

RIVERSIDE ALIVE

PREPARED BY:

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FINAL ENVIRONMENTAL IMPACT REPORT SCH NO. 2024100396

PREPARED FOR:



CITY OF
RIVERSIDE

NOVEMBER 2025

Final Environmental Impact Report

SCH# 2024100396

Riverside Alive Project

PR-2024-001675

Lead Agency:



City of Riverside
3900 Main Street, 3rd Floor
Riverside, CA 92522
Contact: Paige Montojo
(951) 826-5773

Prepared By:

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November 2025

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Attachments

Attachment A - Revised VMT Screening Assessment Memorandum

1.0 Introduction

The Final Environmental Impact Report (Final EIR or FEIR) for the proposed Riverside Alive Project, as required pursuant to the Guidelines for Implementation of the California Environmental Quality Act (State *CEQA Guidelines*) Sections 15089 and 15132, includes the Draft Environmental Impact Report (Draft EIR), a list of persons, organizations, and public agencies commenting on the Draft EIR, the comments received on the Draft EIR, and the responses of the lead agency, which is the City of Riverside (City) for this Project, to significant environmental points raised in the review and consultation processes. A Mitigation Monitoring and Reporting Program (MMRP) is also included to ensure compliance during Project implementation (Public Resources Code Section 21081.6, State *CEQA Guidelines* Section 15097).

1.1 Information Added Following Distribution of the Draft EIR

The information added following the distribution of the Draft EIR does not constitute “significant new information” pursuant to State *CEQA Guidelines* Section 15088.5 because this information does not change the Draft EIR analysis and conclusions regarding Project impacts and/or mitigation measures such that new or more severe environmental impacts result from the Project. The information is added as a result of comments received from commenting parties, and/or minor corrections or clarifications. The additional information merely “clarifies or amplifies or makes insignificant modifications” to the Draft EIR, as is permitted by State *CEQA Guidelines* Section 15088.5(b).

1.2 Relationship to the Draft EIR

Minor changes that clarify or correct minor inaccuracies in the Draft EIR appear as revised pages in the EIR Errata/Draft EIR Revisions section which follows herein. The Draft EIR considered by the City, as lead agency, has been edited to reflect corrections and responses to comments raised.

1.3 Public Review Summary

The EIR process for this Project consisted of three parts: the Initial Study/Notice of Preparation (NOP), Draft EIR, and Final EIR, as further described below. The EIR has been prepared by the City of Riverside (City) as “Lead Agency” via contract with Albert A. Webb Associates in accordance with *CEQA* (Pub. Res. Code Section 21000 et. seq), the Guidelines for the Implementation of the California Environmental Quality Act (State *CEQA Guidelines*) (Sections 15000–15387 of the California Code of Regulations), and the City’s *CEQA Guidelines*. The EIR includes a listing of all reference materials, the organizations and persons contacted in preparing the EIR.

Initial Study/Notice of Preparation

The City distributed the NOP on October 9, 2024 to the State Clearinghouse, responsible agencies, and other interested parties from the general public. Pursuant to State *CEQA Guidelines* Section 15082, recipients of the NOP were requested to provide responses within 30 days upon receipt. The NOP and comments received are included in Appendix A to the Draft EIR.

Draft EIR

The City circulated the Draft EIR for the Project for a 45-day public review period from May 23, 2025 through July 07, 2025 to the State Clearinghouse, responsible agencies and other interested parties for

review and comment. Notices of Completion and Availability of the Draft EIR were circulated to the State Clearinghouse, responsible agencies, trustee agencies, and other interested parties on May 23, 2025.

A general public Notice of Availability of the Draft EIR was also provided by publication in *The Press Enterprise* daily circulation newspaper on May 23, 2025. As required by Public Resources Code Section 21092.3, a copy of the public notice was posted with the Riverside County Clerk on May 23, 2025. Additionally, the NOA and Draft EIR were posted on the City's website on May 23, 2025 and made available through July 7, 2025.

As provided in the public notice and in accordance with State *CEQA Guidelines* Section 21091(d), the City accepted written comments through July 7, 2025.

Final EIR

This Final EIR presents the environmental information and analyses that have been prepared for the proposed Project, including comments received addressing the adequacy of the Draft EIR and responses to those comments. As required by CEQA, this document responds to all written comments received during the 45-day comment period. Although not required by CEQA, this document also responds to all written comments received after the 45-day comment period and will be referred to as late comments. The responses to comments in conjunction with the Draft EIR, constitute the Final EIR for the proposed Project.

A copy of the comment letters submitted in response to the Draft EIR is presented in *Section 2.0 – Responses to Comments* and *Section 5.0 – Responses to Late Comments* of this document. These comments were reviewed, and revisions were incorporated into the Draft EIR where appropriate. Requirements for the preparation and disposition of the Response to Comments are provided for in Public Resources Code - Section 21092.5 and CEQA Guidelines Section 15088. In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR and are included *Section 3.0 – Draft EIR Revisions/Errata* of this Final EIR. The Final EIR, in combination with the Draft EIR and the MMRP (which is included as *Section 4.0* of this Final EIR), will be used by the City of Riverside City Council in its decision-making process for this Project.

1.4 Organization and Scope of the Final EIR

This document is organized as follows:

Section 1.0 – Introduction: Provides an overview of the EIR process to date and the required contents of the Final EIR.

Section 2.0 – Response to Comments: Provides a list of commenters, copies of the written comments on the Draft EIR (coded for reference) received during the public review period, and the City's responses to those comments.

Section 3.0 – Draft EIR Revisions/Errata: Consists of the revisions to the Draft EIR as a result of response to comments as well as minor edits and clarifications that do not change the intent or content of the analysis or conclusions regarding the level of significance of impacts, nor alter mitigation measures in their effectiveness to reduce impacts.

Section 4.0 – Mitigation Monitoring and Reporting Program: This section contains a matrix identifying each mitigation measure, timing of the mitigation measure, the responsible party, the action to indicate compliance, and verification of compliance.

Section 5.0 – Response to Late Comments: Provides a list of commenters, copies of the late written comments on the Draft EIR (coded for reference) received after the public review period, and the City's responses to those late comments.

2.0 Responses to Comments

2.1 Introduction

Pursuant to State *CEQA Guidelines* Section 15088, the responses to comments presented in this section address specific, relevant comments on environmental issues raised in the comment letters submitted in response to the Draft EIR. All timely comment letters received by the City of Riverside during the public review period for the Draft EIR are included in this section. Each comment letter is followed by the City's responses to each of the individual comments. In accordance with the provisions of Public Resources Code Section 21092.5, the City has provided a written response to each commenting party no less than 10 days prior to the proposed Final EIR certification date.

2.2 List of Commenters

Table 2.0-A – Comments Received During Public Review Period, below, provides a list of the commenters who submitted timely comments on the Draft EIR during the public review period.

Table 2.0-A – Comments Received During Public Review Period

Comment Letter	Name/Agency	Date
A	Lozeau Drury LLP	June 12, 2025
B	Riverside Transit Agency	June 17, 2025
C	Lozeau Drury LLP	July 7, 2025
D	California Department of Transportation (Caltrans)	July 7, 2025

2.3 Comments and Responses

State *CEQA Guidelines* Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the environmental issue(s) raised and provide a detailed response. Lead agencies are required to respond to comments raising significant environmental issues received during the noticed comment period and any extensions and may respond to late comments. A general response may be appropriate when a comment does not contain or specifically refer to readily available information or does not explain the relevance of evidence submitted with the comment.

State *CEQA Guidelines* Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. State *CEQA Guidelines* Section 15204 also notes that commenters should provide an explanation and evidence supporting their comments. Furthermore, CEQA does not require lead agencies to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR. Pursuant to State *CEQA Guidelines* Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

State *CEQA Guidelines* Section 15088 also recommends that where the response to comments results in revisions to the Draft EIR, those revisions should be noted as a revision to the Draft EIR or in a separate section of the Final EIR. Any revisions identified in the responses to comments below are summarized in *Section 3.0 – Draft EIR Revisions/Errata* of this Final EIR.

Copies of written comments on the Draft EIR are provided on the following pages, along with the City's responses to those comments. To assist in referencing comments and responses, the comment letters are coded using letters (e.g., Comment Letter A) and each issue raised in the comment letter is assigned a number that correlates with the letter (e.g., A-1, A-2, A-3, etc.). Comment-initiated text revisions to the Draft EIR are compiled in their entirety and are demarcated with revision marks in *Section 3.0 – Draft EIR Revisions/Errata*, of this Final EIR.

2.4 Comment Letter A – Lozeau Drury LLP

Comment Letter A commences on the next page.



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
richard@lozeaudrury.com

VIA EMAIL

June 12, 2025

Paige Montojo, Senior Planner
Community & Economic Development Department
Planning Division
City of Riverside
3900 Main Street, 3rd Floor
Riverside, California 92522
PMontojo@riversideca.gov

Jennifer Lilley, Director
Community & Economic Development Department
City of Riverside
3900 Main Street, 5th Floor
Riverside, CA 92522
JLilley@riversideca.gov

Donesia Gause, MMC, City Clerk
City of Riverside
3900 Main Street, 7th Floor
Riverside, CA 92522
city_clerk@riversideca.gov

Re: CEQA and Land Use Notice Request for Riverside Alive Project (PR-2024-001675, SCH 2024100396)

Dear Ms. Montojo, Ms. Lilley, and Ms. Gause,

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the project known as Riverside Alive Project (PR-2024-001675, SCH 2024100396), including all actions referring or related to the proposed development of combination of new residential, office, retail, and hotel uses; a Convention Center expansion; and new parking facilities in place of the existing Lot 33 and Outdoor Plaza, located within Riverside East USGS 7.5-minute quad in Section 23, Township 2 South, Range 5 West, of the San Bernardino Baseline Meridian, on Accessor Parcel Numbers 213-11-011, 213-111-012, 213-111-014, 213-111-015, 213-111-016 in the City of Riverside ("Project").

We hereby request that the City of Riverside ("City") send by electronic mail, if possible, or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.

A-1

June 12, 2025

CEQA and Land Use Notice Request for Riverside Alive Project (PR-2024-001675, SCH 2024100396)

Page 2 of 2

- Notices of determination that an Environmental Impact Report (“EIR”) is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.
- Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
- Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency’s governing body.

Please send notice by electronic mail, if possible, or U.S. Mail to:

Richard Drury
Leslie Reider
Madeline Dawson
Chase Preciado
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
richard@lozeaudrury.com
leslie@lozeaudrury.com
madeline@lozeaudrury.com
chase@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Leslie Reider
Lozeau | Drury LLP

Cont.
A-1

Response to Comment Letter A – Lozeau Drury LLP

Response to Comment A-1:

This comment, which does not raise any environmental issue, is noted. The comment is written by Lozeau Drury LLP on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”). This comment requests that Lozeau Drury LLP be notified of any and all actions, or hearings related to activities, approvals, licensed or certified by the City. It should be noted that Lozeau Drury LLP are included on the City’s Distribution List for this Project and received notices regarding the Project for both the Notice of Preparation and Notice of Availability of the Draft EIR. As requested, the City will continue to mail and notify Lozeau Drury LLP of any actions or hearings related to activities, approvals, licenses or certifications related to the Project.

This comment does not question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

2.5 Comment Letter B – Riverside Transit Agency

Comment Letter B commences on the next page.

From: Montojo, Paige
Sent: Tuesday, June 17, 2025 12:12 PM
To: Mauricio Alvarez <malvarez@riversidetransit.com>
Subject: RE: Riverside Alive Project

Hi Mauricio,

Thank you for your comment, it has been received and will be included in the record. Please let me know if you have any follow up questions or comments.

Thanks,

Paige Montojo | Senior Planner
City of Riverside | 951.826.5773

From: Mauricio Alvarez <malvarez@riversidetransit.com>
Sent: Tuesday, June 17, 2025 12:08 PM
To: Montojo, Paige <PMontojo@riversideca.gov>
Subject: [EXTERNAL] Riverside Alive Project

CAUTION: This email originated from outside the City of Riverside. It was not sent by any City official or staff. Use caution when opening attachments or links.

Hello Paige,

Thank you for including RTA in the development review of the Riverside Alive Project. After reviewing the plans, there is one recommendation to provide. The recommendation is to incorporate pedestrian walkways throughout the project site to provide a safe path for people to connect to public transportation. RTA has active bus stops on Market Street, including a stop on Market & Third, near the project site, that people can easily utilize.

Thank you for considering this comment.

Mauricio Alvarez, MBA
Planning Analyst
Riverside Transit Agency
p: 951.565.5260 | e: malvarez@riversidetransit.com
[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)
1825 Third Street, Riverside, CA 92507

Stay in-the-know with all things Riverside! Connect with us at RiversideCA.gov/Connect.

Response to Comment Letter B – Riverside Transit Agency

Response to Comment B-1:

This comment, which does not raise any environmental issue, is noted. A similar comment was received during the Notice of Preparation (NOP) of the Draft EIR from Riverside Transit Agency (RTA) and is included in Appendix A of the Draft EIR. This comment was identified in Draft EIR **Table 2.0-A – Written Comments Received During the NOP Comment Period**, in *Section 2.0 – Introduction*, and was addressed in the Draft EIR in *Section 3.0 – Project Description* and *Section 5.8 – Transportation*. As described in *Section 3.4.4 – Pedestrian Circulation and Site Access* of the Draft EIR, the Project would provide several pedestrian pathways to facilitate the movement of pedestrians within the site and provide connection to the existing sidewalks along Third Street, Fifth Street, Market Street and Orange Street. (DEIR, p. 3-7). Furthermore, as outlined in *Section 5.8 – Transportation* of the Draft EIR, future implementing developments shall provide pedestrian facilities and amenities such as walking space, street lighting, crosswalks, accessible curb ramps, benches, and shade should be provided to connect residents, patrons, and employees of the project to nearby parking, attractions, and businesses. As part of the Development Application review process for future implementing development, the City would ensure adequate pedestrian pathways are provided per City requirements. (DEIR, pp. 5.8-14 – 5.8-15). Therefore, future implementing development would be required to provide several internal pedestrian pathways to facilitate movement of pedestrians and access to existing public transit stops.

This comment does not question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

2.6 Comment Letter C – Lozeau Drury LLP

Comment Letter C commences on the next page.



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
richard@lozeaudrury.com

Via Email

July 7, 2025

Paige Montojo, Senior Planner
Community & Economic Development Department
Planning Division
City of Riverside
3900 Main Street, 3rd Floor
Riverside, CA 92522
PMontojo@Riversideca.gov

**Re: Comment on Draft Environmental Impact Report, Riverside Alive
Project (Case No.: PR-2024-001675, SCH 2024100396)**

Dear Planner Montojo:

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Environmental Impact Report ("DEIR") prepared for Riverside Alive Project (Case No.: PR-2024-001675, SCH 2024100396), which proposes the construction of a 9-story, 113-unit residential building, a 6-story 208-unit hotel, a 168-unit hotel, 14-stories and 220,000 square-feet of office space, and a 5-story parking structure, located within Riverside East USGS 7.5-minute quad in Section 23, Township 2 South, and Range 5 West, of the San Bernardino Baseline Meridian on Accessor Parcel Numbers 213-11-011, 213-111-012, 213-111-014, 213-111-015, 213-111-016, in the City of Riverside ("Project").

C-1

SAFER is concerned that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the Community & Economic Development Department address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

C-2

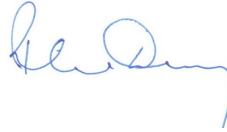
SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

July 7, 2025

Comment on Draft Environmental Impact Report, Riverside Alive Project (Case No.: PR-2024-001675, SCH 2024100396)

Page 2 of 2

Sincerely,



Richard Drury
Lozeau Drury LLP

C-2
Cont.

Response to Comment Letter C – Lozeau Drury LLP

Response to Comment C-1:

This comment correctly summarizes the Project location and maximum development envelope proposed. This comment does not raise any environmental issues or question the contents or conclusion of the Draft EIR.

Response to Comment C-2:

Recirculation of an Environmental Impact Report (EIR) prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review and comment, but before the Final EIR is certified by the lead agency. (State *CEQA Guidelines*, Section 15088.5). As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s applicant have declined to implement. Recirculation of a Draft EIR is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (State *CEQA Guidelines*, § 15088.5 (a), (b)).

The commenter provides no evidence, substantial or otherwise, that the Draft EIR is inadequate or requires significant new information. The Draft EIR was prepared in accordance with the requirements of the State *CEQA Guidelines* and the City’s local guidelines for implementing CEQA and contains a thorough analysis of the Project’s potential environmental impacts to all environmental issues in Appendix G of the State CEQA Guidelines. The revisions to the Draft EIR will be identified in *Section 3 – Draft EIR Revisions/Errata* of the Final EIR to clarify and amplify the discussion in the Draft EIR.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

2.7 Comment Letter D – California Department of Transportation (Caltrans)

Comment Letter D commences on the next page.

