the surrounding environment in terms of colors and materials and landscaping.

As outlined above in 8.1.2 the proposed Project applicant previously considered development of the site as commercial and had a conceptual site plan prepared, refer to Figure 8.0-1 - Alternative 2 Commercial Development Conceptual Site Plan of the DEIR. The applicant tried to solicit tenants for the commercial development and were not able to do so. As there was no demand identified for commercial development at this site, that type of development was determined to be not economically viable. Therefore, a commercial development was eliminated as a feasible alternative.

Finding

The City Council finds that Alternative 2 would result in an increase in impacts for more environmental issues (aesthetics, air quality, energy, greenhouse gas emissions, operational noise, traffic, utilities, wildfire) than it would reduce impacts (land use/planning, VMT), compared to the proposed Project. The City Council rejects Alternative 2 as a proposed Project alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) inability to avoid environmental impacts, (2) failure to meet the proposed Project objective of increasing the type and amount of housing available in the City, and (3) infeasibility as commercial development not economically viable at this site.

3. Alternative 3: Mixed Use Development

Description

Alternative 3 – Mixed Use Development would include both residential and commercial uses. Thus, under Alternative 3, the site would require a General Plan Amendment (GPA) from C – Commercial to MU-U – Mixed Use-Urban designation and a Zoning Code Amendment (RZ) from C – Commercial to MU-U – Mixed Use-Urban Zone. (DEIR, p. 8.0-12)

The proposed Project applicant previously considered development of the site as mixed use and had a conceptual site plan prepared, refer to Figure 8.0-2 - Alternative 3 Mixed Use Development Conceptual Site Plan. Under Alternative 3, the residential component of the proposed Project is approximately 4.66 acres, with seven apartment buildings with 10 to 20 dwelling units each, with a total of 120 units. Alternative 3 with 120 units, is 117 less units than those of the proposed Project. The remaining portion of the site, approximately 4.78 acres, includes three commercial buildings: 3,600-SF food/retail with drive thru, and 3,230 SF food/retail, a 3,400-SF drive-thru restaurant and an 8,820-SF multi-tenant building with food/retail uses and drive-thru. (DEIR, p. 8.0-12)

Summary of Impacts

Under Alternative 3, the proposed Project would result in increased impacts to Aesthetics, Air Quality, Energy, Land Use and Planning, Operational Noise, Traffic, and Utilities. Impacts relating to Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions (GHG), Construction Noise, Tribal Cultural Resources and Wildfire would remain similar. Reduced impacts would be to VMT.

Relationship to Project Objectives

Alternative 3 would not meet the objective of Provide a high-quality residential development in close proximity to the University of California, Riverside, Downtown Riverside, and high-quality transit corridors to the same extent as the proposed Project. Alternative 3 with a total of 120 units, is 117 residential units less than that of the proposed Project. The commercial component of this alternative, on approximately half of the site, is not consistent with the proposed Project's Objectives and Goals.

Alternative 3 – Mixed Use Development would only partially meet the following Project objectives, not to the same extent as the Project:

- Provide a high-quality residential development in close proximity to the University of California, Riverside, Downtown Riverside, and high-quality transit corridors.
- Provide housing to increase the type and amount of housing available consistent with the goals of the City's Housing Element and to assist the City in meeting project housing demand as part of the City's growth projections. Per Regional Housing Need Allocation (RHNA), the City will need to make space for a minimum of 18,458 housing units, with an anticipated goal of 24,000 units, by 2029.

Alternative 2 – Mixed Use Development would be able to meet the following Project objectives:

- Use land resources more efficiently by providing a well-planned, infill development on a currently vacant and largely disturbed site.
- Implement green building practices and other sustainable development methods throughout the project, consistent with the City's Climate Action Plan.

- Preserve the existing natural bed and bank of the drainage course and associated sensitive vegetation outside of the development footprint to maintain its hydrologic and biological function for water flow conveyance and wildlife movement.
- Incorporate design and landscaping elements that complement and are responsive to the Canyon Crest community and edge conditions that buffer the project's effect on the nearby natural environments, including the City of Riverside's Quail Run Open Space and the Sycamore Canyon Wilderness Park.
- Provide for an aesthetically pleasing project with design elements that have compatible overall theme and identity that harmonizes with the surrounding environment in terms of colors and materials and landscaping.

As outlined above, the proposed Project applicant previously considered development of the site as commercial and had a conceptual site plan prepared, refer to Figure 8.0-1 - Alternative 2 Commercial Development Conceptual Site Plan of the DEIR. The applicant tried to solicit tenants for the commercial development and were not able to do so. As there was no demand identified for commercial development at this site, that type of development was determined to be not economically viable. Therefore, this alternative with approximately half of the site as commercial development, was eliminated as a feasible alternative.

Finding

This Alternative would result in an increase in impacts for more environmental issues (Aesthetics, Air Quality, Energy, Land Use and Planning, Operational Noise, Traffic, and Utilities) than it would reduce impacts (VMT), compared to the proposed Project. The City Council rejects Alternative 3 as a proposed Project alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) inability to avoid environmental impacts, (2) failure to meet the proposed Project objective of increasing the type and amount of housing available in the City, and (3) infeasibility as commercial development is not economically viable at this site.

E. Environmentally Superior Alternative

According to Section 15126.6(e)(2) of the CEQA Guidelines, an EIR is required to identify the environmentally superior alternative, which is the alternative having the potential for the fewest significant environmental impacts, from among the range of reasonable alternatives that are evaluated in an EIR.

Alternative 1: No Project/Development Alternative, would be the environmentally superior alternative. The No Project/Development Alternative would either avoid or lessen the severity of all significant impacts of the proposed project, as nothing would be constructed. However, the No Project/Development Alternative would not full the objectives of the proposed Project. (FEIR, pp. 3.0-9 – 3.0-10)

When the "No Project/Development" 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: Commercial Development, is determined to not be the environmentally superior alternative, as this Alternative would result in an increase in impacts for more environmental issues (aesthetics, air quality, energy, greenhouse gas emissions, operational noise, traffic, utilities, wildfire) than it would reduce impacts (land

use/planning, VMT), compared to the proposed Project. It is also not consistent with the proposed Project's Objectives and Goals. The Project applicant previously considered development of the site as commercial and had a conceptual site plan prepared, refer to Figure 8.0-1 - Alternative 2 Commercial Development Conceptual Site Plan. The applicant tried to solicit tenants for the commercial development and were not able to do so. As there was no demand identified for commercial development at this site, that type of development was determined to be not economically viable. Therefore, a commercial development was eliminated as a feasible alternative. (FEIR, pp. 3.0-7 – 3.0-8) Therefore, of the development alternatives, Alternative 3 – Mixed Use Development would be the environmentally superior alternative, as this Alternative would result in an increase in impacts for less environmental issues than Alternative 2 – Commercial Development.

IX. FINDINGS REGARDING NO NEED FOR RECIRCULATION

Section 2 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 adequate that environmental review was precluded. However, CEQA Guidelines §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 Improvements Ass'n of S.F. v. Regents of Univ. of Cal.* (1993) 6 Cal. 4th 112, 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 CEQA 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 BENEFITS

The following section describes the benefits of the proposed Project.

1. Satisfaction of Objectives of the Proposed Project

The satisfaction of proposed Project objectives include the following;

- Provide a high-quality residential development in close proximity to the University of California, Riverside, Downtown Riverside and high-quality transit corridors.
- Provide housing to increase the type and amount of housing available consistent with the goals of the City's Housing Element and to assist the City in meeting project housing demand as part of the City's growth projections. Per Regional Housing Need Allocation (RHNA), the City will need to make space for a minimum of 18,458 housing units, with an anticipated goal of 24,000 units, by 2029.
- Use land resources more efficiently by providing a well-planned, infill development on a currently vacant and largely disturbed site.
- Implement green building practices and other sustainable development methods throughout the project, consistent with the City's Climate Action Plan.
- Preserve the existing natural bed and bank of the drainage course and associated sensitive vegetation outside of the development footprint to maintain its hydrologic and biological function for water flow conveyance and wildlife movement.
- Incorporate design and landscaping elements that complement and are responsive to the Canyon Crest community and edge conditions that buffer the project's effect on the nearby natural environments, including the City of Riverside's Quail Run Open Space and the Sycamore Canyon Wilderness Park.
- Provide for an aesthetically pleasing project with design elements that have compatible overall theme and identity that harmonizes with the surrounding environment in terms of colors and materials and landscaping.

2. Project Benefits

Regional Housing Needs Assessment

The Project will provide a total of 237 one-, two-, and three-bedroom residential apartment units. As previously stated, the City will require additional housing to meet the anticipated goal of 24,000 units by 2029. The Project would provide 237 residential units to help the City reach its Regional Housing Needs Assessment (RHNA) minimum need of 18,458 housing units, with an anticipated goal of 24,000 units, by 2029.

Utilization of an Already Disturbed Parcel

As stated in Section 5.8 Land Use and Planning of the Draft EIR, the proposed Project will utilize the more flat and disturbed portions of the site for the apartment buildings, amenities, and infrastructure. The western boundary is undisturbed with a large knoll near the northwesterly corner and a deep, vegetated drainage course and ravine near the southwestern corner. These areas with the greatest extent of topographic relief and lack of disturbance will not be graded or impacted by the proposed development but will be preserved and left in place.

Meet City's Target for VMT

As outlined in Section 5.10 Transportation of the Draft EIR, the Project will include Transportation Demand Management (TDM) strategies to achieve the City's target threshold of 15% below current baseline Home-Based (HB) Vehicle Miles Traveled (VMT) per capita that would result in a less than significant VMT impact based on the City's impact thresholds as described in the City Guidelines. The Project includes the following TDM strategies which are mitigation measures MM TRANS-1 through MM TRANS-3:

MM TRANS-1: In order to reduce VMT, prior to issuance of occupancy permit the Project shall provide for on-site pedestrian sidewalk connections linking the site to existing pedestrian sidewalk network along Central Avenue that would provide pedestrian connectivity to existing and planned commercial and residential uses in the area.

MM TRANS-2: In order to reduce VMT, prior to issuance of occupancy permit a high visibility crosswalk feature with an accessible pedestrian signal shall be provided along Central Avenue.

MM TRANS-3: In order to reduce VMT, prior to issuance of occupancy permit an ADA compliant bus turnout shall be provided along the Project site's frontage on Central Avenue.

Energy Conservation

As stated in Section 5.5 Energy of the Draft EIR, the proposed Project would promote the use of bicycles as an alternative mean of transportation by providing short-term and/or long-term bicycle parking accommodations. The proposed Project is also subject to California Building Code requirements and must comply with the 2019 Building and Energy Efficiency Standards and the 2019 California Green Building Standards requirements. The 2019 Title 24 standards require solar PV systems for all low-rise residential buildings (single family homes and multifamily buildings three stories or less). Therefore, the Project is required to provide solar panels on buildings 1-5 and on the 2-story portion of building 7. Overall, adherence to the 2019 Title 24 standards would increase building efficiency and affect the energy grid less. On this basis, the Project would decrease overall per capital energy consumption, reliance on fossil fuels such as coal, natural gas, and oil, and increase reliance on renewable energy sources while also achieving the Project's sustainability goals.

Provides Biological Conservation Area

As stated in Section 5.3 Biological Resources of the Draft EIR, the Project has been designed to avoid impacts to the willow riparian plant community and associated drainage course/streambed on the southwest corner of the Project site. The proposed Project has been designed to provide 0.53 acres of conservation in the southwest corner of the site as shown in Figure 5.3-5 – MSHCP Conservation Area of the DEIR for the re-routed Proposed Constrained Linkage 7 of the MSHCP. As outlined in the Joint Project Review (JPR), the Project proposed to convey the 0.53-acre area of conservation, including the riparian/riverine area, to the Regional Conservation Authority (RCA). The Project will be conditioned by the City to convey the 0.53-acre area of conservation to the RCA prior to issuance of the grading permit to ensure long-term conservation.

Complimentary Architectural Design

Per Section 5.1 Aesthetics of the Draft EIR, the proposed Project would have building colors which include beige, white, pewter, and light brown or tan (Sherwin Williams Balance Beige, Shoji White, Barcelona Beige, Egret White, Library Pewter, Palisade, and Llama Wool) with accents in gold, and aqua (Sherwin

Williams Different Gold, Billiard Green, and Mountain Stream). Decorative accents include aluminum balcony louvers, fabricated metal gates, balcony metal railings, decorative shutters, and metal canopies. Landscaping throughout the project site will consist of low water use trees, shrubs, and ground cover. Large trees are proposed on the periphery of the project site, along roadways (Central Avenue and Sycamore Canyon Boulevard), within parking lot planters, and throughout the residential common open space areas and around the apartment structures, as shown on DEIR Figure 3.0-6, Conceptual Landscape Plan Exhibit. The DEIR indicates (p. 5.1-26) that there will be a change in the visual characteristic of the Project site from a vacant property that has been heavily disturbed from past grading and construction staging activities and has low visual quality. The proposed Project would comply with the City's Design Guidelines and Zoning Code, and includes an aesthetically pleasing design that fits into, and is complimentary to, the existing combined partially open space/natural and partially urbanized surrounding, as shown in Figures 3.0-7 and 3.0-8 and Figures 5.1-2 through 5.1-13, it will provide an aesthetically pleasing development that compliments the Project site.

3. Conclusion

The proposed Project will result in high-quality residential development near the University of California, Riverside, Downtown Riverside, and high-quality transit corridors providing 237 towards the City's goal of 24,00 units by 2029. Additionally, the proposed Project will be located in a currently disturbed site and will not result in impacts to the natural drainage course and associated habitat in the southwest corner of the site. The Project will also follow green building practices while incorporating design and landscaping elements that complement the surrounding areas. All impacts related to the Project will result in less than significant with mitigation identified in the Draft EIR and MMRP.

XI. MITIGATION MONITORING AND REPORTING PROGRAM

The City of Riverside finds that a Mitigation Monitoring and Reporting Program (MMRP) for the Crestview Apartments Project has been prepared for the proposed Project and hereby adopts the MMRP concurrently with these Findings of Fact and Statement of Benefits (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 proposed 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 Crestview Apartments Project EIR Findings are listed in "Exhibit B" of this document.

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).

EXHIBIT "B"

Mitigation Monitoring and Reporting Program

CEQA requires the adoption of feasible mitigation measures to reduce the severity and magnitude of significant environmental impacts associated with Project development. The Project's Draft EIR (DEIR) includes mitigation measures to reduce the potential environmental effects of the Project. CEQA also requires reporting on, and monitoring of, mitigation measures adopted as part of the environmental review process (Public Resources Code 21081.6). This Mitigation Monitoring and Reporting Program (MMRP) is designed to aid the City in its implementation and monitoring of measures adopted for the Project.

Pursuant to State CEQA Guidelines Section 15097, a written MMRP has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of Project oversight provided by the "Responsible Party" listed in the following table. "Reporting" refers to written compliance review that will be presented to the decision-making body or authorized staff person identified in the table below. A report can be required at various stages throughout the Project implementation or upon completion of the mitigation measure. For each mitigation measure contained in the EIR, specifications are made herein that identify the action required and the monitoring that must occur.