California Department of Transportation

DISTRICT 8
464 WEST 4TH STREET
SAN BERNARDINO CA, 92401
(909) 925-7520
www.dot.ca.gov



July 7, 2025

Route & Postmile #: SR-91 / 20.754
Cross Street: 3rd St, 5th St, Market St and Orange St
GTS ID: 36636
SCH #: 2024100396

City of Riverside
Planning Division
Attn: Paige Montojo
3900 Main St 3rd Floor,
Riverside, CA 92501

Subject: Riverside Alive Project Draft Environmental Impact Report

The California Department of Transportation (Caltrans) Local Development Review (LDR) Branch has completed its review of the Riverside Alive Project, Draft Environmental Impact Report (EIR) and its related documents. The project is in the City of Riverside and consists of the following Assessor Parcel Numbers (APNs) 213-111-011, 213-111-012, 213-111-014, 213-111-015, 213-111-016 and entails an approximately 10-gross acres. The nearest interchange (SR-91 & Mission Inn Avenue) is located approximately half of mile from the project site.

The City of Riverside is considering the development of the Riverside Alive Project, a new mixed-use entertainment and hospitality development. While no formal development application has been submitted, the Project outlines general "development envelopes" reflecting the maximum potential densities on the site. Key proposed components include:

- 168 residential units (for-sale and for-rent),
- 376 hotel rooms,
- 220,000 sq. ft. of Class A office space,
- 61,981 sq. ft. of commercial retail (including restaurants and personal services),
- 189,000 sq. ft. of expanded Convention Center space (exhibition, support, etc.),
- A five-level subterranean parking structure,
- A new outdoor pedestrian plaza and flexible gathering space.

The development would replace the existing Lot 33 and Outdoor Plaza. Utility connections may be reconfigured (but not expanded) to serve new buildings. Anticipated off-site infrastructure upgrades include upsizing 1,700 feet of sewer line along Market Street and replacing the potable water main on Third Street between Orange and Market Streets.

"Improving lives and communities through transportation"

Based on the available Draft EIR documents, we are submitting the following comments and recommendations for your consideration:

↑ D-1
Cont.

Vehicle Miles Traveled (VMT)

The project is located within a Transit Priority Area (TPA) and is therefore presumed to have less-than-significant impacts related to VMT. As a result, a project-level VMT analysis is not required. Caltrans has reviewed and concurs with this determination.

└ D-2

Traffic Operations

Traffic Impact Analysis

1. Please include the ramp merge and diverge analysis at the SR-60/Main Street eastbound and westbound directions to determine the impacts of the development at this location, if any.
2. Please include the ramp merge and diverge analysis at the SR-91/Mission Avenue eastbound and westbound directions to determine the impacts of the development at this location, if any.
3. Please use the Caltrans Transportation Impact Study Guide (May 20, 2020) for VMT Screening Analysis and include finding in the VMT report.
4. Please include the queuing analysis calculations in the report.

└ D-3
└ D-4
└ D-5

Active Transportation and Complete Streets

The development of the project site should include meaningful improvements for non-motorized travel, particularly with respect to circulation and through-movement. Currently, the street network is disrupted where Main Street terminates at 3rd Street, presenting a break in connectivity for pedestrians and bicyclists traveling to and from the downtown core.

As noted in the Draft EIR (Section 5.1, page 5.1-16; PDF page 142), the proposed Outdoor Plaza incorporates pedestrian pathways. However, the design of the plaza must not create barriers to users of wheeled mobility devices. The existing plaza, due to its topography, already impedes through-movement for both bicyclists and some pedestrians. To address this, the project should include a logical extension of Main Street as a non-motorized pathway or parkway, enabling safe and continuous passage for pedestrians and bicyclists traveling north into and out of the downtown area.

└ D-6

This recommendation is consistent with the City of Riverside's General Plan 2025, specifically Policy LU-11.3, which encourages the provision of enhanced bicycle and pedestrian access along parkways as part of the development process. By integrating a continuous non-motorized route through the site, the project would reduce reliance on surrounding streets for pedestrian and bicycle traffic, increase separation from moving and parked vehicles, and channel foot and bicycle traffic directly through the development. These improvements could ultimately support stronger economic outcomes by increasing foot traffic and accessibility to site amenities.

Equitable Access

If any Caltrans facilities are impacted by the project, they must comply with American Disabilities Act (ADA) Standards upon project completion. Additionally, the project must ensure the maintenance of bicycle and pedestrian access throughout the construction phase. These access considerations align with Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

└ D-7

Caltrans Encroachment Permit

Any permanent work or temporary traffic control that encroaches onto Caltrans' Right-of-Way (R/W) requires a Caltrans-issued encroachment permit.

For information regarding the Encroachment Permit application and submittal requirements, contact:

Caltrans Office of Encroachment Permits
464 West 4th Street, Basement, MS 619
San Bernardino, CA 92401-1400
(909) 383-4526

D8.E-permits@dot.ca.gov

<https://dot.ca.gov/programs/traffic-operations/ep>

Important Note: All new permit applications must now be submitted through our new CEPS Online Portal at: <https://ceps.dot.ca.gov/>

Thank you again for including Caltrans in the review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D8@dot.ca.gov or call 909-925-7520.

Sincerely,



Janki Patel

Branch Chief - Local Development Review
Division of Transportation Planning
Caltrans District 8

D-8

Response to Comment Letter D – California Department of Transportation (Caltrans)

Response to Comment D-1:

This comment correctly summarizes the Project location and maximum development envelope proposed. This comment does not raise any environmental issues or question the contents or conclusion of the Draft EIR.

Response to Comment D-2:

This comment that Caltrans reviewed the Project's Vehicle Miles Traveled (VMT) analysis and concurs with the determination the VMT impacts are presumed to be less than significant is noted. This comment does not raise any new environmental issues or question the contents or conclusion of the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Comment D-3:

This comment requests a ramp merge and diverge analysis for the State Route 60 (SR-60)/Main Street eastbound and westbound directions and State Route 91 (SR-91)/Mission Avenue eastbound and westbound directions be included in the Project-specific *Traffic Study*. As stated in *Section 5.8 – Transportation* of the Draft EIR, "in 2013, the State of California passed Senate Bill (SB) 743, which mandates that lead agencies can no longer use automobile delay, commonly known as Level of Service (LOS), as a method for conducting transportation analysis under CEQA. The State later issued guidelines for the use of a broader measure called Vehicle Miles Traveled (VMT), which measures the total amount of driving over a given distance and is intended to better align transportation analysis with the State's Greenhouse Gas reduction goals. These changes became mandatory on July 1, 2020, and lead agencies are now required to analyze transportation impacts under VMT, not LOS. Therefore, the LOS data and the relationship of the Project's effect on LOS with General Plan goals concerning LOS are reported for informational purposes and utilized by the City in considering General Plan consistency but are not used to gauge environmental impacts in this Draft EIR." (DEIR, p. 5.8-7). Thus, the request for analysis of transportation facilities in a CEQA document is not appropriate.

Since LOS is no longer a CEQA threshold, this comment does not raise any environmental issues; no further analysis or revisions to the Draft EIR are required.

Nonetheless, as shown in Draft EIR **Table 5.8-A – Project Trip Generation**, the Project site would generate approximately 10,509 vehicle trips per day. (DEIR, pp. 5.8-16 – 5.8-17). The *Traffic Study* (Draft EIR Appendix E) estimated approximately 17 percent of the Project's traffic would use the SR-60/Main Street interchange and 35 percent of the Project's traffic would use the SR-91/Mission Avenue interchange. (WEBB-D, pp. 15 – 16). This equates to approximately 1,787 daily vehicle trips and 3,678 daily vehicle trips, respectively. According to Caltrans' Annual Average Daily Traffic (AADT) data from June 2024,¹ daily two-way AADT is approximately 152,700 on the SR-91 mainline at the Mission Inn Avenue interchange and 112,600 on the SR-60 mainline at Main Street interchange. As such, traffic from the Project would represent approximately 2.4 percent of daily traffic volumes at the SR-91/Mission

¹ <https://dot.ca.gov/programs/traffic-operations/mpr/pems-source>

Avenue interchange and 1.6 percent of existing daily traffic volumes at the SR-60/Main Street interchange. Compared to the existing daily traffic volumes at these freeway locations, the proposed Project's daily traffic volumes are expected to be minimal. Since the Project is not proposing improvements along or near either SR-91 or SR-60 and because the addition of the Project's daily traffic volumes is not substantial and not anticipated to substantially affect the existing roadway network, no further analysis is warranted.

Response to Comment D-4:

It is unclear why this comment requests using the Caltrans Transportation Impact Study Guide for VMT screening. Caltrans Comment D-2 indicates Caltrans concurred with the Draft EIR determination that a project-level VMT analysis is not required.

Caltrans references the Governor's Office of Planning and Research's (OPR's) December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA, which identifies projects and areas presumed to have a less than significant transportation impact. Those include:

1. Residential, office, or retail projects within a Transit Priority Area, where a project is within a ½ mile of an existing or planned major transit stop or an existing stop along a high-quality transit corridor.

Since the Project is located within a Transit Priority Area (TPA), the Project would result in less than significant transportation impacts, as noted in the Project's Vehicle Miles Traveled (VMT) analysis.

Thus, this comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Comment D-5:

This comment is unclear as to what type of queuing analysis is requested. Nonetheless, the Project is not proposing any improvements within Caltrans' jurisdiction and, as noted in [Response to Comment D-3](#), above, the Project's daily traffic volumes are not substantial in comparison to existing freeway mainline volumes and are not anticipated to substantially affect the existing roadway network. Therefore, a queuing analysis is not warranted.

Thus, this comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Comment D-6:

This comment suggests that development provide connectivity for pedestrians and bicyclists traveling to and from the downtown core. As described in *Section 3.0 – Project Description* of the Draft EIR, the Project would provide several pedestrian pathways to facilitate the movement of pedestrians within the site and provide connection to the existing sidewalks along Third Street, Fifth Street, Market Street and Orange Street. (DEIR, p. 3-7). Furthermore, as outlined in *Section 5.8 – Transportation*, future implementing developments shall provide pedestrian facilities and amenities such as walking space,

street lighting, crosswalks, accessible curb ramps, benches, and shade to connect residents, patrons, and employees of the Project to nearby parking, attractions, and businesses.

The proposed Project does not include any specific development applications. The City's Development Application review process would require future implementing development projects to comply with all City policy, plans, and regulations pertaining to pedestrian connectivity and pedestrian circulation. One such plan is the Riverside PACT Plan, which consists of the following components: **P**edestrian Target Safeguarding Plan (PTS), **A**ctive Transportation Plan (AT Plan), **C**omplete Streets Ordinance (CSO), and **T**rails Master Plan (TMP) (DEIR, pp. 5.8-4 – 5.8-5). As part of the Development Application review process, the City would ensure that future implementing development projects comply with local and state standards, as outlined in *Section 5.8.2 – Related Regulations* of *Section 5.8 – Transportation* of the Draft EIR.

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Comment D-7:

The comment, which does not raise an environmental issue, is noted. Future development of the Project site would be required to comply with all local and state standards, including, but not limited to, the Americans with Disabilities Act (ADA) and those outlined in *Section 5.8.2 – Related Regulations* of *Section 5.8 – Transportation* of the Draft EIR.

While no specific development application is currently under consideration, as part of the entitlement process, future implementing development projects would be subject to the Development Application review process. During this process, the City would ensure compliance with all applicable construction provisions, which include, but are not limited to, encroachment permits within public rights-of-way that maintain public access during construction.

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Comment D-8:

This comment, which does not raise any environmental issue, is noted. The Project does not propose any work within Caltrans right-of-way. Therefore, no further analysis or revisions to the Draft EIR are required.

3.0 Draft EIR Revisions/Errata

Any corrections to the Draft Environmental Impact Report (Draft EIR) text, tables, and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The Draft EIR text, tables, and figures have not been modified and published in its entirety as a single document to reflect these Draft EIR modifications.

These Draft EIR revisions provide supplemental information for the Riverside Alive Project Draft EIR. These revisions merely amplify and clarify the analysis in the Draft EIR and constitute insignificant modifications to an adequate EIR.

The information included in these Draft EIR revisions that resulted from the public review process does not constitute substantial new information that requires recirculation of the Draft EIR (State *CEQA Guidelines* Section 15088.5).

3.1 Introduction

The Draft EIR was prepared to determine if there is potential for any significant environmental effects associated with the proposed Project components described in Draft EIR *Section 3.4.2, Project Description*, for the Riverside Alive Project.

Pursuant to Section 15105 of the State *CEQA Guidelines*, the Draft EIR was circulated for a 45-day period between May 23, 2025 and July 7, 2025 to the State Clearinghouse, responsible agencies and other interested parties for review and comment.

Section 15090 of the State *CEQA Guidelines*, requires the decision-making body to consider the proposed Draft EIR together with any comments received during the public review process. The materials contained in this Final EIR include copies of comment letters and the City's responses to the applicable comments in each letter. Each comment letter is labeled alphabetically with each individual comment identified by a number. To provide the decision makers with additional information upon which to base their decision, copies of timely comment letters are included in *Section 2.0 – Responses to Comments* and copies of the late comment letters are included in *Section 5.0 – Responses to Late Comments* of this Final EIR.

Comments that were received on the Draft EIR may have resulted in minor errata/revisions to the text of the Draft EIR. These textual changes to the Draft EIR were determined by the City not to be "substantial revision" as defined in Section 15088.5 of the State *CEQA Guidelines*. Therefore, recirculation of the Draft EIR is not required.

The modifications contained in the following pages are in the same order as the information appears in the Draft EIR. Changes in text are signified by strikethrough (~~example text~~) where text has been removed and by double underline (example text) where text has been added. The applicable section numbers and/or page numbers from the Draft EIR are also provided where necessary for easy reference.

3.1.1 Section 1.0 – Executive Summary

No changes were made to this Section of the Draft EIR.

3.1.2 Section 2.0 – Introduction

No changes were made to this Section of the Draft EIR.

3.1.3 Section 3.0 – Project Description

No changes were made to this Section of the Draft EIR.

3.1.4 Section 4.0 – Environmental Effects Found Not to be Significant

No changes were made to this Section of the Draft EIR.

3.1.5 Section 5.0 – Environmental Analysis

No changes were made to this Section of the Draft EIR.

3.1.6 Section 5.1 – Aesthetic Resources

No changes were made to this Section of the Draft EIR.

3.1.7 Section 5.2 – Air Quality

No changes were made to this Section of the Draft EIR.

3.1.8 Section 5.3 – Cultural Resources

No changes were made to this Section of the Draft EIR.

3.1.9 Section 5.4 – Energy

No changes were made to this Section of the Draft EIR.

3.1.10 Section 5.5 – Greenhouse Gas Emissions

No changes were made to this Section of the Draft EIR.

3.1.11 Section 5.6 – Noise

No changes were made to this Section of the Draft EIR.

3.1.12 Section 5.7 – Public Services

No changes were made to this Section of the Draft EIR.

3.1.13 Section 5.8 – Transportation

Page 5.8-24 of the Draft EIR has been clarified as follows to correct a typographical error:

5. The Project is not proposing to replace existing VMT generating land uses because the existing Riverside Convention Center is not being demolished. Additionally, as mentioned under Criterion 1, the City will ensure adequate parking is provided during the Development Application review process. Therefore, this criterion is not met.

3.1.14 Section 5.9 – Tribal and Cultural Resources

Subsequent to circulation of the Draft EIR, the City received updates from the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians concluding consultation efforts under Assembly Bill 52 (AB 52). **Table 5.9-A – Tribal Communications**, on page 5.9-12, has been revised to reflect those updates.

Table 5.9-A – Tribal Communications

Native American Group (Individual Responding)	Response
Gabrielesño Band of Mission Indians	<ul style="list-style-type: none"> On May 20, 2024, the tribe requested consultation and copies of the cultural report. After further consideration the tribe deferred to local tribes.
Soboba Band of Luiseño Indians	<ul style="list-style-type: none"> On May 20, 2024, the tribe requested formal consultation and copies of all documentation. The City met with the tribe on August 27, 2024 and requested mitigation. The City provided standard mitigation language on December 11, 2024 and updated language on May 19, 2025. <u>Consultation concluded on July 2, 2025.</u>
Cahuilla Band of Indians	<ul style="list-style-type: none"> No response was received
Pechanga Band of Luiseño Indians	<ul style="list-style-type: none"> On May 13, 2024 the tribe requested formal consultation. The tribe requested cultural report and all other documentation associated with the Project site and cultural resources. The City met with the tribe on September 5, 2024 and requested mitigation. The City provided standard mitigation language on December 11, 2024 and updated language on May 19, 2025. <u>Consultation concluded on May 23, 2025.</u>
Rincon Band of Luiseño Indians	<ul style="list-style-type: none"> No response was received
Yuhaaviatam of San Manuel Nation (San Manuel Band of Mission Indians)	<ul style="list-style-type: none"> On April 26, 2024, the tribe requested specific mitigation measure language to be included in the cultural and tribal cultural sections. The tribe also requested final copies of the CEQA document. The City provided standard mitigation language on December 11, 2024 and updated language on April 11, 2025. Consultation concluded on May 1, 2025.
Morongo Band of Mission Indians	<ul style="list-style-type: none"> No response was received
Agua Caliente Band of Cahuilla Indians	<ul style="list-style-type: none"> On April 30, 2024, the tribe requested formal consultation as well as survey results and records search documentation. The City met with the tribe on September 4, 2024 and requested mitigation. Mitigation measures were approved by the tribe and consultation concluded on December 13, 2024.
San Gabriel Band of Mission Indians	<ul style="list-style-type: none"> No response was received.

Source: City of Riverside

Notes: Tribes in **Bold** are consulting with the City.

3.1.15 Section 5.10 – Utilities and Service Systems

No changes were made to this Section of the Draft EIR.

3.1.16 Section 6.0 – Consistency

No changes were made to this Section of the Draft EIR.

3.1.17 Section 7.0 – Other CEQA Topics

No changes were made to this Section of the Draft EIR.

3.1.18 Section 8.0 – Alternatives

No changes were made to this Section of the Draft EIR.

3.1.19 Section 9.0 – References

No changes were made to this Section of the Draft EIR.

4.0 Mitigation Monitoring and Reporting Program (MMRP)

4.1 Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for use in implementing the mitigation measures that are part of the Environmental Impact Report (EIR) that will be certified by the City of Riverside for the Riverside Alive Project (Project).

The MMRP as reflected in **Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program** below, has been prepared in compliance with State law and the Riverside Alive EIR (State Clearinghouse No. 2024100396) prepared for the Project by the City of Riverside.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resources Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates the responsible party to take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designated to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

4.2 Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Riverside (City) is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program

Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
IMPACT Category: Air Quality/Greenhouse Gas Emissions						
MM AQ 1: Residential Commute Trip Reduction. Upon a residential dwelling unit being rented or sold, the Project Sponsor or its designee shall notify and offer to the prospective tenant, as soon as it may be done, disclosure materials describing available public transit, ridesharing and non-motorized commuting opportunities available in the vicinity of the Project. Such information shall be transmitted no later than the finalization of a rental contract, lease, or purchase agreement. A draft of this disclosure shall be submitted to the City of Riverside Planning Division for review prior to the issuance of the certificate of occupancy.	Prior to occupancy	Project Sponsor	Submit copies of disclosure materials provided to prospective tenant.			
MM AQ 2: Non-Residential Commute Trip Reduction. Prior to occupancy, the Project Sponsor or its designee shall notify and offer to the prospective tenant, as soon as it may be done, disclosure materials describing available public transit, ridesharing and non-motorized commuting opportunities available in the vicinity of the Project site. Such information shall be transmitted no later than the finalization of a lease or purchase agreement. A draft of this disclosure shall be submitted to the City of Riverside Planning Division for review prior to the issuance of the certificate of occupancy.	Prior to occupancy	Project Sponsor	Submit copies of disclosure materials provided to prospective tenant.			
MM AQ 3: Carpool/Vanpool. Prior to occupancy, the Project Sponsor or its designee shall provide designated carpool/vanpool parking in desirable locations on the Project site to encourage employees to rideshare. Plans shall be provided to the City Building and Safety Division prior to issuance of building permits.	Prior to issuance of building permits/Prior to occupancy	Project Sponsor	Submit plans that designate carpool/vanpool parking.			
MM AQ 4: Electric Vehicle Charging. Prior to occupancy, the Project Sponsor or its designee shall facilitate future installation of electric vehicle supply equipment in accordance with Section 5.106.5.3.2, Multiple Charging Space Requirements, of the California Green Building Standards Code Part 11 by providing excess electric vehicle (EV) charging spaces than required by the CalGreen Code in effect at the time of building permit issuance. Construction plans and specifications shall be provided to the City Building and Safety Division prior to issuance of building permits.	Prior to issuance of building permits/Prior to occupancy	Project Sponsor	Submit construction plans that designate electric vehicle charging spaces.			
MM AQ 5: Non-Residential Bicycle Facilities. Prior to occupancy, the Project Sponsor or its designee shall provide and maintain secure bicycle parking (in excess of existing code at the time of building permit), bike lockers, and personal lockers to encourage employees to bicycle to work. Shower facilities shall be provided on plans, where feasible, and as determined in coordination with the City of Riverside Planning Division prior to issuance of a building permit.	Prior to issuance of building permits/Prior to occupancy	Project Sponsor	Submit plans that designate bicycle facilities as feasible.			
MM AQ 6: Telecommute. The Project Sponsor or its designee shall install broadband infrastructure or other communication technologies in office uses that encourage telecommuting and working from home. The Project Sponsor or its designee shall submit documentation to the City Building and Safety Division prior to occupancy.	Prior to occupancy	Project Sponsor	Submit documentation showing installation of broadband infrastructure or other communication technologies.			
MM AQ 7: Unbundle Residential Parking Costs. The Project Sponsor or its designee shall provide information to the residential property owner and/or property management firm about the benefits of providing unbundled, or separate, residential parking costs from property costs for rental or condo units, which allows those who wish to purchase parking spaces to do so at an additional cost. Unbundled parking costs may decrease vehicle ownership and, therefore, result in a reduction in VMT and GHG emissions. The Project Sponsor or its designee shall submit documentation to the City Planning Division prior to occupancy.	Prior to occupancy	Project Sponsor	Submit documentation provided to potential tenants regarding unbundled residential parking costs.			

Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program

Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
MM AQ 8: Energy Efficient Appliances. Where appliances are installed by Project Sponsor or its designee, Energy Star-rated appliances (or other equivalent technology) for clothes washers, dish washers, refrigerators, ceiling fans, and commercial food service equipment shall be installed. Said Energy Star-rated appliances shall be noted on the plans prior to the issuance of any building permit and verified upon final inspection.	Prior to issuance of building permits/ verified during final inspection	Project Sponsor	Submit plans showing Energy-Star rated appliances.			
MM AQ 9: Solar Energy Systems. The Project Sponsor or its designee shall install all necessary infrastructure (i.e., wiring, reinforced roofs) to allow solar photovoltaic systems on the Project site to be installed in the future, with a specified electrical generation capacity, such as equal to the building’s projected energy needs. The City Building and Safety Division shall verify sizing and location before issuance of building permits.	Prior to issuance of building permits	Project Sponsor	Submit plans showing all necessary infrastructure to allow for solar photovoltaic systems at a specified capacity.			
IMPACT Category: Biological Resources						
MM BIO-1: Nesting Birds. Prior to issuance of grading of the Project site, should tree and/or vegetation removals be required during the nesting/breeding season (between February 1st and August 31st), a pre-removal nesting bird survey shall be required for the Project site and a 500-foot buffer (Study Area), or a buffer size determined by the qualified biologist. If construction is proposed a qualified biologist shall conduct a nesting bird survey(s) no more than three (3) days /72 hours prior to initiation of grading to document the presence or absence of nesting birds within Project site and a 500-foot buffer (Study Area), or a buffer size determined by the qualified biologist. The survey(s) shall focus on identifying any raptors and/or bird nests that are directly or indirectly affected by construction activities. If active nests are documented, species specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Riverside for review and approval prior to initiation of grading in the nest-setback zone. The qualified biologist shall have prior experience conducting nesting bird surveys for construction projects and shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A final monitoring report of the findings, prepared by a qualified biologist, shall be submitted to the City of Riverside documenting compliance with the CDFG Code. Any nest permanently vacated for the season shall not warrant protection pursuant to the CDFG Code.	No more than 3 days prior to initiation of grading, if it occurs during nesting season	Project Sponsor / Biologist	Submit survey report verifying that no active nests are present, or that the young have fledged. Submit monitoring report if monitoring is required.			
IMPACT Category: Cultural Resources/Tribal Cultural Resources and Paleontological Resources						
MM CR 1: Consultation. Upon submittal of entitlement application and prior to the issuance of the grading permit the Project Sponsor and the City shall contact Consulting Tribes (Soboba Band of Luiseño Indians, Pechanga Band of Indians, Yuhaaviatam of San Manuel Nation, and Agua Caliente Band of Cahuilla Indians) to provide an electronic copy of the plans for review. Additional consultation shall occur between the City, Project Sponsor, and Consulting Tribes to discuss any proposed site design changes and review any new impacts to Tribal Cultural Resources and/or potential avoidance/preservation of the Tribal Cultural Resources on the Project site. The City and the Project Sponsor shall make all attempts to avoid and/or preserve in place as many Tribal Cultural Resources as possible that are located on the Project site if the site design and/or proposed grades should be revised.	Upon submittal of entitlement application/ Prior to issuance of grading permit	Project Sponsor/ City Planning Division	Completed consultation as documented by a memorandum to the Project file prepared by the City Planning Division.			

Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program

Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
MM CR 2: Archaeological Monitoring. Since no specific development plans have been prepared to date, the future Project Sponsor(s) will retain a qualified archaeologist to review final grading and construction plans along with geotechnical testing results to determine the depth at which native soils exist that would require archaeological monitoring. The areas to be monitored shall be provided to the Planning Department and Consulting Tribes for review prior to the issuance of a grading permit. At least 30 days prior to issuance of a grading permit for private development or before any site grading, excavation and/or initial ground disturbing activities take place, the Project Sponsor shall retain a Secretary of Interior Standards qualified archaeological monitor, with regional experience, to monitor all initial ground-disturbing activities in an effort to identify any unknown archaeological resources. 1. The Project Archaeologist, in consultation with Consulting Tribes the Project Sponsor and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and tribal monitoring activities that will occur on the Project site. Details in the plan shall include: a. Grading and development scheduling; b. The development of a schedule in coordination with the Project Sponsor and the Project Archaeologist for designated 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 Tribal Monitors' authority to stop and redirect grading activities in coordination with all Project Archaeologists; c. The protocols and stipulations that the Project Sponsor, Consulting Tribes, and Project Archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered archaeological resources and Tribal Cultural Resource deposits that shall be subject to a resource evaluation; and d. Avoidance, treatment and final disposition of any archaeological or Tribal Cultural Resources, sacred sites, and human remains if discovered on the Project site.	Prior to issuance of grading permit	Project Sponsor/ Archaeologist	Confirmation professional archaeologist has been retained and Archaeological Monitoring Plan has been accepted.			
MM CR 3: Tribal Monitor. Prior to issuance of grading permit, the Project Sponsor shall engage each of the Consulting Tribe(s), choosing to monitor, regarding Tribal Monitoring. The Project Sponsor shall provide evidence to the City that they have reached an agreement with each of the Consulting Tribe(s) regarding the following: 1. The treatment of known cultural resources; 2. Project grading, ground disturbance (including but not limited to excavation, trenching, cleaning, grubbing, tree removals, grading and trenching) and development scheduling; and 3. The designation, responsibilities, and participation of professional Tribal Monitor(s) during tree removal, grading, excavation and ground disturbing activities. The Project Sponsor shall provide sufficient evidence that they have made a reasonable effort to reach an agreement with the Consulting Tribes in regard to items 1-3, as listed above.	Prior to issuance of grading permit	Project Sponsor	Submit agreement with Consulting Tribe(s).			
MM CR 4: Treatment and Disposition of Tribal Cultural Resources. In the event that Tribal 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:	In the event of discovery	Project Sponsor/ Archaeologist	Submit evidence of inadvertent find assessment and Phase III data recovery plan, if required			

Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program

Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<div>1. All work shall be halted in the area of the discovery and may be redirected to an alternate area of the Project site, based on the direction of the Project Archaeologist and Tribal Monitor(s). Work may recommence once culturally appropriate treatment has been agreed upon by the City, Project Sponsor, and Consulting Tribes.</div> <div>2. Notification to City and Consulting Tribes: Within 24 hours of discovery, the City and the Consulting Tribe(s) shall be notified via email and phone by the Project Archaeologist. The Project Sponsor 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.</div> <div>3. Inadvertent Finds Assessment:<div>a. All ground disturbance activities within 100 feet of the discovered Tribal Cultural Resources shall be halted until a meeting is convened between the Project Sponsor, the Project Archaeologist, the Tribal Representative(s), and the Planning Division to discuss the significance of the find.</div><div>b. At the meeting, the significance of the discoveries shall be discussed and after consultation with the Tribal Representative(s) and the Project Archaeologist, a decision shall be made, with the concurrence of the Planning Division, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the Tribal Cultural Resources.</div><div>c. Further ground disturbance, including but not limited to grading, trenching etc., shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal Monitors if needed.</div><div>d. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the Consulting Tribes. This may include avoidance of the cultural resources through project design, in-place preservation of Tribal Cultural Resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition/Mitigation Measures.</div><div>e. If the find is determined to be significant and avoidance of the site has not been achieved, a Phase III data recovery plan shall be prepared by the Project Archeologist, in consultation with the Consulting Tribes, and shall be submitted to the City for their review and approval prior to implementation of the said plan.</div></div> <div>4. Temporary Curation and Storage: During the course of construction, all discovered Tribal Cultural Resources that cannot be avoided and are not subject to relocation shall be temporarily curated in a secure location on site. The removal of any artifacts from the Project site will need to be approved by the Consulting Tribes and thoroughly inventoried with Tribal Monitor oversight of the process. Historical archaeological resources, which are not of Native American cultural patrimony may be stored at the offices of the Project Archaeologist.</div> <div>5. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all Tribal Cultural Resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to Tribal Cultural Resources. The Project Sponsor shall relinquish the artifacts through one or more of the following methods, in order of preference, and provide the City of Riverside Community and Economic Development Department with evidence of same:</div>						

Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program

Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
<p>a. Preservation in Place of the Tribal Cultural Resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.</p> <p>b. Accommodate the process for on-site reburial of the discovered items with the Consulting Tribes. This shall include measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all cataloguing and basic recordation, that has been approved by the Consulting Tribes has been completed.</p> <p>c. 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.</p>						
<p>MM CR 5: Phase IV Report. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City and Consulting Tribes documenting monitoring activities conducted by the Project Archaeologist and Tribal Monitors within 60 days of completion of ground disturbing activities. 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 Project Archaeologist and Tribal Monitors. All reports produced will be submitted to the City of Riverside, the applicable California Historical Resources Information System (CHRIS) Information Center, and Consulting Tribes.</p>	At the completion of ground-disturbing activities	Project Sponsor/ Archaeologist	Submit Phase IV Monitoring Report.			
<p>MM CR 6: Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant”. The “most likely descendant” shall then make recommendations, and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98). (GP Objective 23.3, CEQA). <i>This mitigation measure was identified as MM CR-1 in the Initial Study. This mitigation measure has been renumbered to MM CR 6 for purposes of inclusion in the Project’s Mitigation Monitoring and Reporting Program.</i></p>	In the event of discovery	Project Sponsor/ Archaeologist	Confirmation of coroner and NAHC contact.			
<p>MM CR 7: Non-Disclosure. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code 7927.000, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code 7927.000.</p>	In the event of discovery	Project Sponsor/ Archaeologist	Submit acknowledgement of non-disclosure.			
<p>MM CR 8: Cultural Sensitivity Awareness. The Secretary of Interior qualified Project Archaeologist and Tribal Monitor(s) shall attend the pre-grading meeting with the Project Sponsor’s contractors to provide a briefing regarding the potential inadvertent cultural discoveries prior to the start of construction activities. This shall include the description of the types of cultural material that may be encountered, cultural sensitivity issues, regulatory issues, and the proper procedures to be followed during</p>	Prior to grading activities	Project Sponsor/ Archaeologist	Inclusion of sign in sheet for attendees for this training within the Phase IV Monitoring Report.			

Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program

Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
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. Neither Project Archaeologist nor Consulting Tribe shall be allowed to bring any samples of the cultural and archeological artifacts to this meeting. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.						
MM CR 9: Paleontological Resources Impact Mitigation Program and Paleontological (PRIMP). Construction activities that extend below the depth of artificial fill and below pavement may impact significant paleontological resources throughout the Project area, but especially in the area of the proposed subterranean parking structure. Therefore, prior to the issuance of grading permits for private development or any site grading, a Paleontological Resource Impact Mitigation Program (PRIMP) shall be prepared by a qualified professional paleontologist as defined by paleontology industry standards and/or the Society of Vertebrate Paleontology guidelines. The PRIMP will include a Worker’s Environmental Awareness Program training which can be done concurrently with MM CR 8 to all field personnel to describe the types of paleontological resources that may be found and the procedures to follow if any are encountered; the monitoring plan will indicate where construction monitoring should occur and the frequency of required monitoring (e.g., full-time, spot-checks, etc.); the monitoring plan will also provide details about fossil collection, analysis, and preparation for permanent curation at an approved repository; and lastly, the monitoring plan will describe the different reporting standards to be used, such as monitoring with negative findings versus monitoring resulting in fossil discoveries.	Prior to issuance of grading permit	Project Sponsor/ Paleontologist	Submit a Paleontological Resource Impact Mitigation Program (PRIMP) to the City and implement.			
IMPACT Category: Noise						
MM NOI 1: Placement Criteria for Mechanical Equipment. To ensure that noise from mechanical equipment associated with future implementing development projects on the Project site is consistent with City noise standards, prior to the issuance of the earlier of a building permit or use permit, the City shall verify that the design of the mechanical equipment meets the following criteria: (i) no more than ten (10) pieces of mechanical equipment shall be located within any 100-square foot area; (ii) the noise; (ii) the noise level of each piece of equipment shall not exceed 59 dBA at three (3) feet; (iii) all mechanical equipment shall be placed a minimum of 25 feet away from any property line. The mechanical equipment installed shall not exceed a noise level of 59 dBA at 3 feet; and (iv) all mechanical equipment shall be shielded by a solid parapet wall with a minimum height equal to the height of the equipment. In the event one or more of the above criteria is not met, the Project Sponsor shall retain a noise specialist, meeting the requirements set forth in Riverside Municipal Code 16.08-175 B 5, to prepare an acoustical analysis to confirm that mechanical noise from the implementing development project not meeting the criteria set forth in this mitigation measure shall not exceed the City’s noise standards. Any recommendations identified in the acoustical analysis that are necessary to meet City standards shall be incorporated into the implementing development project.	Prior to issuance of building permit	Project Sponsor	Submit mechanical equipment information for verification. Submit Acoustical Analysis, if required.			
MM NOI 2: Residential Interior and Exterior Noise. Prior to issuance of a building permit for any residential building or unit, the Project Sponsor shall retain a noise specialist, meeting the requirements set forth in Riverside Municipal Code 16.08-175 B 5, to prepare an acoustical analysis to confirm that the noise insulation proposed in the final design is sufficient to achieve interior noise levels at or below 45 CNEL and exterior noise levels at or below 65 CNEL. Interior noise attenuation measures identified in said acoustical analysis shall be incorporated into the design of the residences, to the extent such measures are necessary, to ensure that interior noise levels are at or below 45 CNEL. Measures may include, but not be limited to, upgraded building façade elements (windows, doors, and /or exterior wall assemblies) with Sound Transmission Class (STC) rating of 35 or higher. If the interior limit can be achieved only with the windows closed, then the building design shall	Prior to issuance of building permit	Project Sponsor	Submittal of Acoustical Analysis.			

Table 4.0-A – Riverside Alive Mitigation Monitoring and Report Program

Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
				Initials	Date	Remarks
include mechanical ventilation that meets California Building Code requirements. Exterior noise attenuation measures, which shall be unit/structure specific, may include site design and building layout and/or noise barriers sufficient to achieve exterior noise levels at or below 65 dBA CNEL.						
MM NOI 3: Non-Residential Exterior Noise. Prior to issuance of a building permit or use permit for any non-residential structure or non-residential use that includes any outdoor gathering or dining areas, the Project Sponsor shall retain a noise specialist, meeting the requirements set forth in Riverside Municipal Code 16.08-175 B 5, to prepare an acoustical analysis to confirm that the noise insulation proposed in the final design is sufficient to achieve exterior noise levels at or below 65 CNEL in any outdoor gathering or dining areas. Noise attenuation measures identified in said acoustical analysis shall be incorporated into the design of the non-residential area, to the extent such measures are necessary, to ensure that exterior noise levels are at or below 65 CNEL. Exterior noise attenuation measures, which shall be specific to the ultimate location of the outdoor area, may include site design and building layout and/or noise barriers sufficient to achieve exterior noise levels at or below 65 dBA CNEL.	Prior to issuance of building permit for non-residential uses	Project Sponsor	Submittal of Acoustical Analysis.			
IMPACT Category: Public Services						
MM PS 1: Fire Protection Services. During the entitlement processes when an implementing project is proposed, the Project Sponsor shall confer with RFD to determine if physical improvements, increased personnel or other types of expansion are necessary at Station 4 or Station 6 in order for the RFD to adequately serve the implementing project. The City will allocate funds collected from the Project Sponsor as part of the DIF fees expected to be in effect once implementing projects are proposed, and, if not, the Project Sponsor shall enter into a Cost Contribution Agreement with RFD to expand facilities, purchase additional equipment and/or fund adequate staffing.	During the entitlement process	Project Sponsor / City Planning Department	Payment of DIF fees or approval of Cost Contribution Agreement.			

5.0 Responses to Late Comments

5.1 Introduction

State *CEQA Guidelines* Section 15088 requires written responses to comments raising significant environmental issues received during the noticed comment period. Although responses to late comments are not required, this section addresses specific, relevant comments on environmental issues raised in the late comment letters submitted in response to the Draft EIR. All timely comment letters received by the City of Riverside during the public review period for the Draft EIR are included in *Section 2.0 – Responses to Comments*. Late comment letters and appeals are included in this section. Each late comment letter or appeal is followed by the City's responses to each of the individual comments. Although not required by Public Resources Code Section 21092.5, the City has provided a written response to each commenting party no less than 10 days prior to the proposed Final EIR certification date.

5.2 List of Late Commenters

Table 5.0-A – Late Comments Received After Close of Public Review Period, below, provides a list of the commenters who submitted late comments on the Draft EIR after the close of the public review period.

Table 5.0-A – Late Comments Received After Close of Public Review Period

Late Comment Letter	Name/Agency	Date
E	Channel Law Group, LLP	August 27, 2025
F	Lozeau Drury, LLP	September 5, 2025
G	Channel Law Group, LLP	September 8, 2025

5.3 Comments and Responses

State *CEQA Guidelines* Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the environmental issue(s) raised and provide a detailed response. Lead agencies are required to respond to comments raising significant environmental issues received during the noticed comment period and any extensions and may respond to late comments. A general response may be appropriate when a comment does not contain or specifically refer to readily available information or does not explain the relevance of evidence submitted with the comment.

State *CEQA Guidelines* Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. State *CEQA Guidelines* Section 15204 also notes that commenters should provide an explanation and evidence supporting their comments. Furthermore, CEQA does not require lead agencies to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a

good faith effort at full disclosure is made in the EIR. Pursuant to State *CEQA Guidelines* Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

State *CEQA Guidelines* Section 15088 also recommends that where the response to comments results in revisions to the Draft EIR, those revisions should be noted as a revision to the Draft EIR or in a separate section of the Final EIR. Any revisions identified in the responses to comments below are summarized in *Section 3.0 – Draft EIR Revisions/Errata* of this Final EIR.

Copies of written comments on the Draft EIR are provided on the following pages, along with the City's responses to those comments. To assist in referencing comments and responses, the comment letters are coded using letters (e.g., Comment Letter A) and each issue raised in the comment letter is assigned a number that correlates with the letter (e.g., A-1, A-2, A-3, etc.). Comment-initiated text revisions to the Draft EIR are compiled in their entirety and are demarcated with revision marks in *Section 3.0 – Draft EIR Revisions/Errata*, of this Final EIR.

5.4 Late Comment Letter E – Channel Law Group, LLP

Late Comment Letter E commences on the next page.

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*ALSO Admitted in Texas

August 27, 2025

VIA ELECTRONIC MAIL

Paige Montojo, Senior Planner
City of Riverside
3900 Main Street, 3rd Floor
Riverside, California 92522
PMontojo@riversideca.gov
LVerdusco@riversideca.gov

**Re: Draft EIR Comments (SCH # 2024100396);
Riverside Alive Project (PR-2024-001675)**

Dear Ms. Montojo:

This firm represents UNITE HERE! Local 11 ("Local 11"). Local 11 respectfully provides the following comments¹ to the City of Riverside ("City") regarding the Draft Environmental Impact Report ("EIR")² involving the proposed new mixed-use development (i.e., residential, office, retail, hotel uses) in conjunction with the Riverside Convention Center expansion ("Project") at the approximately 10-acre Raincross Square site ("Site").

We thank the City for the opportunity to provide these belated comments on the EIR. Local 11 has a significant interest in the Project, given the union represents more than 32,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix, Arizona—including over 150 who live and/or work in the City.

In short, the Project is a once-in-a-generation opportunity for the City. Unfortunately, there is no specific proposal currently before the elected decisionmakers, as this concept remains abstract at this time. Nor does the Draft EIR adequately consider design features and mitigation

¹ Herein, page citations are either the stated pagination (i.e., "p. #") or PDF-page location (i.e., "PDF p. #")

² <https://riversideca.gov/cedd/planning/development-projects-and-ceqa-documents>.

E-1

E-2

measures that could significantly minimize the Project’s impacts, including those to air quality, greenhouse gas (“GHG”) emissions, and vehicle miles traveled (“VMT”) that are expected to be generated by the Project, even after the current proposed mitigations are in place. Furthermore, there does not appear to be any affordable housing being proposed at this time. Collectively, this seems to be a missed opportunity for the City to capitalize on this unique opportunity. While a future project may be subject to site plan review or a conditional use permit (“CUP”) process, that does not provide the City the same level of discretion to fully consider all the benefits and costs of a future development proposal.

E-2
Cont.

For the reasons discussed herein, Local 11 respectfully urges the City to consider establishing a Development Agreement requirement for any future hotel proposal within the site. So too, the City should consider making a portion of the housing component affordable and/or workforce housing. Lastly, we request that the City consider meaningful mitigation measures to reduce the Project’s GHG, energy, and VMT impacts. All of these measures would address various issues with the Draft EIR, which, respectfully, lacked an adequate consideration of mitigation measures or a range of alternatives and, thus, warrants recirculation under the California Environmental Quality Act (“CEQA”).³

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I. LOCAL 11’S STANDING & INTEREST

Local 11 represents more than 32,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California and Phoenix—including approximately 150 members who live and/or work in the City. The union has a First Amendment right to lobby public officials in connection with matters of public concern, like compliance with applicable zoning rules and CEQA, just as developers, other community organizations, and individual residents do. Here, its members also serve the community near the Project Site and, thus, have an interest in advocating for the Project to mitigate its VMT/traffic impacts, which in turn reduces the Project’s mobile emissions affecting air quality and GHGs.

E-4

Protecting its members’ interest in the environment and zoning laws concerning public welfare is part of Local 11’s core function. Recognizing unions’ interest in these issues, California courts have consistently upheld unions’ standing to litigate land use and environmental claims.⁴ Furthermore, Local 11 has public interest standing given that the proposed action relates to the City’s public duty to comply with applicable zoning and CEQA laws, and Local 11 seeks to enforce that duty.⁵

³ Including “CEQA Guidelines” codified at 14 Cal. Code. Regs. § 15000 et seq.

⁴ See *Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.

⁵ See e.g., *Rialto Citizens for Responsible Growth v. City of Rialto* (2012) 208 Cal.App.4th 899, 914-916, n6; *La Mirada Avenue Neighborhood Assn. of Hollywood v. City of Los Angeles* (2018) 22 Cal.App.5th 1149, 1158-1159; *Weiss v. City of Los Angeles* (2016) 2 Cal.App.5th 194, 205-206; *Save the Plastic Bag Coalition v. City of Manhattan Beach* (2011) 52 Cal.4th 155, 166.)

II. BACKGROUND ON CEQA ENVIRONMENTAL IMPACT REPORTS

CEQA requires lead agencies to analyze the potential environmental impacts of its actions in an environmental impact report. (See Pub. Res. Code § 21100.⁶) The EIR is the very heart of CEQA.⁷ The foremost principle in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.⁸

A. CEQA's Purpose

CEQA has two primary purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. (See CEQA Guidelines § 15002(a)(1).) To this end, public agencies must ensure that their analysis stay in step with evolving scientific knowledge and state regulatory schemes.⁹ Hence, an analysis which understates the severity of a project's impacts impedes meaningful public discussion and skews the decisionmaker's perspective concerning the environmental consequences of the Project, the necessity for mitigation measures, and the appropriateness of project approval.¹⁰

Second, CEQA requires public agencies to avoid or reduce environmental damage by requiring the implementation of "environmentally superior" alternatives and all feasible mitigation measures.¹¹ (CEQA Guidelines § 15002(a)(2) & (3).) Suppose a project has a significant effect on the environment. In that case, the agency may approve the Project only if it finds that it has eliminated or substantially lessened all significant effects on the environment where feasible and that any significant unavoidable effects on the environment are acceptable due to overriding concerns. (Pub. Res. Code § 21081; see also CEQA Guidelines § 15092(b)(2)(A) & (B).)

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⁶ See, e.g., *Cmtys. for a Better Env't v. S. Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4th 310.

⁷ See *Dunn-Edwards v. BAAQMD* (1992) 9 Cal.App.4th 644, 652.

⁸ See *Cmtys. for a Better Env't v. Cal. Res. Agency* (2002) 103 Cal.App.4th 98, 109.

⁹ See *Cleveland National Forest Foundation v. San Diego Assn. of Governments* ("Cleveland II") (2017) 3 Cal.5th 497, 504; *Id.*, on remand ("Cleveland III") (2017) 17 Cal.App.5th 413, 444

¹⁰ See *Cleveland III* (2017) 17 Cal.App.5th 413, 444; see also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564 (quoting *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392).

¹¹ See also *Citizens of Goleta Valley* (1990) 52 Cal.3d 553, 564.

B. Standard of Review for EIRs

Although courts review an EIR using an ‘abuse of discretion’ standard, that standard does not permit a court to uncritically rely on every study or analysis presented by a project proponent in support of its position; a clearly inadequate or unsupported study is entitled to no judicial deference.¹² A prejudicial abuse of discretion occurs if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the statutory goals of the EIR process.¹³

C. Substantial Evidence

Under CEQA, substantial evidence includes facts, a reasonable assumption predicated upon fact, or expert opinion supported by fact; not argument, speculation, unsubstantiated opinion or narrative, clearly inaccurate or erroneous evidence, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment. (See e.g., Pub. Res. Code §§ 21080(e), 21082.2(c), and CEQA Guidelines §§ 15064(f)(5) & 15384.) As such, courts will not blindly trust bare conclusions, bald assertions, and conclusory comments without the disclosure of the analytic route the agency traveled from evidence to action.¹⁴

III. PROJECT BACKGROUND

Below is a brief description of the Project. As discussed, the Project is conceptual in nature and located in the heart of the culturally rich downtown Riverside, without a specific development being presented by a project applicant. This presents a unique challenge for the City, which is expected to certify an EIR without being able to adequately assess the benefits of a proposed project. This is compounded by the City being expected to certify an EIR, with admittedly significant unavoidable impacts (e.g., Air Quality, GHGs) (DEIR, PDF pp. 48-70), as well as other impacts that may not have been adequately analyzed in the Draft EIR (e.g., energy, VMT) (discussed further below infra sections IV.C). Furthermore, the Planning Commission will be expected to adopt a statement of overriding consideration for these impacts, without a fully fleshed out project before it.

¹² See *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal.App.4th 1344, 1355 (quoting *Laurel Heights*, 47 Cal.3d at 409 n. 12).

¹³ See *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722; see also *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1117; *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946.

¹⁴ See *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 404 405 (quoting *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 515); see also *Citizens of Goleta Valley* (1990) 52 Cal.3d at 568-569.

Without a fully-baked development before it, the Planning Commission’s decision-making process may be skewed by not being able to fully weigh a more-specific project proposal—including the benefits, impacts, and calibrated project design features.

E-6
Cont.

D. Project

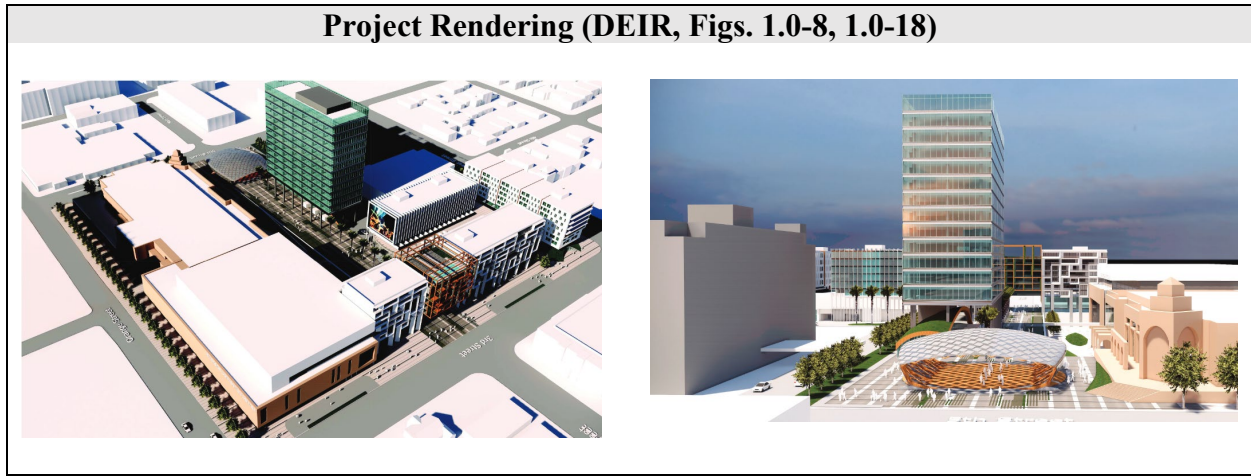
The proposed Project would include the demolition of the existing surface parking lot (Lot 33) and the existing Outdoor Plaza area at the existing Riverside Convention Center (“RCC”). (DEIR, PDF p. 22.) While no specific development application is currently under consideration, the Draft EIR considers a proposed building envelope with a combination of residential, office, retail, and hotel uses, as well as the 189 thousand square feet (“KSF”) expansion of the RCC, with new parking facilities (see the table below). Additionally, the Project contemplates a new Outdoor Plaza with flexible outdoor gathering Space. It may include an amphitheater intended for fully programmable outdoor events on an intermittent basis. (Id., at PDF p. 24.)