The mitigation measures contain several acronyms that are defined in the DEIR, but may not be defined in the following mitigation monitoring table. As used in the mitigation measures and consistent with the DEIR, these acronyms are defined as follows:

ADA	Americans with Disabilities Act
BACM	Best Available Control Measures
BMPs	Best Management Practices
CDFW	California Department of Fish and Wildlife
dBA	A-weighted system decibel
HPS	High pressure sodium
LED	Light Emitting Diode
LPS	Low pressure sodium
LOS	Level of Service
MBTA	Migratory Bird Treaty Act
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
NFPA	National Fire Protection Association
SCAQMD	South Coast Air Quality Management District
VTM	Vehicle Miles Traveled

Mitigation Measures		Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
					Initial	Date Comments
Aesthetics						
MM AES-1						
Prior to the issuance of building permits, the applicant shall submit a photometric (lighting) plan for approval by the Community & Economic Development Department, Planning Division. The approved light design requirements shall be included on the final building plan sheets. The lighting plan shall incorporate the following requirements:		Approval of Photometric Plan	Prior to the issuance of building permits	Community & Economic Development Department - Planning Division and Building & Safety Division		
<ul style="list-style-type: none"> The project shall be designed in such a manner as to prevent light spillage from the project to the adjacent and nearby open space areas Lighting levels shall comply with Chapter 19.556 of the Riverside Municipal Code Shielding shall be employed, where feasible Any night lighting shall be directed away from natural open space areas and directed downward and towards the center of the development No project lights shall blink, flash, oscillate, or be of unusually high intensity or brightness 						

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
<ul style="list-style-type: none"> Energy-efficient LPS or HPS lamps shall be used exclusively throughout the project site to dampen glare Exterior lights shall be only "warm" LED lights (<3000K color temperature). 					
Biological Resources					
MM BIO-1					
<p>Pursuant to the MBTA and Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season.</p> <p>The nesting season generally extends from February 1 through August 31, beginning as early as January 1 for raptor species, but can vary slightly from year to year based upon seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season (September 1 through January 31), a pre-construction clearance survey for nesting birds shall be conducted within three (3) days of the start of any ground-disturbing activities to ensure that</p>	<p>Conduct pre-construction clearance survey for nesting birds and submit to the City.</p> <p>If negative findings, no further action required.</p> <p>Delineate buffer zones around nests, if active nests are found onsite.</p>	<p>Prior to the issuance of grading permits for construction that would start any time between February 1st and August 31st, which is during the nesting season, would require a pre-construction clearance survey for nesting birds.</p>	<p>Community & Economic Development Department, Planning Division</p> <p>Qualified Biologist</p>		

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Comments
<p>no nesting birds will be disturbed during construction.</p> <p>If the biologist finds an active nest on the Project site and determines that the nest may be impacted, the biologist shall delineate an appropriate buffer zone around the nest. The size of the buffer shall be determined by the biologist and shall be based on the nesting species, its sensitivity to disturbance, expected types of disturbance, and location in relation to the construction activities. These buffers are typically 300 feet from the nests of non-listed species and 500 feet from the nests of raptors and listed species. Any active nests observed during the survey shall be mapped on an aerial photograph.</p> <p>Only construction activities (if any) that have been approved by a Biological Monitor shall take place within the buffer zone until the nest is vacated. The biologist shall serve as a Construction Monitor when construction activities take place near active nest areas to</p>						

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
ensure that no inadvertent impacts on these nests occur.					
Results of the pre-construction survey and any subsequent monitoring shall be provided to the Property Owner/Developer and the City. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds.					
MM BIO-2					
In accordance with the <i>Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan</i> , a 30-day pre-construction survey for burrowing owls is required prior to initial ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, grading, tree removal, site watering, equipment staging) to ensure that no burrowing owls have colonized the site in the days or weeks preceding the ground-disturbing activities.	Submittal of a Preconstruction Survey for burrowing owls to the City. If negative findings, no further action required. If burrowing owls have colonized the site, submit an approved Burrowing Owl	Thirty days prior to any vegetation removal or ground-disturbing activities.	Community & Economic Development Department, Planning Division Qualified Biologist Regional Conservation Authority (RCA) California Department of Fish and Wildlife (CDFW)		

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Comments
<p>If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies, and will need to coordinate further with RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure that burrowing owl have not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.</p> <p>If burrowing owls are observed on the project site during the pre-construction surveys, a burrowing owl relocation plan shall be prepared and submitted to CDFW and the RCA for review and approval prior to commencement of vegetation clearing/grubbing,</p>	<p>Protection and Relocation Plan.</p> <p>Avoid any active burrows during the nesting season with a buffer identified by a qualified biologist</p>					

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
grading, and construction activities on the project site. The burrowing owl relocation plan shall outline methods to relocate any burrowing owls occurring on the project site and ensure compliance with the MSHCP, MBTA and California Fish and Game Code.					
If an active burrow is found during the breeding season (February 1 through August 31) occupied burrows will not be disturbed and will be provided with a protective buffer unless a qualified biologist verifies through noninvasive means that either: (1) the birds have not begun egg laying, or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The size of the buffer will depend on the time of year and level of disturbance.					
MM BIO-3					
To ensure grading activities and/or construction equipment does not encroach into the 0.53-acre conservation area on the southwest corner of the project site, prior to ground-disturbing and construction activities, temporary	Approval of Biological Monitoring Report requiring temporary flagging around	Prior to ground disturbing and construction activities.	Community & Economic Development Department - Planning Division Public Works Department		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
flagging (i.e. stakes with bright colored flagging or bright colored temporary construction fencing) shall be installed to visually demark the conservation area. A biological monitor shall be required to ensure that no encroachment into the conservation area occurs.	conservation area.		Qualified Biologist/ Biological Monitor Project Contractor		
MM BIO-4					
To minimize indirect impacts to species protected under Section 6.1.2 of the MSHCP, that have the potential to be present within the riparian habitat on the southwest corner of the project site, from noise generated by project construction equipment, the following measures shall be implemented prior to ground-disturbing and construction activities:	Installation of a temporary noise barrier on southwest corner of the site to protect the adjacent riparian habitat.	Prior to ground disturbing and construction activities.	Public Works Department Qualified Biologist/ Biological Monitor Project Contractor		
<ul style="list-style-type: none"> Install a 12-foot high temporary noise barrier at the perimeter of the limits of disturbance between the construction activities and the adjacent riparian habitat on the southwest corner of the project site. The barrier shall be continuous without openings, holes or cracks, and shall reach 					

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
the ground. The barrier may be constructed with 1-inch plywood and provide a reduction of at least 13 dB(A) to ensure noise levels do not exceed 65 dB(A) at the on-site conservation area. Other materials providing the same reduction shall also be permitted					
MM BIO-5					
To minimize indirect impacts to species protected under Section 6.1.2 of the MSHCP, that have the potential to be present within the riparian habitat on the southwest corner of the project site, from noise generated by project construction equipment, the following measures shall be implemented during ground-disturbing and construction activities:	Approval of Grading Plan. Plans must be in compliance with the required specifications of the mitigation measure, and Biological Monitoring Report.	During any ground disturbing and construction activities.	Community & Economic Development Department - Planning Division Public Works Department Qualified Biologist/ Biological Monitor Project Contractor		
<ul style="list-style-type: none"> Heavy grade rubber mats/pads shall be used within the bed of the trucks. These mats will help attenuate initial impact noise generated when an excavator drops rock and debris into the bed of the truck. These mats must be maintained and/or replaced as necessary. 					

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Compliance Verification Date	Comments
<ul style="list-style-type: none">During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.Equipment shall be shut off and not left to idle when not in use.The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.						

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
<ul style="list-style-type: none"> The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (7:00 am to 7:00 pm on weekdays, and 8:00 am to 5:00 pm on Saturdays). Limit the use of heavy equipment or vibratory rollers and soil compactors along the project boundaries to the greatest extent possible. It is acknowledged that some soil compression may be necessary along the project boundaries. Any jackhammers, pneumatic equipment and all other portable stationary noise sources shall be shielded and noise shall be directed away from sensitive receptors. 					
MM BIO-6					
Project Construction Vibration – If pile driving and rock blasting activities are needed, in order to minimize indirect impacts to species protected under Section 6.1.2 of the MSHCP from construction vibration generated by these activities, the following measures shall be implemented:	Conduct a pre-construction nesting bird clearance survey to confirm there are no active nests within 500 feet of the limits of disturbance.	Prior to any pile driving and rock blasting activities.	Public Works Department Qualified Biologist/ Biological Monitor Project Contractor		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
<ul style="list-style-type: none"> All pile driving and rock blasting activities shall be conducted outside of the avian nesting season (generally February 1 to August 31). Out of abundance of caution, a pre-construction nesting bird clearance survey shall be conducted prior to pile driving and rock blasting activities to ensure avian species are not actively nesting within the sensitive riparian habitat on the southwest corner of the project site or within 500 feet of the limits of disturbance. 						
MM BIO-7						
The Project has been designed to avoid direct construction impacts to riparian plant communities and wildlife corridors by staying within previously disturbed areas. Avoidance and minimization measures shall be included in the Project specifications for implementation during construction to further reduce the potential for any temporary, indirect impacts to occur to these areas during ground-disturbing and construction activities, including the following:	Approval of Grading Plan. Plans must be in compliance with the required specifications of the mitigation measure, and Biological Monitoring Report.	During ground disturbing and construction activities.	Community & Economic Development Department - Planning Division Public Works Department Qualified Biologist/ Biological Monitor Project Contractor			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
<ul style="list-style-type: none">During ground-disturbing and construction activities, a biological monitor shall be required to ensure that no encroachment into the conservation area occurs. The biological monitor shall be present and monitor flagging installation, as well as all grading and construction activities in the southwest corner of the site including installation of the retaining walls and landscaping.During ground-disturbing and construction activities trash and other debris shall be properly disposed of and not left on-site in areas where it could fall into protected habitat.During ground-disturbing and construction activities refueling, washing, or other vehicular maintenance activities shall occur a minimum of 100 feet away from riparian areas, including the conserved riparian habitat.During ground-disturbing and construction activities equipment shall be maintained					

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
<p>and checked at least on a daily basis for leaks.</p> <ul style="list-style-type: none"> During ground-disturbing and construction activities all vehicles leaks or other hazardous material leaks shall be contained and cleaned up immediately. All contaminated soil shall be removed from the site and disposed of properly. 					
MM BIO-8					
<p>During soil excavation, grading, or other subsurface disturbances, the construction contractor shall supervise provision and maintenance of all standard dust control Best Management Practices (BMPs) to reduce fugitive dust emissions, including but not limited to the following actions:</p> <ul style="list-style-type: none"> Water any exposed soil areas a minimum of twice per day, or as allowed under any imposed drought restrictions. On windy days or when fugitive dust can be observed leaving the construction site, additional water shall be applied at a frequency to be determined by the on-site construction superintendent. 	<p>Approval of Grading Plan. Plans must be in compliance with the required specifications of the mitigation measure.</p> <p>Approval of Erosion Control Plan showing location of equipment and staging areas.</p> <p>Periodic inspections.</p>	<p>During soil excavation, grading, or subsurface disturbance activities.</p>	<p>Community & Economic Development Department - Planning Division</p> <p>Public Works Department</p> <p>Project Contractor</p>		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
<ul style="list-style-type: none"> Pave, periodically water, or apply acceptable non-toxic chemical stabilizer as identified in the SWPPP to construction access/egress points. Minimize the amount of area disturbed by clearing, grading, earthmoving, or excavation operations at all times. Operate all vehicles on graded areas at speeds less than 15 miles per hour. Cover all stockpiles that would not be utilized within three days with plastic or equivalent material, to be determined by the on-site construction superintendent, or spray them with an acceptable non-toxic chemical stabilizer as identified in the SWPPP. 						
MM BIO-9						
During ground-disturbing and construction activities the on-site construction contractor shall implement the following measures to minimize short-term noise levels caused by construction activities. Measures to reduce construction noise shall be included in contractor specifications and	Approval of Grading Plan. Plans must be in compliance with the required specifications of the mitigation measure.	During ground-disturbing and construction activities.	Community & Economic Development Department - Planning Division Public Works Department Project Contractor			

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Compliance Verification Date	Comments
<div>include, but not be limited to, the following:</div> <ul style="list-style-type: none">• Properly outfit and maintain construction equipment with manufacturer-recommended noise-reduction devices to minimize construction-generated noise.• Operate all diesel equipment with closed engine doors and equip with factory-recommended mufflers.• Use electrical power, when feasible, to operate air compressors and similar power tools.• Employ additional noise attenuation techniques, as needed, to reduce excessive noise levels within the conserved Riparian/Riverine Habitat on-site, such as placement of temporary sound barriers or sound blankets at the top of slope adjacent to these areas.• Locate construction staging areas at least 100 feet from the conserved riparian habitat.						

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
MM BIO-10						
To address potential short-term impacts to water quality within the on-site drainages from construction runoff that may carry storm water pollutants, a Stormwater Pollution Prevention Plan (SWPPP) shall be implemented by the construction contractor as required by the California General Construction Storm Water Permit pursuant the Regional Board regulations prior to grading permit issuance.	Inspection of Implemented BMPs identified on the SWPPP. Approval of Erosion Control Plan showing location of equipment storage, fueling, and staging areas. Periodic Inspections.	Prior to initiation of and during construction activities.	Public Works Department Project Contractor Project's Hydrological Consultant			
The SWPPP shall identify BMPs related to the control of toxic substances, including construction fuels, oils, and other liquids. These BMPs would be implemented by the construction contractor prior to the start of any ground clearing activity, shall be subject to periodic inspections by the City and the Project's hydrological consultant, shall be maintained throughout the construction period and remain in place until all landscape and permanent BMPs are in place. BMPs shall be monitored and repaired if necessary, to ensure maximum erosion, sediment, and pollution control.						

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Comments
<ul style="list-style-type: none"> The use of erosion control materials potentially harmful to fish and wildlife species, such as mono-filament netting (erosion control matting) or similar material, within and adjacent to conserved riparian habitat shall be prohibited. All fiber rolls,¹ straw wattles, and/or hay bales utilized within and adjacent to the Project site shall be free of non-native plant materials. Construction contractor shall comply with all litter and pollution laws. All contractors, subcontractors, and employees shall also obey these laws. Water containing mud, silt, or other pollutants from grading, aggregate washing, or other activities shall not be allowed to enter the conserved riparian habitat or be placed in locations that may be subjected to high storm flows. 						

¹ Fiber rolls or erosion control mesh shall be made of loose-weave mesh that is not fused at the intersections of the weave, such as jute, or coconut (coir) fiber, or other products without welded weaves. Non-welded weaves reduce entanglement risks to wildlife by allowing animals to push through the weave, which expands when spread.