Land Use Type		Maximum Dwelling Units/Rooms	Maximum Square Footage
Residential Units (168 total)	Condominiums	55	
	Multi-Family Residential	113	
Non-Residential	Hotel	376	
	Office		220,000
	Commercial Retail Uses		
	Restaurant-Focused Retail		12,875
	Grocery Store		20,690
	Fitness Center		28,416
	Parking Facilities	Up to 5 levels	
	Convention Center Expansion		189,000

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As relevant here, while the amphitheater is described as being *expected* for low-intensity community events (PDF p. 285), the structures appear to be 25 feet tall with larger outdoor gathering spaces capable of hosting significant events. (PDF pp. 100, 103, 152.) Absent enforceable conditions limiting these types of uses, the Draft EIR should analyze these potential large events. Failure to do so may constitute a CEQA-deficient project description that has skewed the environmental analysis and decisionmaking process.¹⁵

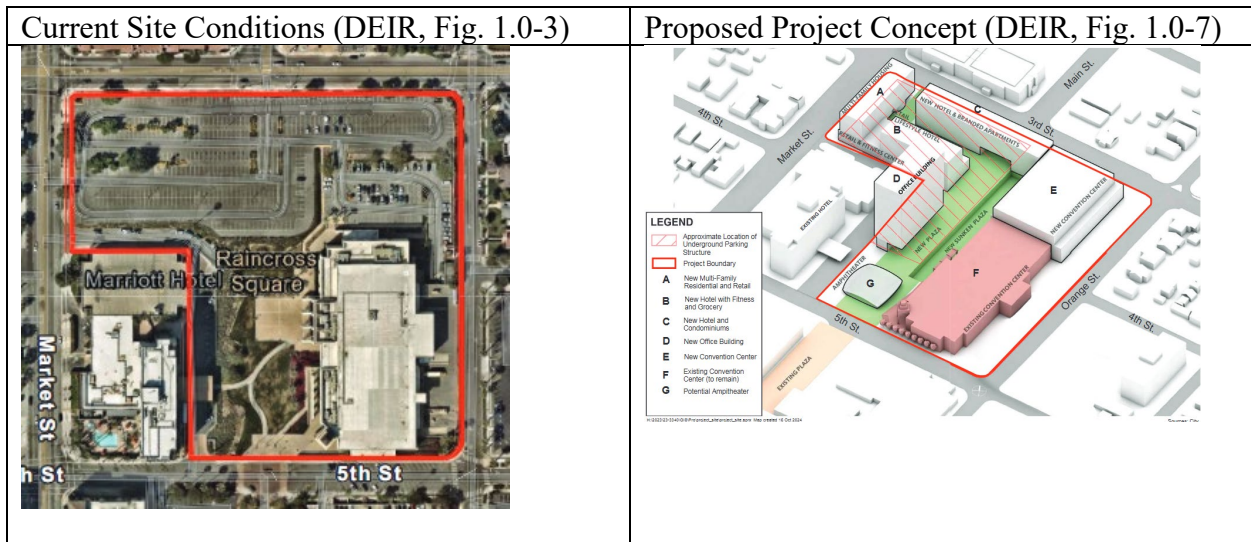
¹⁵ A project’s CEQA review must assess “the whole of an action” to ensure that all of the project’s environmental impacts are considered. (CEQA Guidelines § 15378; see also *Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1454; *San Joaquin Raptor/Wildlife Rescue Center v. Cnty. of Stanislaus* (1994) 27 Cal.App.4th 713, 730 [held use of “truncated project concept” violated CEQA where EIR was otherwise].)



E-7
Cont.

E. Project Site

The approximately 10-acre Project site is located on a city block bounded by Market Street, Orange Street, 3rd Street, and Fifth Street, known as Raincross Square, which contains the existing RCC, an outdoor space, the Marriott Hotel, and surface parking (see figures below). (DEIR, PDF p. 21.) Raincross Square lies within the Raincross District of the Downtown Specific Plan (“DSP”). It bookends the north end of the pedestrian mall along sections of former Main Street, which is bookended to the south by City Hall. (DSP, PDF pp. 17, 282.) This is a culturally rich section of the City with numerous historic and cultural points of interest, and is immediately adjacent to several landmark districts (i.e., Mission Inn Historic District, Seventh Street Historic District, Heritage Square Historic District). (PDF pp. 21, 49.)



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F. Project Sponsor & Approvals

The Project is conceptual in nature, lacking many project-specific details. (DEIR, PDF pp. 22-24, 82-84, 142, 319, 363.) Many specifics about the development are unknown at this time. (DEIR, PDF pp. 26, 117 [stormwater facilities], 120 [park fees], 142 [building heights], 181 [export soils], 285 [mechanical systems], 318 [frontage design], 369 [public services], 373 [increase in population].) The Draft EIR references a “Project Sponsor” to refer to a future party proposing development within the Project site via either an entitlement/development application or the City for City-initiated projects. (DEIR, PDF p. 20.) Currently, the discretionary approvals anticipated are quasi-judicial (e.g., CUP, Site Plan Review, etc.). (Id., at PDF p. 28.) However, no legislative approvals are anticipated at this time, which may limit the City’s discretion for any future project proposal.

E-9

IV. SUBSTANTIVE ISSUES

A. The EIR Does Not Adequately Define the Actual Project That Will Ultimately Be Constructed, Precluding Public Participation and Meaningful Analysis

As discussed above, the Project is conceptual and lacks sufficient information for the City to adequately assess the Project’s true environmental impacts. The City is reviewing a hypothetical project in the abstract. In fact, the City doesn’t even know which discretionary permits are going to be required for this phantom Project. This may interfere with public participation, which is a basic tenet of the CEQA process. As the Court explained in *Lincoln Place Tenants Assn. v. City of Los Angeles* (2007) 155 Cal.App.4th 425, 443-444, “The fundamental goals of environmental review under CEQA are information, participation, mitigation, and accountability.” (Citations omitted.) Other courts have confirmed that environmental review derives its vitality from public participation. (See, *Ocean View Estates Homeowners Ass’n, Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 400.) The City’s failure to evaluate a Project with a sufficient description “precludes ‘informed decision-making and informed public participation’” because the public cannot provide meaningful comment when the project has not been identified. (*Washoe Meadows Community v. Department of Parks and Recreation* (2017) 17 Cal.App.5th 277, 290 [citations omitted]; *stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17-19.)

E-10

The Project description is also unstable. As discussed above, the DEIR attempts to review a project that does not yet really exist. Adequate CEQA review requires a complete and accurate project description. It has long been established that “[a]n accurate, stable and finite project description is the Sine qua non of an informative and legally sufficient EIR.” (*County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 192–193.) To the contrary, a “curtailed or distorted project description may stultify the objectives of the reporting process” and does not allow “outsiders and public decision-makers [to] balance the proposal’s benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the ‘no project’ alternative) and weigh other alternatives in the balance.” (Ibid.)

Since the Project is not yet fully formed and only exists in a conceptual form, the City cannot ensure that the DEIR's project description matches the Project, or that the EIR analyzes all aspects of that Project. The EIR's "bona fide subject" must be "[t]he defined project and not some different project." (*Concerned Citizens of Costa Mesa v. 32nd Dist. Agric. Assn.* (1986) 42 Cal.3d 929, 938.) CEQA also prohibits a project description that fails to describe key elements of a Project. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730-35.) Providing fundamental project details at a later time is insufficient, as, "CEQA's informational purpose 'is not satisfied by simply stating information will be provided in the future.'" (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th at 440-41.

E-10
Cont.

B. The City Should Consider A Development Agreement Requirement

Again, much of the Project is unknown because it is conceptual and lacks many of the project specifics the City may expect at some future date. This might present a challenge for the City because it is considering the approval of an EIR that is intended to mitigate the impacts of the Project to the extent feasible, as well as adopting a statement of overriding considerations for significant and avoidable impacts (discussed further below).

As discussed in the section below, potential development at the site includes hotels and other regional serving uses—such as the proposed 376 hotel rooms, 189-KSF RCC expansion, and TBD-patron amphitheater components. If a development agreement is required, impacts to traffic, sustainability, and housing (to name a few) can be adequately addressed with project design features and mitigation measures that are calibrated to a specific development proposal. So too, the City would have the opportunity to fully consider the benefits of any such project, including what public benefits and amenities the development offers. However, the current conditional use permit ("CUP") process does not appear to provide the City with as much discretion to consider these issues as a Development Agreement requirement. To address this, the City may want to consider a development agreement ("DA") requirement for any future hotel and/or entertainment use. A development agreement has been used by other cities (e.g., Glendale, Santa Monica, etc.).

E-11

A DA requirement can help hold hotel developers to a higher standard, by ensuring that their proposed hotel development is only permitted after the City has adequately studied the Project and determined that it will not negatively impact the community, the environment, or the opportunity to develop housing. In appropriate circumstances, development agreements can be an excellent tool with several advantages for both the City and developers. They allow the City increased discretion to ensure that development achieves the most significant possible level of community benefits through an enforceable agreement and that the negative impacts of hotels are mitigated. They also provide a level of certainty for applicants as they generally lock in applicable land use and zoning requirements at the time of approval.

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1. Hotels Present Unique Challenges

(a) Hotels & Event Centers Tend To Be Regional VMT Generators

Hotels tend to be regionally serving and, therefore, will likely increase VMTs as compared to the existing site conditions. This is also true for entertainment/event venues (such as the amphitheater and RCC expansion components of the Project). These types of uses have a unique traffic/VMT generation profile. Unlike an office or residential development, where the majority of trips and VMTs are generated by workers and residents, the vast majority of trips in these settings come from hotel/event patrons, which is also a significant source of associated mobile emissions (e.g., criteria pollutants, GHGs). Additionally, workers of this type often work unique hours (e.g., third/swing shift, 24-hour operations, late and night when transit is less available, etc.). For these reasons, mitigation measures and traffic demand management (“TDM”) measures require more careful calibration.

E-12

(b) Greater Sustainability Is Required

Hotel operations can also have a unique impact, as reflected in the most recent Handbook for Analyzing GHG Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (“Handbook”) prepared by the California Air Pollution Control Officers Association (“CAPCOA”).¹⁶ For example, compared to the 49 other types of building types within the Eastern Electricity Demand Forecast Zones (i.e., EDFZ 11 Zone), hotels/motel buildings are among the highest commercial energy users of natural gas and electricity, particularly when it comes to water heating, primary heating, and cooking.¹⁷ Additionally, hotels have a disproportionate amount of their water use demand from indoor restroom fixtures.¹⁸

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¹⁶ CAPCOA is a non-profit association of the Air Pollution Control Officers from all 35 local air quality agencies throughout California. CAPCOA was formed over 50 years ago in 1975 to promote and advocate for clean air and to provide a forum for sharing of knowledge, experience, and information among the air quality regulatory agencies across the State and the Nation. In addition to preparing the Handbook (Aug. 2021), an update from its seminal 2010 Quantifying GHG Mitigation Measures (Aug. 2010), it also developed the California Emissions Estimator Model® (“CalEEMod”), a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions. (See generally, <https://capcoa.org/>.)

¹⁷ Handbook, PDF pp. 767-769, (Table E-15.2. Commercial Energy Consumption by End Use, Electricity Demand Forecast Zone, and Building Type), https://www.caleemod.com/documents/handbook/full_handbook.pdf).

¹⁸ Handbook, PDF p. 783 (Table W-4.2. Non-Residential Water Consumption Percentages by End Use), https://www.caleemod.com/documents/handbook/full_handbook.pdf.

(c) Hotels Place Further Demand On Affordable Housing Demand

Many service workers, including housekeepers, cooks, and front desk staff, as well as other hotel and event center workers, often earn modest wages, making it difficult to afford housing near their jobs, especially in areas with high tourism or limited housing options. This leads to either disproportionate housing costs, overcrowding, or longer commutes. Often, hotels generate one employee for every two rooms, or 188 employees for the proposed 376 hotel rooms. That's 188 workers and families that may be impacted when there is a lack of sufficient access to nearby affordable housing.

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(d) Impacts Can Be Addressed With Tailored Mitigation

The abovementioned issues are unique to hotels and other regional-serving uses, such as the Project with its proposed 376 hotel rooms, 189 KSF RCC expansion, and the yet-to-be-determined patrons of the amphitheater. As discussed further in the sections below, the Project is anticipated to have a significant impact on air quality and GHGs, as well as other effects that the Draft EIR may have underestimated (e.g., energy, VMTs) (discussed further below). These potential impacts can be meaningfully reduced through various feasible project design features and mitigation measures, such as strategies and measures recommended by multiple public agencies, including but not limited to: the CAPCOA, the Southern California Association of Governments ("SCAG"), and the California Air Resources Board ("CARB"), and the Governor's Office of Land Use and Climate Innovation ("LCI") (formerly known as the Office of Planning and Research ("OPR")). While these measures are discussed further below, it is worth noting that they are likely more effective when considered and calibrated to a specific development proposal, rather than conceptual developments (such as the Project here). A DA requirement would keep the City's legislative discretion to consider a specific hotel development with specific project design features and mitigation measures that minimize impacts to the maximum extent feasible.

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2. Other Cities Have Adopted DAs

Other cities have adopted development agreement requirements for hotel projects. For example, in Buena Park's Beach Boulevard Entertainment Corridor Specific Plan, hotel and entertainment projects are (in some areas) "eligible for consideration by entering into a Development Agreement pursuant to Government Code Section 65865 et. seq."¹⁹ This ensures the City can decide whether or not a hotel use is best for the site. Santa Monica's Downtown Community Plan also requires development agreements to provide community facilities intended

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¹⁹ See Buena Park Beach Boulevard Entertainment Corridor Specific Plan (2019), PDF pp. 27, 30 (Exhibit A Permitted Land Use Table), https://cms7files1.revize.com/buenaparkca/Document_center/City%20Departments/Community%20development/Planning%20Division/Codes,%20Ordinances,%20and%20Guidelines/ECSPupdated2019.pdf.

to benefit residents.²⁰

Another example is *Glendale's Downtown Specific Plan*, which was recently updated to require a development agreement for all new hotels to permit the use, require minimum standards, and memorialize additional amenities and other mitigation or community benefits in exchange for development incentives (e.g., increase height, floor-area-ratio ["FAR"]).²¹ There, the *City Council opted against by-right hotels and went with the DA requirement to ensure it can have amenity-rich hotels in its downtown, which the CUP process does not provide adequate discretion*.²²

A Development Agreement requirement can make conditions on hotel development more precise and contractually enforceable, which the City should consider for its unique, culturally rich part of the City's Downtown (i.e., DSP area).

3. Potential Solution Could Be A Minor DSP Amendment Or EIR Mitigation Measure

Just like other cities have done (discussed above), the Riverside City Council should retain maximum flexibility and oversight of future hotel development. This should be retained not just at Raincross Square (i.e., the Project Site), but also the rest of Riverside's unique, culturally rich downtown area. The Downtown Specific Plan ("DSP") area is broken up into nine districts. (DSP, pp. 5-3, Figs. 5A, 5B.) Hotels appear to be conditionally permitted in only in the three of the districts (i.e., Raincross, Prospect Place Office, Market Street Gateway). (DSP, pp. 6-7, 9-5, 12-6.) As noted by Glendale, the CUP process may not provide adequate discretion to ensure amenity-rich hotels in its downtown (see above section). A hotel-specific development agreement ("DA") requirement, with heightened findings, would be a reasonable solution. Such a hotel-specific DA requirement could be included in the City's DSP, through a narrow amendment to add the following section:

²⁰ See Santa Monica Downtown Community Plan (amend. May 2023) pp. 26-30, [https://www.santamonica.gov/media/Document%20Library/Topic%20Explainers/Planning%20Resources/FINAL%20DCP_2023%20\(6th%20Cycle%20HE\).pdf](https://www.santamonica.gov/media/Document%20Library/Topic%20Explainers/Planning%20Resources/FINAL%20DCP_2023%20(6th%20Cycle%20HE).pdf).