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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
<ul style="list-style-type: none"> Spoil sites shall not be located within jurisdictional areas and MSHCP Conservation Areas or locations that may be subjected to high storm flows, where spoil could be washed back into the conserved riparian habitat where it would impact streambed habitat and aquatic or riparian vegetation. Raw cement/concrete or washings thereof, asphalt, paint, or other coating material, oil or other petroleum products, or any other substances which could be hazardous to fish and wildlife resources resulting from Project related activities shall be prevented from contaminating the soil and/or entering the conserved riparian habitat. These materials, placed within or where they may enter the conserved riparian habitat or any party working under contract to the construction contractor, shall be removed immediately. No equipment maintenance shall be done within or near the conserved riparian habitat 					

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
where petroleum products or other pollutants from the equipment may enter these areas under any flow.						
MM BIO-11						
<p>The following measures shall also be incorporated into the construction documents and specifications, and implemented by the contractor, to avoid potential construction-related impacts to the conserved riparian habitat outside of the approved disturbance limits:</p> <ul style="list-style-type: none"> Prior to grading and construction activities construction worker training shall be provided by a qualified biologist at the first on-site construction meeting; Prior to grading and construction activities Project boundaries shall be clearly marked and or signs shall be erected near the top of slope adjacent to the conserved riparian habitat to prevent accidental/unauthorized intrusions during construction; and During all construction activities staging areas for storage of 	<p>Approval of Grading Plan. Plans must be in compliance with the required specifications of the mitigation measure. Qualified Biologist to provide construction worker training and provide sign-in/attendance sheet to the City.</p> <p>Mark project boundaries.</p> <p>Mark staging areas.</p>	<p>Prior to and during grading and construction activities.</p>	<p>Community & Economic Development Department - Planning Division Public Works Department Project Contractor Qualified Biologist/ Biological Monitor</p>			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
materials and heavy equipment, and for fueling, cleaning, or maintenance of construction vehicles or equipment, shall be prohibited within 20 feet from the top of slope adjacent to the conserved riparian habitat.					
MM BIO-12					
During construction the Project shall incorporate special edge treatments to minimize edge effects by providing a safe transition between developed areas and the conserved riparian habitat, and which would be compatible with Project operation and the protection and sustainability of conserved areas. The following special edge treatments are applicable to the Project, and shall be implemented:	Approval of Grading Plan. Plans must be in compliance with the required specifications of the mitigation measure, and Biological Monitoring Report.	During construction and grading activities.	Public Works Department Project Contractor Qualified Biologist/Biological Monitor		
<ul style="list-style-type: none"> The Project is required to stage construction vehicles and equipment outside of the limits of CDFW jurisdictional streambed and riparian habitat to the maximum feasible distance; Construction-related noise shall not exceed 65 dBA at the on-site conservation area; and 					

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
<ul style="list-style-type: none"> Any manufactured slopes shall be kept within the boundaries of the Project footprint and not encroach into the conserved riparian habitat or the MSHCP Conservation Area. 					
MM BIO-13					
Prior to issuance of a grading permit, the applicant and/or grading contractor shall submit to the Community & Economic Development Department, Planning Division proof that a qualified biologist has been retained and is available to conduct biological monitoring of ground-disturbing and construction activities, as identified in MM BIO-3 and MM BIO-7 .	Submit proof that a qualified Biologist for monitoring ground-disturbing and construction activities has been retained.	Prior to issuance of grading permits.	Community & Economic Development Department - Planning Division Project Applicant Project Contractor		
MM BIO-14					
Prior to issuance of a grading permit, the conservation area in the southwest corner of the project site shall be plotted on the grading plans, as well as the temporary flagging (identified in MM BIO-3) and the temporary noise barrier (identified in MM BIO-4). The grading plans shall be reviewed and approved by the Public Works Department and the Community &	Approval of Grading Plan. Plans must show location of conservation area, temporary flagging around conservation area, and temporary noise barrier.	Prior to issuance of grading permits.	Community & Economic Development Department - Planning Division Public Works Department		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
Economic Development Department, Planning Division.					
MM BIO-15					
Prior to issuance of a grading permit, all Mitigation Measures that must be satisfied prior to, and during, ground-disturbing and construction activities (MM BIO-1, -2, -3, -4, -5, -6, -7, -8, -10, -11, and -12) shall be added to the grading plans as notes. The grading plans shall be reviewed and approved by the Public Works Department and the Community & Economic Development Department, Planning Division.	Approval of Grading Plan. Plans must be in compliance with the required specifications of the mitigation measure, and Biological Monitoring Report.	Prior to issuance of grading permits.	Community & Economic Development Department - Planning Division Public Works Department		
Cultural Resources					
MM CUL-1					
Prior to grading permit issuance, if there are any changes to Project site design and/or proposed grades, the Applicant and the City shall contact consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting tribes to discuss any proposed changes and review any new	Provide copy of consultation logs showing Applicant's effort to contact interested tribes and the outcome of any such consultation Halt any work in the event of inadvertent	Prior to issuance of grading permits.	Community & Economic Development Department, Planning Division Historic Preservation Officer Project Applicant		

Mitigation Monitoring and Reporting Program

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
impacts and/or potential avoidance/preservation of the cultural resources on the Project site.	discoveries of archeological resources.					
The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located on the project site if the site design and/or proposed grades should be revised.						
In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribes, to provide tribal monitoring for ground-disturbing activities.						
MM CUL-2						
At least 30 days prior to application for a grading permit and before any grading, excavation and/or ground-disturbing activities take place, the developer/applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing	Provide evidence to the City that a qualified Archeological Monitor has been retained.	Thirty days prior to issuance of grading permits and before any ground disturbing activities.	Community & Economic Development Department - Planning Division Historic Preservation Officer			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
<p>activities in an effort to identify any unknown archaeological resources.</p> <p>1. 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:</p> <p>a. Project grading and development scheduling:</p> <p>b. The development of a rotating or simultaneous schedule in coordination with the developer/applicant 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</p>	<p>Submit the approved Archaeological Monitoring Plan.</p> <p>Provide copy of consultation logs showing Applicant's effort to contact interested tribes and outcome of each consultation.</p>				

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
<p>activities in coordination with all Project archaeologists;</p> <p>c. The protocols and stipulations that the Applicant, tribes, and Project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation;</p> <p>d. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site; and</p> <p>e. The scheduling and timing of the Cultural Sensitivity Training noted in mitigation measure MM-CUL-4.</p>						
MM CUL-3						
In the event Native American cultural resources are inadvertently discovered during the course of grading for this Project, the following procedures will be carried	Developer to provide emails contacting consulting	Within 24 hours of any discovery of Native American	Community & Economic Development Department - Planning Division			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
<p>out for treatment and disposition of the discoveries:</p> <ol style="list-style-type: none"> Consulting Tribes Notified: within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall provide the City evidence of notification to consulting tribes. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation. 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 will need to be thoroughly inventoried with tribal monitor oversight of the process; and 	<p>tribe(s) to the City.</p>	<p>cultural resources</p>			

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
3. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The Applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:					
a. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial					

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Comments
shall not occur until all cataloguing and basic recordation have been completed; b. A curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; c. If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western						

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Compliance Verification Date	Comments
Science Center or Museum of Riverside by default; and d. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff for the construction staff held during the required pre-grade meeting; and, in a confidential appendix,						

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.					
MM CUL-4					
The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.	Sign-in sheet from Cultural Sensitivity Training for all construction personnel to be provided to City and included in the Phase IV Monitoring Report	Prior to start of grading	Community & Economic Development Department - Planning Division		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
Geology and Soils					
MM GEO-1					
Deep dynamic compaction (DDC) shall be used for ground improvement at this site to accomplish the following: Objective 1, Depth of Improvement. Density the undocumented fill as it may occur beneath the finished pad levels of structures to depths of up to 25 feet. Objective 2, Foundation Bearing. Density the near-surface soils sufficient to develop an allowable bearing pressure (i.e., contact stress) as great as about 6,000 psf) for shallow foundations.	Approval of Grading Plan.	During grading/ground improvement activities	Community & Economic Development Department - Planning Division		
			Public Works Department		
			Project Contractor		
Transportation					
MM TRANS-1					
In order to reduce VMT, prior to issuance of occupancy permit the Project shall provide for on-site pedestrian sidewalk connections linking the site to existing pedestrian sidewalk network along Central Avenue that would provide pedestrian connectivity to existing	Inspection of completed pedestrian sidewalk connections linking the site to existing sidewalk network.	Prior to issuance of Certificate of Occupancy.	Public Works Department		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
and planned commercial and residential uses in the area.					
MM TRANS-2					
In order to reduce VMT, prior to issuance of occupancy permit a high visibility crosswalk feature with an accessible pedestrian signal shall be provided along Central Avenue.	Inspection of completed pedestrian signal and high visibility crosswalk features.	Prior to issuance of Certificate of Occupancy.	Public Works Department		
MM TRANS-3					
In order to reduce VMT, prior to issuance of occupancy permit an ADA compliant bus turnout shall be provided along the Project site's frontage on Central Avenue.	Inspection of completed ADA compliant bus turnout.	Prior to issuance of Certificate of Occupancy.	Department of Public Works Riverside Transit Authority (RTA)		
Wildfire					
MM FIRE-1					
Prior to issuance of building permits, water and power utilities shall be installed and approved by the appropriate inspecting City department (Riverside Fire Department and/or Public Utilities) prior to the delivery of combustible building construction materials to the Project site. An approved permanent water supply capable of supplying the required fire flow for each fire protection system shall be installed and shall be a looped system served from two points.	Approval of Fire Service Underground and Fire Access Plans. Installation and inspection of the water and power utilities	Prior to issuance of building permits. Prior to the delivery of combustible building construction materials and issuance of building permits.	Fire Department City of Riverside Public Utilities Project Contractor		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification		
				Initial	Date	Comments
MM FIRE-2						
Fuel treatment in the Project shall require meeting the minimum City fuel treatments of 50-feet of Irrigated Zone 1 (described in Section 5.13.3 Project Design Considerations), which includes all manufactured slopes located within the Project. Irrigated Zone 1 additionally includes 30 feet of fuel treatment on either side of each roadway. Thinning Zone 2 fuel treatment (described in Section 5.13.3 Project Design Considerations) shall be required between 50 and 100 feet of any structure. The establishment of the Project fuel treatment Zones 1 and 2 shall be reviewed and must be approved by the Riverside Fire Department prior to the issuance of building permits.	Approval of plan identifying boundaries of Project Fuel Treatment Zones 1 and 2.	Prior to issuance of building permits.	Fire Department			
MM FIRE-3						
Irrigated Zone 1 is the defensible space zone and shall be free of all combustible construction and materials. The establishment of the Irrigated Zone 1 shall be inspected and must be approved by the Riverside Fire Department prior to the issuance of occupancy permits.	Submittal and approval of Landscape and Irrigation Plans showing compliance with this mitigation measure.	Prior to issuance of building permit – Submit plans for Landscape and Irrigation Design Review	Fire Department Community & Economic Development Department - Planning Division			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
<p>Containerized plants and landscaping located in Zone 1 shall meet the following requirements of this mitigation measure:</p> <ul style="list-style-type: none"> Plants in this zone shall be fire resistant and shall not include any pyrophytes that are high in oils and resins such as pines, eucalyptus, cedar, cypress or juniper species. Thick, succulent or leathery leaf species with high moisture content are the most 'fire resistant'. Refer to APPENDIX 'A' of the Project's Fire Protection, which is incorporated by reference into this mitigation measure, Plan for the Prohibited Plant list. Zone 1 shall be cleared of all fire prone and prohibited plant species (refer to APPENDIX 'A' of the Project's Fire Protection Plan). All landscaping shall be fire-resistant. Landscaping elements shall be coordinated with the Case Planner through Landscape and Irrigation Design Review. 		<p>Prior to the issuance of Certificate of Occupancy - Installation of landscaping.</p>			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Comments
MM FIRE-4						
The following maintenance measures shall be implemented for Irrigated Zone 1. Maintenance shall be performed year-round by the Project owner/manager and a Maintenance Schedule Log shall be kept on site at all times and made available upon City Staff request.	Maintenance shall be performed year-round by the Project owner/manager and a Maintenance Schedule Log shall be kept on site at all times and made available upon City Staff request.	Year-round	Project Owner/Manager			
<ul style="list-style-type: none">Maintenance shall be year-round by the owner as required by the Fire Protection Plan in addition to the Weed Abatement Program in accordance with Riverside Municipal Code 6.15.020, which is managed by the Code Enforcement Division.Remove and replace any dead or dying plant material monthly.Native annual and perennial grasses will be allowed to grow and produce seed during the winter and spring. As grasses begin to cure (dry out), they shall be cut to four inches or less in height.Trees shall be maintained to a minimum of six feet of vertical separation from low growing, irrigated vegetation beneath the						

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
<p>canopy of each tree. All trees must be maintained to the current ANSI A300 standards [Tree, Shrub, and Other Woody Plant Maintenance—Standard Practices (Pruning)]</p> <ul style="list-style-type: none"> The owner/manager shall be responsible for maintaining Fuel Modification Zone 1. All highly flammable plant species identified in Appendix A of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure, shall be permanently removed from the Irrigated Zone 1 due to their susceptibility to wildland fire. 					
MM FIRE-5					
Zone 2 is the fuel treatment zone, 50-to-100-feet away from any structure and shall include the removal of 50% of the above ground vegetation and the application of mulch to maintain soil moisture, reduce soil erosion and reduce weed growth. The Thinning Zone 2 plan shall be reviewed and approved through the Landscape and Irrigation Design Review process. Vegetation located in Zone 2 shall meet the following	Submittal and approval of Landscape and Irrigation Plans showing compliance with this mitigation measure.	Prior to issuance of building permit - Submit plans for Landscape and Irrigation Design Review Prior to the issuance of Certificate of Occupancy - Removal of	Fire Department Community & Economic Development Department, Planning Division Project Applicant Project Contractor		

Crestview Apartments Project FEIR

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
<p>requirements of this mitigation measure:</p> <ul style="list-style-type: none"> Mulches, chips and other small multi-cuttings (cut to less than 2 inches in diameter and 4 inches in length) shall be evenly spread over the area to prevent weed and grass encroachment into the treated area. Allowances for the needs of protected species and habitats shall be considered in this zone. The Thinning Zone 2 Plan shall include a note not allowing combustible construction or materials in Zone 2. 		required vegetation and application of mulch.				
MM FIRE-6						
<p>Prior to issuance of occupancy permits, the western side boundary of Zone 2 abutting wildland fuels shall be permanently marked on the ground where it transitions to wildland fuels for the purpose of guiding annual fuel treatment maintenance and inspection operations. As the most reliable markers are steel fence posts with a baked on painted finish, these types of markers shall be installed and maintained/replaced as needed.</p>	<p>Installation of markers on western side boundary of Zone 2.</p>	<p>Prior to issuance of Certificate of Occupancy.</p>	<p>Fire Department Project Applicant Project Contractor</p>			