²¹ See City Council Agenda (7/11/23), Item 9b, <https://glendaleca.primegov.com/Public/CompiledDocument?meetingTemplateId=35121&compileOutputType=1>; see also City Council Meeting (7/11/2023) Item 9b_ (City Council approved hotel amendments), https://glendaleca.primegov.com/meeting/attachment/8873.pdf?name=CC_07112023_Ordinance_9b1; Glendale Downtown Specific Plan (2019), PDF pp. 145, <https://www.glendaleca.gov/home/showpublisheddocument/50230/636904148989570000>.

²² Item 9b Staff Report, pp. 3-4 (discussing development agreement requirement), https://glendaleca.primegov.com/meeting/document/4313.pdf?name=CC_07112023_Report_9b.

5.3.7 Development Agreement

A hotel or similar use may only be permitted pursuant to the City Council's approval of a statutory Development Agreement, as authorized by California Government Code Section 65864 et seq. A hotel-specific development agreement shall be considered a discretionary, legislative action of the City Council and shall be subject to subsection D of section 19.640.040 of the Zoning Code. All aspects of the proposed hotel development are subject to the hotel-specific Development Agreement, including but not limited to the location, permitted uses, building height limits, square footage, FAR, number of rooms, open space requirements, parking requirements, setbacks, public amenities, and design. In addition to any other findings otherwise required to be made, the following findings shall be required for granting a hotel-specific Development Agreement:

- *That there is sufficient market demand for the proposed hotel project;*
- *That the hotel will not unduly and negatively impact demand in the City for child-care and other social services, taking into consideration the impact of the part-time or seasonal nature of work at the hotel project and of the hotel employees' expected compensation;*
- *That the applicant will take measures to employ residents of neighborhoods adjoining the hotel project to minimize increased demand for regional transportation and to reduce demand for vehicle trips and vehicle miles traveled;*
- *That the applicant will take measures to encourage hotel workers and guests to use public transportation, cycling, and other non-automotive means of transportation; and*
- *That the hotel project will not negatively affect the availability of affordable and rent-stabilized housing within the Specific Plan area.*

Uses subject to this Development Agreement requirement are denoted herein by an asterisk [] [Refer to Section 5.3.7]*

The above DSP amendment could be considered along with the City's consideration to certify the EIR. Alternatively, the City could consider adopting CEQA mitigation as part of its certification of the EIR. As discussed further below, the Draft EIR unfortunately lacks adequate mitigation measures that would significantly mitigate GHG emissions (as well as significantly reduce the Project's anticipated 5+ million VMTs generated per year). This can be best achieved by tailoring mitigation measures once a specific hotel project is proposed and presented, which is currently unknown at this time. A DA requirement for any project proposal that includes a hotel within the Project Site could help mitigate this unknown.

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Cont.

C. The City May Want To Consider An Affordable Housing Component

A major public benefit often featured in development agreements is the creation of affordable and/or workforce housing. Here, one of the objectives of the Project is to “[p]rovide quality, multi-family housing in the Downtown core, to help the City meet the State’s allocated 2021-2029 Regional Housing Needs Assessment (RHNA) housing unit numbers.” (DEIR, PDF p. 27.) While the Project proposes 55 condos and 113 apartments (168 total), *not a single unit is planned to be affordable*. (Id., at PDF p. 328 [“residential uses that are not affordable housing”], DEIR, ATT-E [Traffic Study], PDF p. 10 [“residential uses that are not affordable housing”].)

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This seems like a significant lost opportunity. As discussed below, the Project might generate over 1,530 additional workers (not including the added employees related to the amphitheater and RCC expansion), which will place further demand on the City’s housing resources. The City is halfway through its housing cycle, and while it is well on its way to meeting its moderate-income housing goals, it is behind on its affordable housing markets (i.e., moderate-income and below)—through 2024, *reaching only 258 of its 11,064 affordable unit RHNA obligation*.

1. Housing Impacts Caused By 1,530+ New Employees

The Draft EIR determined that population growth as a result of this project would not be significant. (DEIR, PDF p. 120.) It briefly describes how the Project’s 168 residential units would generate a maximum of approximately 576 residents. (Id.) However, there is no discussion regarding the induced housing demand by the nonresidential components of the Project (e.g., hotel rooms, offices, restaurants, convention centers, etc.). (DEIR, APP-E, p. 5.) Based on the Project’s proposed commercial uses and relevant employment generation rates,²³ the Project could generate over 1200 new jobs (including 188 hotel workers) (see table below). *While jobs are great, they can also place demand on housing—particularly affordable housing for service workers* (e.g., such as the estimated 188 hotel workers that will service the future hotel). Notably, this does not include the estimated employees generated by the amphitheater and massive RCC expansion.

E-19

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²³ See City of Los Angeles VMT Calculator Documentation, PDF pp. 15-16 (Tbl. 1: table showing employment factors, including note [b] referencing section 3.4), PDF pp. 20 (section 3.4 discussing employment factors based on various sources, LAUSD, SANDAG, ITE, US Dept. of Energy, and others), https://ladot.lacity.gov/sites/default/files/documents/vmt_calculator_documentation-2020.05.18.pdf.

ESTIMATED JOB GENERATION				
USE[a]	DENSITY[a]	UNIT[a]	RATE[b]	Estimated Jobs
Hotel	376	rooms	0.5 / room	188
Office (General Office)	220	KSF	4.0 / KSF	880
Restaurant (Quality/High-Turnover Sit Down)	12.875	KSF	4.0 / KSF	51.5
Grocery Store (Supermarket)	20.69	KSF	4.0 / KSF	82.76
Fitness Center (Health Club)	28.416	KSF	1.0 / KSF	28.416
RCC Expansion[c]	189	KSF	1.6 / KSF	302.4
Total				1533
NOTES:				
[a] DEIR, PDF p. 22 (Tbl. 1.0-B-Proposed Project Uses)				
[b] LA VMT Calculator, PDF p. 15 (Tbl. 1 Population/Jobs per Unit)				
[c] Public data suggest the RCC is currently employing approximately 34-88 employees (i.e., average 61), ²⁴ with an existing meeting space of approximately 90-108 KSF of space (i.e., appx. 100 KSF). (DEIR, PDF p. 21, 24.) This equates to roughly 1.6 employees per KSF.				

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Cont.

2. HCD Data Shows Compelling Need For Affordable Units

The California Department of Housing and Community Development (“HCD”) oversees local municipalities’ compliance with various state housing laws, including those relevant to Housing Element updates to accommodate local RHNA numbers.²⁵ Cities and counties provide self-reported Annual Progress Reports (“APR(s)”) to HCD regarding their progress on these efforts, and HCD provides summaries of these “self-reported” APRs on its Housing Element & APR Data Dashboard (“Dashboard”).²⁶ The Dashboard displays various data across 18 sheets, allowing the user to focus on multiple jurisdictions, years, housing cycles, and other filters. Based on the APR Dashboard for the City of Riverside, one can make the following observations, which references the figures below:

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²⁴ Zoom Info, <https://www.zoominfo.com/c/the-riverside-convention--visitors-bureau/32964933> (88 employees); https://rocketreach.co/riverside-convention-center-management_b585c879f983c5ca (34 employees).

²⁵ See e.g., HCD Housing Element, <https://www.hcd.ca.gov/planning-and-community-development/housing-elements>; HCD RHNA, <https://www.hcd.ca.gov/planning-and-community-development/regional-housing-needs-allocation>; HCD Annual Progress Reports, <https://www.hcd.ca.gov/planning-and-community-development/annual-progress-reports>.

²⁶ HCD, Housing Element & APR Dashboard, <https://www.hcd.ca.gov/planning-and-community-development/housing-element-implementation-and-apr-dashboard>.

- Riverside is in its 6th Housing Element Cycle (2021 – 2029), has a total RHNA obligation of 18,458 units, of which roughly 60% are to be affordable at moderate levels or lower. (See Fig. 1 below.)
- Through 2024, the City was 37.5% through the cycle but has attained only 14% of its RHNA obligation. (See figure 2 below.)
- The vast majority of the units attained were not affordable (i.e., above moderate income), with very few affordable units achieved (i.e., 258 low-income). (See figure 3 below.)

Figure 1

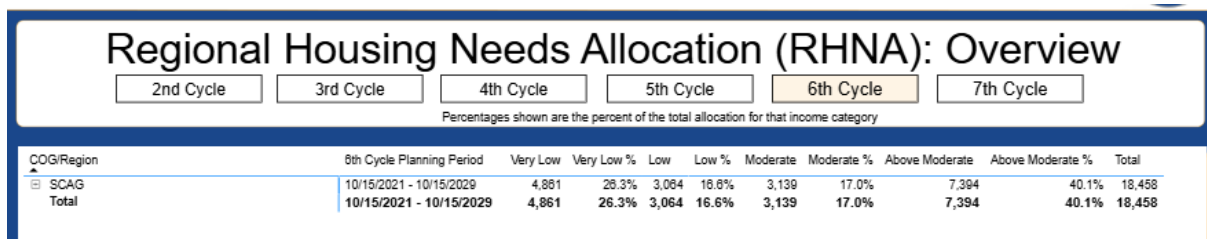
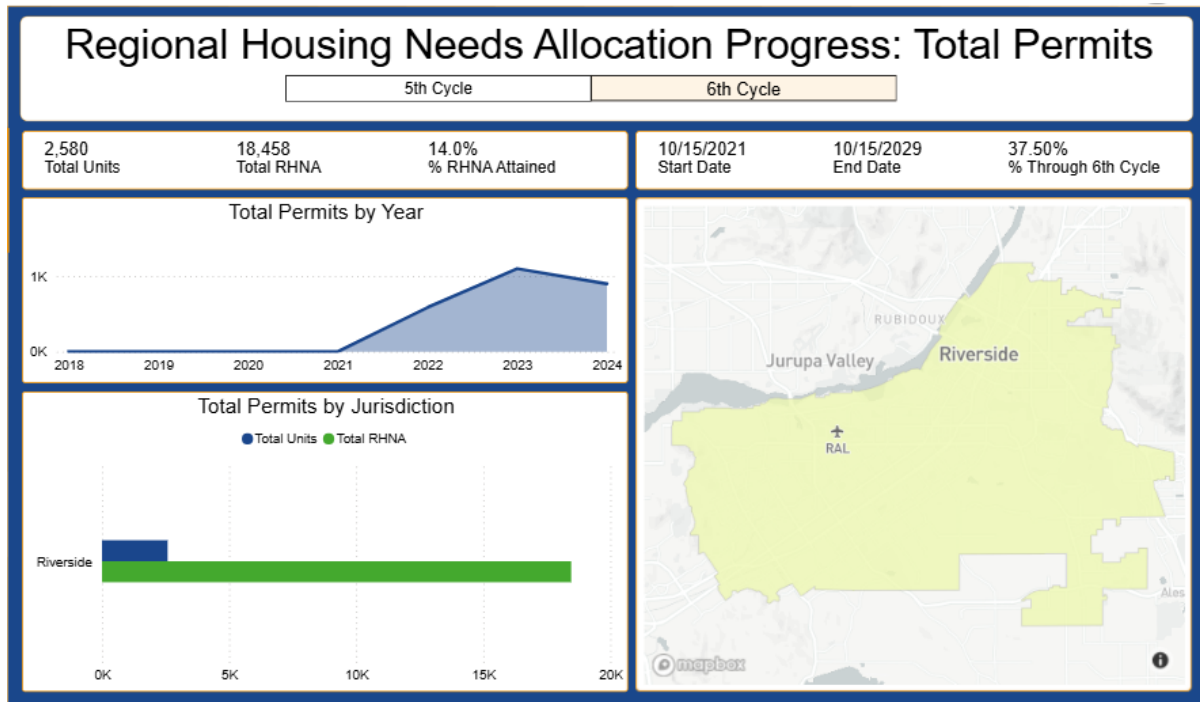
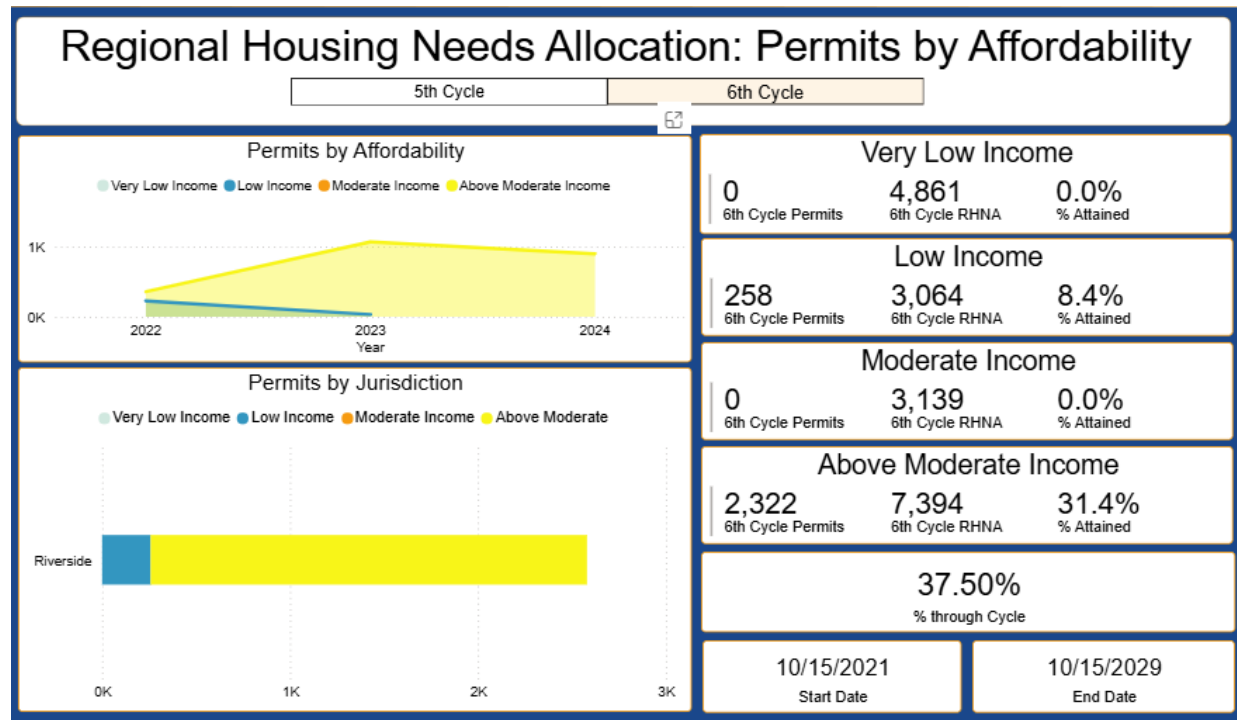


Figure 2



E-20
Cont.

Figure 3



E-20
Cont.

As shown above, while the City is well on its way to achieving its non-affordable RHNA goals (i.e., above moderate-income), the City is significantly underperforming on its affordable RHNA goals (i.e., moderate-income and lower). Through 2024, the City has attained 258 of its 11,064 affordable units RHNA obligation—2.3%. While the City does anticipate accessory dwelling units (“ADU(s)”) to meet some of this demand (i.e., 890 ADUs for moderate-income and lower),²⁷ this would still place the City at roughly 10% of its affordable housing goals (assuming all 890 ADUs have been built and not already accounted for in the 258 units reported on HCD Dashboard). In light of being halfway through the current 6th cycle (i.e., ending October 2029), *the City is arguably missing an opportunity to encourage affordable housing units at the Project Site* (relevant to housing element policies discussed below).

3. Local Factors That Acutely Impact Riverside’s Need For More Affordable Housing

As noted above, the City seems to be underperforming on its affordable housing RHNA obligations. The lack of affordable housing is acutely felt in communities that already suffer from a lack of available housing. Here, the City appears to have a vacancy rate below the healthy

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²⁷ City Housing Element Technical Background Report, p. 102 [tbl. HIR-2 RHNA Credits and Remaining Need.]

threshold, with housing prices exceeding the “affordable” range. (Housing Plan,²⁸ p. 12; see also Technical Background Report, pp. 33-34.)

Additionally, in terms of a jobs-to-housing balance, adding more jobs in a jobs-rich area (i.e., housing-poor area) can adversely affect a community’s housing stock. Here, as compared to the often-cited benchmark of 1:1 *jobs-to-housing ratio*,²⁹ the Draft EIR states Riverside is considered *jobs-rich* with a jobs-to-housing ratio of approximately 1.68:1 (2019) and anticipated to be 1.51:1 (2035). (DEIR, PDF pp. 356-357.) Hence, the Project would add a significant number of jobs (i.e., more housing demand) with relatively few dwelling units, which would seem to exacerbate the City’s jobs/housing imbalance (i.e., moving in the wrong direction).

So too, the Housing Element notes that Riverside wage-earners are relatively “modest” as compared to the rest of the state.³⁰ So too, it shows a disproportionate population in this part of Riverside overpaying rent, overcrowding, and vulnerable to displacement.³¹ This relates to *Jobs/Housing Fit* (“JHFit”), a metric that measures the imbalance between a city’s total number of low-wage workers and the quantity of homes affordable to them, which is an equality issue. When cities grow jobs without planning for homes for low-income workers, they fail to create inclusive communities and force low-income workers into the difficult choice of choosing between paying a disproportionate percentage of their income on housing (i.e., overpaying), living in substandard and/or overcrowded conditions in order to afford housing (i.e., overcrowding), or enduring long commutes (i.e., more VMTs).³² Simply increasing housing

²⁸ City Housing Element Plan, <https://riversideca.legistar.com/View.ashx?M=F&ID=10435964&GUID=415158F5-E997-447A-8DC8-82285A19465E>; City Housing Element Technical Background Report, <https://riversideca.legistar.com/View.ashx?M=F&ID=10435965&GUID=42661109-B223-4BBE-89DF-874060A14236>.

²⁹ See e.g., <https://nonproffhousing.org/wp-content/uploads/JH-Fit-Fact-Sheet-FINAL-9.15.pdf>, PDF p. 1; [https://data.sustainablesm.org/stories/s/Jobs-Housing-Ratio/www3-sg5n/#:~:text=The%20housing%20stock%20is%20relatively,already%20adequately%20repre%20commercial%20enterprises](https://data.sustainablesm.org/stories/s/Jobs-Housing-Ratio/www3-sg5n/#:~:text=The%20housing%20stock%20is%20relatively,already%20adequately%20repre%20commercial%20enterprises;).; <https://cproundtable.org/static/media/uploads/publications/cpr-jobs-housing.pdf>

³⁰ See e.g., <https://riversideca.legistar.com/View.ashx?M=F&ID=10435965&GUID=42661109-B223-4BBE-89DF-874060A14236>, PDF p. 209.

³¹ Ibid., PDF p. 219-220, 221, 227

³² See e.g., <https://nonproffhousing.org/wp-content/uploads/JH-Fit-Fact-Sheet-FINAL-9.15.pdf>; <https://escholarship.org/content/qt1g47j2vx/qt1g47j2vx.pdf?v=lg>, PDF p. 2 (“A worsening shortage of affordable housing may push households away from job-rich cities and expensive neighborhoods into outlying areas, where housing is cheaper but jobs are more distant. Median commute distances in California have in fact lengthened in recent years, growing from 12.5 miles in 2002 to 14.2 miles in 2015.”)

supply will not necessarily increase the availability of affordable housing available to low-wage workers.³³

Finally, while not identified as an “opportunity site” under the City’s Housing Element, the Project Site (i.e., Raincross Square) is near several opportunity sites identified for potential use as affordable housing (i.e., sites 180, 183, 184, 185, 186, 189). (Housing Element, Appendix A,³⁴ PDF pp. 19, 46-55.) This suggests that affordable housing is compatible with the needs of the community.

4. Local Land Use Policies Relevant To Affordable Housing

The City has an opportunity to encourage desperately needed affordable/workforce housing at the Project Site. This would be consistent with the following goals and policies under the City’s General Plan intended to encourage affordable housing, which is an environmental justice issue (e.g., equitable access to housing):

- **POLICY HE-1 -AFFORDABLE HOUSING:** Preserve and increase affordable housing options, including subsidized and non-subsidized affordable units for lower-income and environmental justice communities, special needs, and underserved populations, with a particular emphasis on building community wealth. (Housing Element, pp. 16-18; Housing Action Plan, pp. 4-6 [programs HE-1.1, HE-1.6, HE-1.13].)
- **POLICY HE-3 – FAIR HOUSING:** Promote safe, healthy, and attainable housing opportunities for all people regardless of their special characteristics as protected under State and Federal fair housing laws. (Housing Element, pp. 19-20; Housing Action Plan, pp. 7-8 [programs HE-3.2])
- **POLICY HE-4 –THRIVING NEIGHBORHOODS:** Facilitate and encourage a variety of new housing types, including both single- and multi-family and missing middle housing, and the necessary public amenities to support a sense of community that results in equitable and sustainable neighborhoods. (Housing Element, pp. 20-21; Housing Action Plan, pp. 9 [programs HE-4.2])
- **POLICY HE-5 – REGULATIONS:** Reduce and remove government barriers, where feasible and legally permissible, to reduce costs of housing production and facilitate both ownership and rental opportunities for all residents. (Housing Element, pp. 22-24; Housing Action Plan, pp. 10-11 [programs HE-5.2])
- **POLICY LU-EJ-1.0 HOUSING LOCATION:** Ensure new housing developments adhere to local, state, and federal requirements to avoid

³³ <https://escholarship.org/uc/item/1g47j2vx>,
<https://www.planning.org/blog/9220914/measuring-the-jobs-housing-balance-in-california/>

³⁴ Housing Element, Appendix A,
https://riversideca.gov/cedd/sites/riversideca.gov.ceedd/files/pdf/planning/2021/Housing_Element/2021-09%20HE%20Appendix%20A%20-%20Opportunity%20Sites%20-%20City%20Council%20Draft.pdf.

disproportionate impacts on environmental justice communities. (Environmental Justice Element,³⁵ p. 3.)

5. Regional Land Use Policies Relevant To Affordable Housing

The Project is located within the Southern California Association of Governments (“SCAG”) region, which has prepared its most recent 2024 Regional Transportation Plan/Sustainable Community Strategy (“RTP/SCS”) (also known as “Connect SoCal”). (DEIR, PDF p. 242, 327.) The 2024 RTP/SCS³⁶ has four primary goals (i.e., mobility, communities, environment, economy) (pp. 9-12), each with respective subgoals (p. 85) and categories of policies (pp. 88-112), which totals nearly 90 regional planning policies (pp. 114-121), and other implementation strategies where local governments play a partner/supporting role (pp. 124-135). Providing affordable and sustainable housing is a major cross-cutting theme in the 2024 RTP/SCS (pp. 8, 9, 10, 27, 28, 54, 56, 66, 100, 106, 112, 117, 135, 193, 197), including but not limited to the following goals and policies (emphasis added):

Goal: Communities: Develop, connect and sustain communities that are livable and thriving

- Sub-goal: Create human-centered communities in urban, suburban and rural settings to increase mobility options and reduce travel distances
- Sub-goal: Produce and preserve diverse housing types in an effort to improve affordability, accessibility and opportunities for all households


Category: Housing the Region: Providing sufficient housing opportunities throughout the region will require a range of strategies and methods to increase both the production of and access to a wide range of housing types.

Regional Planning Policies:

32. Encourage housing development in areas with access to important resources and amenities (economic, educational, health, social and similar) to further fair housing access and equity across the region
33. Encourage housing development in transit-supportive and walkable areas to create more interconnected and resilient communities
34. Support local, regional, state and federal efforts to produce and preserve affordable housing while meeting additional housing needs across the region
35. Prioritize communities that are vulnerable to displacement pressures by supporting community stabilization and increasing access to housing that meets the needs of the region
36. Promote innovative strategies and partnerships to increase homeownership opportunities across the region with an emphasis on communities that have been historically impacted

³⁵ EJ Element, https://riversideca.gov/cedd/sites/riversideca.gov.cedd/files/pdf/planning/2021/Housing_Element/2021-09%20EJ%20-%20City%20Council%20Draft.pdf.

³⁶ 2024 RTP/SCS, <https://scag.ca.gov/sites/default/files/2024-05/23-2987-connect-socal-2024-final-complete-040424.pdf>.

<p>by redlining and other systemic barriers to homeownership for people of color and other marginalized groups</p> <p>37. Advocate for and support programs that emphasize reducing housing cost burden (for renters and homeowners), with a focus on the <u>communities with the greatest needs</u> and vulnerabilities</p> <p>38. Support efforts to increase housing and services for people experiencing homelessness across the region</p> <p>Communities Implementation Strategies:</p> <p>[a]. Support Provide technical assistance for jurisdictions to complete and implement their housing elements and support local governments and Tribal Entities to <u>advance housing production</u></p> <p>[b]. Identify and pursue partnerships at the local, regional, state and federal levels to align utility, transit and infrastructure investments with housing development and <u>equitable outcomes</u> across the region</p> <p>[c]. Research and explore innovative homeownership models that can reduce costs and increase housing production in the region. Explore strategies to engage households of color and <u>communities that are underrepresented</u> as homeowners</p> <p>[d]. Research community stabilization (anti-displacement) resources that can be utilized to address <u>displacement pressures</u>, such as preservation and tenant protections for communities across the region and Affirmatively Further Fair Housing</p>	 <p>E-23 Cont.</p>
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The Draft EIR suggests that the general goal and subgoals listed above are met, and claims the Project is consistent because it is a mixed-use project that includes a mix of for-sale and for-rent housing. (DEIR, PDF p. 359 [Tbl. 6.0-B].) However, this analysis does not adequately consider the specific categories, policies, and strategies intended to further the 2024 RTP/SCS goal. As shown above, there is a significant emphasis on affordable housing, particularly for vulnerable communities.

D. The Project Is Leaving Meaningful Sustainability Features Off The Table

1. Energy Impacts Could Be Minimized By LEED Certification, Tier 1, Or Tier 2 Calgreen

The Draft EIR states there will be no significant impacts. (DEIR, PDF p. 65.) The Draft EIR relies mainly on compliance with existing Title 24 requirements and describes the Project's anticipated energy usage.³⁷ (Id., at PDF p. 226, 228, 229, 230.) This is also echoed in the GHG analysis (discussed further below). (Id., at PDF pp. 247, 255, 256, 258, 260, 262, 264-266, 267.)

³⁷ A project's compliance with building codes may not be enough where they do not address many considerations under Appendix F of the CEQA Guidelines, like "whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building's envelope." (*California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 211 [emphasis added].)

Because no energy impacts were identified, the Draft EIR does not include anything more in the form of design features or mitigation measures intended to minimize traditional energy sources. (Id., at PDF p. 232.) This seems like a missed opportunity for the City to consider additional feasible measures that reduce the Project's reliance on traditional energy sources, which are not addressed by mere compliance with Title 24 and other nominal measures. For example, mitigation measures MM AQ 9 require only that the Project Sponsor "allow solar" by requiring only the wiring and building support, but stop well short of actually requiring the installation of solar. (Id., at PDF p. 51, 188.) For example, why not condition the Project to actually install solar to the maximum extent feasible and place a percentage or performance standard to guide future decision makers (e.g., percentage of building usage, a specific kW level, etc.)? So too, LEED certification and CalGreen Tier 1 and Tier 2 certification are viable options to significantly reduce a building's energy use. These options are not adequately considered in the Draft EIR.

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A project's compliance with building codes may not be enough under CEQA, which requires an EIR to analyze a project's energy consumption. (Pub. Res. Code § 21100(b)(3).) In addition to examining whether there is a "wasteful, inefficient, or unnecessary use of energy, or wasteful use of energy resources," lead agencies must investigate whether any renewable energy features could be incorporated into the Project. (CEQA Guidelines § 15126.2(b).³⁸) Hence, the Draft EIR does not adequately consider meaningful mitigation measures (discussed further infra section IV.C.4).

2. GHG Impacts Can Be Mitigated Through Numerous CAPCOA Measures

(a) Caleemod Worksheets Did Not Consider Amphitheater Uses

Here, the Project included a GHG modeling assessment under the CalEEMod. (DEIR, ATT-B, PDF p. 3.) Accordingly, the Project is proposed to generate approximately 23,455. MTCO₂E/yr in GHG emissions (after mitigation), which exceed the SCAQMD threshold of 3,000 MTCO₂E/yr. (Id., at PDF pp. 13, 15.) However, the CalEEMod worksheets show that the amphitheater was not included in the calculation of potential GHG-emitting uses. (Id., at PDF p. 26.) This is problematic given that the amphitheater could generate additional mobile emissions (i.e., greater impacts), which can be further mitigated. For example, the May 2020 DEIR for the Montano De El Dorado Phase I and II Master Plan includes a 100-room hotel and small amphitheater, as well as additional retail and office space, and results in significant GHG emissions.³⁹ As a result, the DEIR incorporates exhaustive GHG mitigation relating to

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³⁸ *League to Save Lake Tahoe v. County of Placer* (2022) 75 Cal.App.5th 63, 167-168 (duty to investigate renewable energy option is required as part of determining whether project impacts on energy resources are significant).

³⁹ Montano De El Dorado Phase I and II Master Plan (SCH No. 2017072027) DEIR, PDF pp. 15, 45, 54, 61-62, https://files.ceqanet.lci.ca.gov/53755-3/attachment/nPWOVTmNmsSlzcGTPfe4J77-MEXBgri07d_ACfyHL8JTCsU-vF6zsrQj-RlffonKTg1WW6tHyBk82mdZ0.

construction, building energy use, on-road transportation, off-road transportation, water, and carbon offsets etc.⁴⁰ Here, not analyzing the impacts from the amphitheater may skew the City's consideration of the Project's full GHG impacts and prevent a more thorough consideration of mitigation measures.

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Cont.

(b) Minimal Consideration Of Mitigation Measures

The Draft EIR states the Project will have significant and unavoidable impacts. (DEIR, PDF p. 65.) However, the Project does not adequately consider project design features that could reduce GHG emissions. (Id., at PDF pp. 264-265.) The Draft EIR relies on mitigation measures MM AQ 1 through AQ 9 (pp. 48-51 [AQ1 – AQ9], p. 187 [same]). Unfortunately, these measures seem to be vague and/or do not go far enough.

- **MM AQ 1: Residential Commute Trip Reduction.** This is essentially an information-sharing requirement. This is less effective than a mandatory commuter trip reduction (“CTR”) program, which is an effective strategy urged by CAPCOA.
- **MM AQ 2: Nonresidential Commute Trip Reduction.** Like above, this is essentially an information disclosure requirement, which is less effective than a mandatory CTR program.
- **MM AQ 7: Unbundle Residential Parking Costs.** Similar to MM AQ 1 & 2, this document also provides information about the benefits of unbundling parking costs. It is vaguely written and suggests this measure could be accomplished by merely giving information to a property management firm, without any requirement that units are offered to prospective tenants at an unbundled rate.
- **MM AQ 3: Carpool/Vanpool.** Here, there is no mention of how many preferential spots for carpools are to be provided, nor any discussion of other incentives to encourage carpooling/vanpooling.
- **MM AQ 4: Electric Vehicle Charging.** Here, the Project is committing to only meeting CalGreen Code standards, which is mere code compliance. Additional reductions could be made by going beyond standard CalGreen standards, such as Tier 1 or 2 CalGreen measures.
- **MM AQ 5: Nonresidential Bicycle Facilities.** This says the Project will provide bicycle facilities “in excess of existing code at the time of building permits,”—which is vague. This could arguably be accomplished by a single bike space above code requirements, which does not meaningfully exceed code compliance. Similarly, shower facilities are to be provided on plans “where feasible” with no discussion of what makes shower facilities feasible. Showers, lockers, and other end-of-trip facilities are critical to encourage non-auto travel.
- **MM AQ 6: Telecommute/ MM AQ 8: Energy Efficient Appliances.** Both of these measures require the mere installation of broadband internet and energy-

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⁴⁰ Ibid., PDF pp. 26-32 (pp. ES-14 – ES-21).

star-rated appliances. This is standard for all new development and not meaningful mitigation.

- **MM AQ 9: Solar Energy Systems.** As discussed above, this merely requires wiring and reinforced roofs to support future solar, without any commitment that solar be installed and/or commitment that it offsets a portion of the Project’s actual usage.

(c) Cursory Review Of The City’s CAP

The Draft EIR compares the Project to the City’s Climate Action Plan (“CAP”), adopted January 2016. (DEIR, PDF p. 257, 265-267.) However, upon review, the City’s CAP is unclear regarding whether it was subject to CEQA review, a mandatory component of any GHG reduction plan a City may wish to rely upon to demonstrate consistency. (See CEQA Guidelines 15183.5(b)(1)(F).) Additionally, it seems as if the City is embarking on a CAP update, which suggests the 2016 CAP may be outdated. Furthermore, the Draft EIR claims the Project is consistent with various measures that seem wanting (compare DEIR, PDF p. 266 with CAP, PDF pp. 128-208):⁴¹

- **Measure T-1:** This measure is related to the installation of bicycle lanes and bicycle trails, which this Project does not include. Hence, this measure is irrelevant to the Project.
- **Measure T-2:** This measure is related to bike parking, which the Draft EIR says the Project will meet or exceed CalGreen. However, there does not appear to be any requirement that the Project exceed CalGreen or go beyond mere compliance. This seems like a lost opportunity, especially where the CAP acknowledges this is a low-cost action. (CAP, PDF p. 161.)
- **Measure T-3: The Draft EIR claims the Project will provide end-of-trip facilities (e.g., showers, lockers, etc.), but,** as discussed above, this seems to be qualified as “where feasible” (i.e., maybe none). This is not enforceable and may amount to illusory mitigation.⁴²
- **Measure T-6:** Draft EIR claims the Project would improve the jobs-housing balance and reduce VMTs because it is a mixed-use project. However, as discussed above, the housing alone is insufficient, as there is zero affordable housing provided, and no honest discussion has been given in the EIR about the jobs-housing balance or Job/Housing-Fit. Furthermore, as discussed in the

⁴¹ City CAP, <https://riversideca.gov/cedd/sites/riversideca.gov.chedd/files/pdf/planning/other-plans/2016%20Riverside%20Restorative%20Growthprint%20Economic%20Proposerity%20Action%20Plan%20and%20Climate%20Action%20Plan.pdf>.