Crestview Apartments Project FEIR

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
These Fuel Modification Zone markers shall be spaced no more than 100 feet apart so that the markers on each side of an installed marker can be seen from that marker. (See APPENDIX 'F' of the Project's Fire Protection Plan for an example).					
MM FIRE-7					
<p>The following required maintenance measures shall be implemented for Thinning Zone 2. Maintenance shall be performed year-round by the Project owner/manager and a Maintenance Schedule Log shall be kept on site at all times and made available upon City Staff request.</p> <ul style="list-style-type: none"> Thinning/removal of the native vegetation shall be completed to create 50 percent of open space, with no vegetation. All native grasses or weeds shall be mowed or weed-whipped to a 4-inch stubble height by June 15th or earlier if they dry out earlier. All dead, woody debris, and exotic or native flammable vegetation shall be removed 	<p>Maintenance shall be performed year-round by the Project owner/manager and a Maintenance Schedule Log shall be kept on site at all times and made available upon City Staff request.</p>	Year-round	Project Owner/Manager		

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Comments
<p>(refer to APPENDIX ‘A’ of the Project’s Fire Protection Plan, which is incorporated by reference into this mitigation measure)</p> <ul style="list-style-type: none"> Annually maintain all tree crowns to keep a separation of six feet between the ground fuels (shrubs and ground covers) and the lower limbs. All trees shall be maintained to the current ANSI A300 standards [<i>Tree, Shrub, and Other Woody Plant Maintenance —Standard Practices (Pruning)</i>] Annually prune vegetation (refer to APPENDIX ‘B’ of the Project’s Fire Protection Plan) to maintain a 50% thinning from the original vegetation cover. Selected native plant clusters shall be separated by at least 1 ½ times the fully developed height of the retained plants. Annually, native annual and perennial grasses are allowed to grow and produce seed during the winter and spring. As grasses begin to cure (dry out), they shall be cut to 4 inches or less in height. Note that the 						

Crestview Apartments Project FEIR

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
<p>Code Enforcement Division regulates weed abatement year-round and requires weed abatement to be performed by May 15th. The owners shall provide an additional cutting should the rainy season be prolonged into June.</p> <ul style="list-style-type: none"> Annually remove all dead and dying vegetation and highly flammable exotic species (refer to APPENDIX 'B' of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure) by June 15th of each year or when the fuels become cured, whichever occurs first. Any vegetative biomass (debris and trimmings) produced by thinning and pruning shall be removed from the site or converted to mulch by course chipping or multi-cut into 4-inch lengths and evenly distributed to a maximum depth of four (4) inches. Mulches, chips, and other small multi-cuttings (cut to less than two (2) inches in diameter and four (4) inches in length) shall 					

Crestview Apartments Project FEIR

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
<p>be evenly spread over the area to prevent grass and weed encroachment within the treated areas. This mulching concept helps to maintain soil moisture for the designated plants, reduces the growth of annual grass, minimizes soil erosion, and recycles plant residue thus reducing disposal cost.</p> <ul style="list-style-type: none"> The owner/manager shall be responsible for maintaining Fuel Modification Zone 2. All highly flammable plant species identified in Appendix A of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure, shall be permanently removed from the Thinning Zone 2 due to their susceptibility to wildland fire. 						
MM FIRE-8						
In order to reduce potential wildfire risks to the Project, as being partially located within and adjacent to, a mapped Very High Fire Hazard Severity Zone (VHFHSZ) zone, the following additional structural protection elements shall be designed and installed during	<p>Approval of building construction documents. Plans must be in compliance with the required specifications of</p>	Prior to issuance of building permits.	Fire Department Community & Economic Development Department, Building and Safety Division			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date
<p>construction. These elements shall be included in the Construction Drawings, to be reviewed and approved by the Riverside Fire Department and Building and Safety Division, prior to issuance of building permit.</p> <ul style="list-style-type: none"> All buildings (1-7) shall be compartmentalized with two-hour fire walls, as required to be compliant with standard NFPA 13R sprinkler systems. Buildings 4 and 5 shall be protected with standard NFPA 13R fire sprinkler systems. Buildings 1, 2, 3, 6 and 7 shall be protected with full NFPA 13 sprinkler systems. Buildings 1, 2, 3, and 7 shall have two-hour exterior wall assemblies (gypsum board assembly, not type III construction with fire retardant-treated lumber). The northern portion of Building 6 shall have two-hour exterior wall assemblies (gypsum board assembly, not type III construction with fire retardant-treated lumber), as this portion 	the mitigation measure.				

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
of the building is within or facing the VHFHSZ.	<ul style="list-style-type: none"> Carports within the defensible space area(s), within 50 feet of buildings, shall be constructed of non-combustible material. 				
MM FIRE-9					
All non-habitable accessory structures such as decks, balconies, patio covers, gazebos and fences shall built from non-combustible materials as described in APPENDIX D of the Project's Fire Protection Plan. The owner/manager is not restricted from having concrete/brick patios or walkways within the Fuel Modification Zones in compliance with other codes. Refer to APPENDIX 'D' of the Project's Fire Protection Plan, which is incorporated by reference into this mitigation measure, for photos and descriptions of non-combustible decks, patio covers, and railings for these non-habitable accessory structures. These elements shall be included in the Construction Drawings, to be reviewed and approved by the Riverside Fire Department and Building and	Approval of building construction documents. Plans must be in compliance with the required specifications of the mitigation measure.	Prior to issuance of building permits.	Fire Department Community & Economic Development Department, Building and Safety Division		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification		
				Initial	Date	Comments
Safety Division, prior to issuance of building permit.						
MM FIRE-10						
<p>To further mitigate the hazard of showering embers from a wildfire in the adjacent wildlands and for the lack of 100 feet of fuel treatment for Building 7, the following additional construction requirements shall be implemented:</p> <ul style="list-style-type: none"> All vents in the structures shall be "Brandguard", "O'Hagin Fire & Ice® Line – Flame and Ember Resistant" or equivalent type vents. All operable windows shall be provided with metal mesh bug screens over the operable opening to replace traditional vinyl bug screens to prevent embers from entering the structure during high wind conditions when windows may be inadvertently left open. All swinging exterior doors shall be self-closing (e.g., pneumatic or spring-loaded hinges) and self-latching. <p>These elements shall be included in the Construction Drawings, to be reviewed and approved by the</p>	<p>Approval of building construction documents. Plans must be in compliance with the required specifications of the mitigation measure.</p>	<p>Prior to the issuance of building permits.</p>	<p>Fire Department Community & Economic Development Department, Building and Safety Division</p>			

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
Riverside Fire Department and Building and Safety Division, prior to issuance of building permit.					
MM FIRE-11					
A copy of the Project's Fire Protection Plan shall be available in the Crestview Apartments Manager's Office for review by any potential renter or employee. The Office shall provide a copy of this Fire Protection Plan to any new owner at the close of escrow. Subsequent sellers shall include copies of the Fire Protection Plan in all escrow papers.	Provide a copy of the Project's Fire Protection Plan.	Prior to the lease or sale of the property, and prior to employment.	Property Owner/Manager		
MM FIRE-12					
The Crestview Apartments owner/manager shall be responsible for conducting a safety training for all new employees that includes the recommendations outlined in the Fire Protection Plan (Section 8.0, Owner, Occupant/Employee Education, page 25). The Crestview Apartments Manager's office shall keep a log of all new employee safety trainings on file for inspection at any time by the City of Riverside Staff.	Provide safety training for all new employees, and keep a log of all new employee safety trainings on file for inspection at any time by the City of Riverside Staff.	Upon hire of new employees.	Property Owner/Manager		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Initial	Date	Compliance Verification Comments
MM FIRE-13						
Water supplies for fire protection and hydrants shall be provided in accordance with the 2019 California Fire Code, or applicable Fire Code at time of building permit issuance, as amended by the City. The minimum fire flow shall be 3,000 gallons per minute (gpm) at 20 pounds per square inch (psi) residual pressure for a 4-hour duration for all buildings classified as R-2 occupancies per the State Fire Code.	Approval of building construction documents. Plans must be in compliance with the required specifications of the mitigation measure.	Prior to issuance of building permits.	Fire Department Project Contractor			
MM FIRE-14						
Fire hydrant installation shall conform to City standards and the 2019 NFPA 14, Standard for the Installation of Standpipe, Private Hydrant, and Hose Systems. Hydrant spacing shall be not less than 300 feet between hydrants, as measured from an approved emergency access route and shall be placed at all road intersections. Fire hydrants shall be tested, accepted and placed in service prior to the delivery of any combustible materials to the Project site.	Fire hydrants shall be tested, accepted, and placed in service.	Prior to delivery of any combustible materials on site.	Fire Department Public Utilities, Water Project Contractor			

Mitigation Monitoring and Reporting Program

City of Riverside

Crestview Apartments Project FEIR

Mitigation Measures		Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
					Initial	Date Comments
MM FIRE-15						
The Project plans shall retain two means of public access into the Project. One via Sycamore Canyon Boulevard from the north and the second from the east. Rolling gates shall be installed for the northern entrance and west of Building 3.		Approval of building construction documents. Plans must be in compliance with the required specifications of the mitigation measure.	Prior to issuance of building permits.	City of Riverside Fire Department Community & Economic Development Department, Building and Safety Division		
MM FIRE-16						
Driveways and access roads within the development shall be termed 'Fire Access Roads'. All fire access roads shall meet the requirements of the Riverside Fire Department and shall be all weather surface capable of supporting loads of 80,000 pounds gross vehicle weight. Unless otherwise approved by the Riverside Fire Department Fire Marshal, the grade of a fire apparatus access road shall not exceed 16 percent and the cross slope shall not exceed 2.5 percent. Access to all exterior portions of each structure must be within 150 feet of the available fire department access. The required turning radius of a fire apparatus access road		Approval of building construction documents. Plans must be in compliance with the required specifications of the mitigation measure.	Prior to issuance of building permits.	Fire Department		

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Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
shall be 28-foot inside radius and a minimum 48-foot outside radius on all turns in the fire apparatus access road, in accordance with City standards, unless otherwise approved by the fire code official. Fire lanes shall be marked in accordance with City standards.					
MM FIRE-17					
Gates to be installed shall meet Riverside Fire Department standards and shall be approved by the Riverside Fire Department prior to fabrication and installation. A Knox override key switch or similar device must be installed outside the gate in an approved, readily visible, and unobstructed location at or near the gate to provide emergency access. Gates accessing major roadways shall also be equipped with approved emergency traffic control-activating strobe light sensor(s), or other devices approved by the Fire Chief, which will activate the gate on the approach of emergency apparatus with a battery back-up or manual mechanical disconnect in case of power failure. All gates shall always be equipped to allow for automatic	Approval of building construction documents. Plans must be in compliance with the required specifications of the mitigation measure.	Prior to issuance of building permits.	Fire Department Community & Economic Development Department, Building and Safety Division		

Mitigation Measures	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Comments
egress from the Crestview Apartments.					

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Best Available Control Measures (BACM) and Conditions of Approval (COA)

Best Available Control Measures (BACM) & Conditions of Approval (COA)	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification		
				Initial	Date	Comments
BACM AQ-1						
The contractor shall adhere to applicable measures contained in Table 1 of Rule 403 including, but not limited to: <ul style="list-style-type: none">All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are limited to 15 miles per hour or less.	Approval of Grading Plan, Plans must be in compliance with the required specifications of the mitigation measure.	Prior to issuance of grading permits	Community & Economic Development Department - Planning Division			
	Periodic Inspection by City.	During Grading and Construction.				
BACM AQ-2						
The following measures shall be incorporated into Project plans and	Provide requirements on construction	Prior to issuance of building permits.	Community & Economic Development Department, Building & Safety			

Mitigation Monitoring and Reporting Program

City of Riverside

Crestview Apartments Project FEIR

Best Available Control Measures (BACM) & Conditions of Approval (COA)	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification		
				Initial	Date	Comments
specifications as implementation of SCAQMD Rule 1113: <ul style="list-style-type: none"> Only "Low-Volatile Organic Compounds (VOC)" paints (no more than 50 gram/liter of VOC) consistent with SCAQMD Rule 1113 shall be used. 	drawing specifications.	Construction	Project Contractor			
BACM AQ-3						
The Project is required to comply with SCAQMD Rule 445, which prohibits the use of wood burning stoves and fireplaces in new development.	Provide requirements on construction drawing specifications.	Prior to issuance of building permits. Construction	Community & Economic Development Department, Building & Safety Project Contractor			
COA CUL-1						
In the event that human remains (or remains that may be human) are discovered at the Project site during grading or earthmoving, the construction contractors, Project Archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Riverside Community & Economic Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code	Halt construction within 100 feet of discovery of human remains and contact the Riverside County Coroner and the City	Construction	Community & Economic Development Department – Planning Division			

Crestview Apartments Project FEIR

Best Available Control Measures (BACM) & Conditions of Approval (COA)	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification	
				Initial	Date Comments
Section 7050.5(b) unless more current State law requirements are in effect at the time of the discovery. Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the Applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts. The specific locations of Native American burials and reburials will					

Crestview Apartments Project FEIR

Best Available Control Measures (BACM) & Conditions of Approval (COA)	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification		
				Initial	Date	Comments
be proprietary and not disclosed to the general public. The County Coroner will notify the Native American Heritage Commission in accordance with California Public Resources Code 5097.98. According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). The disposition of the remains shall be determined in consultation between the Project proponent and the MLD. In the event that the Project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).						
COA LAND USE-1						
In order to alleviate an LOS deficiency and associated conflict with General Plan policies, prior to issuance of occupancy permits, the Sycamore Canyon Boulevard and Central Avenue intersection traffic	Inspection of completed modification to Sycamore Canyon Boulevard and	Prior to issuance of Certificate of Occupancy.	Public Works Department			

Crestview Apartments Project FEIR

Best Available Control Measures (BACM) & Conditions of Approval (COA)	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification		
				Initial	Date	Comments
signal shall be modified to implement overlap phasing on the northbound (NB) right turn lane. However, the Project will not be conditioned to pay fair share for these improvements as the adjacent Sycamore Commercial Development will construct them.	Central Avenue intersection traffic signal.					
COA LAND USE-2						
In order to alleviate an LOS deficiency and associated conflict with GP policies, prior to issuance of occupancy permits, the Sycamore Canyon Boulevard and Central Avenue intersection traffic signal shall be modified to add a 2 nd NB right turn lane and to implement overlap phasing on the eastbound (EB) right turn lane. The Project shall contribute its fair share of 8.6% of the cost to the County of Riverside.	Inspection of completed modification to Sycamore Canyon Boulevard and Central Avenue intersection traffic signal. Receipt of payment of fair share contribution.	Prior to issuance of Certificate of Occupancy.	Public Works Department			
COA LAND USE-3						
In order to alleviate an LOS deficiency and associated conflict with General Plan policies, prior to issuance of occupancy permits, Watkins Drive & SR-60/I-215 Westbound (WB) on-ramp shall be improved with installation of a traffic	Inspection of improvements to Watkins Drive & SR-60/I-215 Westbound (WB) on-ramp.	Prior to issuance of Certificate of Occupancy.	Public Works Department			

Best Available Control Measures (BACM) & Conditions of Approval (COA)	Action Required/ Monitoring Method	Implementation Timing	Responsible Monitoring Party/Agency	Compliance Verification		
				Initial	Date	Comments
signal, addition of a 2 nd NB left turn lane, and addition of a 2 nd Southbound (SB) through lane. The Project shall contribute its fair share of 4.2% of the cost to the County of Riverside and Caltrans.	Receipt of payment of fair share contribution.					