⁴² CEQA bars reliance on illusory, unenforceable conditions as mitigation. (See CEQA Guidelines §§ 15126.4(a)(2), 15097; see also *Lincoln Place Tenants Ass’n v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508 [“Mitigating conditions are not mere expressions of hope.”].)

section below, the EIR did not conduct a VMT analysis because it was screened out under an assessment. Therefore, claims of reducing VMTs are respectfully speculative. In fact, substantial evidence shows that VMTs generated by the Project may nevertheless be significant.

- **Measure T-19, W-1, SW-1, SW-2:** The Draft EIR cites code compliance with existing programs (e.g., EV charging stations, CalGreen, City/State solid waste requirements), which is respectfully a floor of what developments are already expected to do.
- **Additional Measures Not Considered:** It seems that the Draft EIR does not consider a variety of CAP Measures that would be applicable to the Project if made enforceable with specific conditions of approval and performance-based measures, such as:
 - T4 (Promotional Transportation Demand Management [“TDM”]) & T11 (Voluntary TDM) for small and large employers with robust TDM measures (i.e., such as those recommended by CAPCOA);
 - T9 (Limit Parking Requirements) with actual specific percentage below parking requirements;
 - T10 (High Frequency Transit Service) via coordination with the local transit authority to focus more trips at Raincross Square;
 - T-14 (Neighborhood Electric Vehicle [“NEV”] Programs), T-16 (Bike Share Program), and T-17 (Car Share Program), such as shared NEVs, bikes, e-scooters, and other shared transit solutions for residents and onsite employees to reduce demand on autos.
 - T-15 (Subsidized Transit) for residents and employees, which serves as an essential incentive to encourage the use of public transit.

CEQA demands a robust GHG analysis to assess a project’s impact on climate change. Here, the Draft EIR acknowledges significant impacts but does not sufficiently consider whether impacts are being mitigated to the extent feasible, consistent with existing regulatory schemes.⁴³ The City should consider the Project’s impact on emissions and the Project’s consistency with the State’s GHG reduction requirements, such as: reducing to 1990 GHG emission levels by 2020 (i.e., AB 32); 40 percent below 1990 levels by 2030 (i.e., SB 32); and 80 percent below 1990 levels by 2050 (i.e., Executive Order S-3-05). (See CEQA Guidelines § 15064.4.)

⁴³ *Center for Biological Diversity v. Cal. Dept. of Fish and Wildlife* (“Newhall Ranch”) (2015) 62 Cal.4th 204, 227; see also *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (“Cleveland IF”) (2017) 3 Cal.5th 497, 504, 519 (analysis must be “based to the extent possible on scientific and factual data ... stay[ing] in step with evolving scientific knowledge and state regulatory schemes.” (Quoting CEQA Guidelines § 15064(b)).)

3. More Than Five Million Annual VMTs Should Not Have Been Screened From A Project-Specific VMT Study

The Draft EIR recommends no mitigation because it claims there are no significant traffic impacts. (DEIR, PDF p. 69.) This determination is based on the Project being screened out from a VMT analysis utilizing five-step screening criteria (id., at PDF p. 328), which is further elaborated in the VMT screening assessment. (Draft EIR, ATT-E, PDF pp. 6-11.) However, substantial evidence demonstrates that the Project’s VMTs are significant and warrant a full VMT.

As discussed below, the VMT screening presumes VMTs are less than significant only “absent substantial evidence to the contrary.” Here, there is substantial evidence—including project/location-specific information—that the Project will generate significant VMTs, with over 10,500 daily trips, with more than half of these coming from the hotel, RCC expansion, and office components of the Project. While the residential component satisfies other screening criteria, the commercial component of the Project does not and should be assessed with a complete VMT study. This is consistent with CEQA requirements (see Pub. Res. Code § 21099; CEQA Guidelines § 15064.3), which demand a VMT analysis that does not minimize and understate cumulative impacts.⁴⁴

(a) Project-Specific Evidence Of Significant Vmts

As a threshold matter, the VMT screening method originates from OPR’s technical advisory. (ATT-E, PDF p. 6.⁴⁵) OPR’s Technical Advisory makes clear that the presumption of less than significant effect on VMT is permissible absent substantial evidence to the contrary, such as being inconsistent with the RTP/SCS. (Technical Advisory, p. 12; see also City VMT Guidelines, PDF p. 24.) As it relates to being close to Transit Priority Areas, OPR continues to state “this presumption would not apply, however, if project-specific or location-specific information indicates that the Project will still generate significant levels of VMT. For example, the presumption might not be appropriate if it identifies four conditions (e.g., FAR, parking,

⁴⁴ See e.g., *Cleveland III*, 17 Cal.App.5th at 444-445 (on remand, traffic analysis based on methodology with known data gaps that underestimated traffic impacts necessarily prejudiced informed public participation and decisionmaking); *Kings County Farm Bureau v. Hanford* (1990) 221 Cal.App.3d 692, 718, 727 (rejecting determination that less than one percent of area emissions was less than significant because analysis improperly focused on the project-specific impacts and did not properly consider the collective effect of the relevant projects on air quality); *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1072 (upholding analysis under “stringent cumulative-impact threshold”); *Al Larson Boat Shop, Inc. v. Board of Harbor Comm’rs*, (1993) 18 Cal.App.4th 729, 749 (upholding analysis where cumulative impacts were not minimized or ignored). The relevant inquiry is not only the relative amount of increased traffic that the Project will cause but whether any additional amount of Project traffic should be considered significant in light of an already serious problem. (See *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025.)

⁴⁵ OPR Technical Advisory, https://lci.ca.gov/docs/20190122-743_Technical_Advisory.pdf.

SCS, affordable units). (Technical Advisory, p. 14.) The four examples listed were not identified as being exclusive factors. They were merely examples of “project-specific or location-specific information” that indicate the Project’s VMTs may still be at significant levels. Here, there is substantial evidence that the presumption is not appropriate for the Project, including project/location specific information, that indicates the Project will generate significant levels of VMTs, such as:

- OPR notes that this screening “generally should presume that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses)” that are close to a TPA have VMTs that are less than significant. (Technical Advisory, p. 13.) Here, however, the Project includes a hotel, amphitheater, and RCC expansion components that are not among these “certain projects” that can “generally” be presumed to be less than significant when close to a TPA.
- Here, Project exceeds VMT per service population and VMT per worker thresholds. (ATT-E, p. 9.) This suggests the employee component of the Project will be significant.
- Here, while 110 average daily trips can generally be presumed to have less than significant impacts (ATT-E, p. 10), the Hotel (3004 ADTs), office (2385 ADTs), and RCC expansion (1658 ADTs) all well exceed that level. (ATT-E, p. 17.) Together, these account for over 51% of the 13,788 total ADTs generated by the Project. (Id.)
- Here, the CalEEMod data indicates that approximately 53.5% of all VMTs generated (i.e., 52.5 million unmitigated VMTs per year) are from the RCC expansion, office, and hotel. (ATT-B, p. 117-118.)
- OPR also notes the difference between local and regional-serving retail. (Technical Advisory, p. 18.) Here, the hotel and RCC Expansion are analogous in that they serve patrons drawn from the region. This is also somewhat acknowledged in the Draft EIR, when the objectives state among its goals are to establish Downtown Riverside “as the region’s premier urban downtown ... attract larger conferences and group meeting business Facilitate larger events that bring in more patrons” (DEIR, PDF p. 27.) This seems to indicate a specific desire to attract regional patrons, which, unlike local-serving retail, tends to have a bigger VMT impact notwithstanding being in a TPA.

(b) Step 1: TPA Criteria

The VMT assessment screens out the Project based on the Project’s being located within a Transit Priority Area (“TPA”). (DEIR, ATT-E, PDF p. 6-7.) The TPA screening threshold explicitly states that the presumption of less than significant impact is appropriate “absent substantial evidence to the contrary.” (Id., at PDF p. 6; see also Technical Advisory, p. 12, 14; City VMT Guidelines, PDF p. 24.) For all the reasons discussed above, there is substantial evidence that the VMTs generated are significant. Additionally, there are live issues with some of the four criteria lists:

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- Parking: VMT Assessment states that the parking has not been specified, but that the City will ensure the site will not be overparked. (ATT-E, p. 8.) This appears to be a conclusory statement, without adequate analysis and performance criteria to guide future decision-making. This type of illusory mitigation is not permissible under CEQA.⁴⁶
- SCS Consistency: The VMT Assessment states that the Project is consistent with SCS because the Project is consistent with the General Plan and the Downtown Specific Plan, and the SCS would be consistent with those Plans. (ATT-E, p. 8.) This reasoning is conclusory because it relies on the assumption that if the Project is consistent with the General Plan and Downtown Specific Plan, it must therefore be consistent with the SCS. This is a logical fallacy. The analysis does not address the aforementioned SCAG policies that were not discussed in the Draft EIR.

(c) Step 2: Low VMT Area Screening Criteria

The VMT Assessment indicates that VMT per resident would be below thresholds; however, the service population and VMT per worker would not. (ATT-E, p. 9.) This suggests the commercial/worker component is more impactful than the residential component.

(d) Step 3: Project Type Screening / Step 4: Mixed Use Project Criteria

The VMT Assessment suggests that the retail/commercial VMT per resident would be below thresholds (i.e., 50 KSF local serving). Still, the hotel and RCC Expansion would not. (ATT-E, PDF p. 10.) This suggests the commercial/worker component is more impactful than the residential component. The VMT Assessment relies on this analysis under Step 4 Mixed-Use Project screening.

(e) Step 5: Redevelopment Project Criteria

The VMT Assessment states that the Project meets these criteria. (APP-E, PDF p. 11.) However, the Project would not replace VMTs, causing a net overall decrease in VMTs, but instead add uses and increase overall VMTs. Under the City VMT Guidelines, this criterion is not met. (City VMT Guidelines, p. 27.)

4. Additional Mitigation Is Available

As discussed above, the Project lacks sustainability features that could further minimize wasteful energy use, GHG emissions, and significant VMTs generated by the Project. There are numerous strategies recommended by CAPCOA, the SCAG, CARB, and OPR, such as those

⁴⁶ CEQA bars reliance on illusory, unenforceable conditions as mitigation. (See CEQA Guidelines §§ 15126.4(a)(2), 15097; see also *Lincoln Place Tenants Ass’n v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508 [“Mitigating conditions are not mere expressions of hope.”].)

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discussed below and attached hereto as **Exhibit A**. Because the Draft EIR did not adequately consider additional feasible mitigation measures (such as those listed below), the EIR should be recirculated to more thoroughly consider additional, meaningful mitigation measures such as those listed below.

(f) CAPCOA Strategies

CAPCOA offers numerous TDM and other transportation-related measures (i.e., strategies T-1 through T-54), which have the added benefit of reducing mobile emissions (e.g., criteria pollutants and GHGs). Local 11 urges the City to consider incorporating CAPCOA-suggested transportation measures into the Project (Fig. 1), including but not limited to:

- Land Use measures (e.g., T-1, T-4);
- Trip Reduction Program measures (e.g., T-5, T-6, T-7, T-8, T-9, T-10, T-11, T-12, T-13, T-38, T-39, T-42);
- Parking or Road Price Management measures (e.g., T-14, T-15, T-16, T-19-A);
- Neighborhood Design measures (e.g., T-21a, T-21b, T-22a, T-22b, T-22c, T-22d, T-34);
- Transit measures (e.g., T-26, T-27, T-29, T-44, T-46); and
- Clean Vehicles and Fuels measures (e.g., T-53).

Additional GHG reductions may be achieved by incorporating sustainability features into the Project, such as those CAPCOA-suggested non-transportation GHG reduction measures (Fig. 1), including but not limited to:

- Energy measures (e.g., E-1, E-4, E-5, E-6, E-21, E-10A, E-16, E-24, E-22);
- Water measures (e.g., W-1, W-4, W-5, W-6, W-7);
- Natural working lands measures (e.g., N-1, N-2, N-5, N-6);
- Refrigerant measures (e.g., R-2);
- Lawn and landscaping measures (e.g., LL-1, LL-3);
- Solid waste measures (e.g., S-1, S-2, S-3, S-5); and
- Construction measures (e.g., C-1A, C-2, C-3, C-4).

(g) RTP/SCS Project-Level Mitigation

As part of the development of the 2024 RTP/SCS, SCAG prepared a Program Environmental Impact Report (“PEIR”), which identifies mitigation measures that are broken up into two categories: (1) SCAG mitigation measures for program-wide measures to be implemented by SCAG; and (2) project-level mitigation measures with example measures for lead agencies to consider for Project- and site-specific environmental reviews. (2024 RTP/SCS, p. 110.) The 2024 RTP/SCS Mitigation Monitoring and Reporting Program Matrix (“MMRP”)⁴⁷

⁴⁷ SCAG (Apr. 2024) MMRP for the 2024 RTP/SCS PEIR, pp. A-3 – A-47, https://scag.ca.gov/sites/default/files/2024-05/exhibit_a_mmrp_508_final.pdf

identifies numerous project-level mitigation measures (“PMM”), similar to the MMRP for the previous 2020 RTP/SCS PEIR.⁴⁸ Many of the PMMs are interrelated to multiple resources (e.g., air quality, GHG, traffic, utilities), which are relevant to the sustainability of the Project. Local 11 urges the City to consider incorporating SCAG-recommended project-level mitigation measures into the Project (Fig. 2), including but not limited to:

- Air quality PMM AQ-1 (e.g., construction measures (a) – (ff));
- GHG PMMs GHG-1 (e.g., measures listed under (a) - (j), (m) - (o), (q));
- Traffic PMM TRA-1 (e.g., encourage the incorporation of transit, bicycle, pedestrian, and micro-mobility facilities, and other features for active transportation);
- Traffic PMM TRA-2 (e.g., encourage TDM measures/strategies);
- Utilities PMM UTIL-2 (e.g., measures listed under (a) - (d)); and
- Utilities PMM UTIL-3 (e.g., measures listed under (a) - (c), (e), (i), (k) – (n)).

(h) CARB Scoping Plan Measures

There are numerous measures CARB urges for local action, which are included in the 2022 Scoping Plan Appendix D (Local Action),⁴⁹ which builds upon the prior 2017 Scoping Plan Appendix B (Local Action).⁵⁰ Local 11 urges the City to consider incorporating CARB-recommended measures into the Project (Fig. 3), including but not limited to:

- 2022 Scoping Plan’s Priority GHG Reduction Strategies related to:
 - Transportation Electrification (e.g., building standards that exceed state building codes, preferential parking policies);
 - VMT Reduction (e.g., bike share, car share, compact infill development, preserve natural and working lands, not convert “greenfield” land to urban uses); and
 - Building Decarbonization (e.g., exceeding Energy Code, canopies in public parking lots, battery storage).
- 2022 Scoping Plan’s Key Residential/Mixed Use Attributes related to:
 - Transportation Electrification (e.g., EV charging meeting most ambitious voluntary standards);

⁴⁸ SCAG (May 2020) MMRP for the 2020 RTP/SCS PEIR, pp. 2-52 (see “project-level mitigation measures” for air quality, GHG, and transportation impacts), https://scag.ca.gov/sites/default/files/2024-05/exhibit-a_connectsocial_peir.pdf.

⁴⁹ CARB 2022 Scoping Plan, Appendix D (Local Action), pp. 11-12, 22-23, <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>.

⁵⁰ CARB 2017 Scoping Plan, Appendix B (Local Action), pp. 1-10, https://ww3.arb.ca.gov/cc/scopingplan/2030sp_appb_localaction_final.pdf.

- VMT Reduction (e.g., satisfies most stringent SCS criteria, reduce parking minimums, require unbundled parking costs, 20 percent of units being affordable, etc.); and
- Building Decarbonization (e.g., all-electric appliances).
- 2017 Scoping Plan’s policies related to:
 - Energy (e.g., promote renewable energy and zero net energy);
 - Transportation and Land Use (e.g., TDM program with numeric targets, voluntary green building standards, LEED certification, TDMs encouraging carpooling and other carsharing incentives, promoting rideshare and last-mile facilities, etc.);
 - Natural and Working Lands (e.g., community gardens, land conservation, preserving trees, promoting value-added alternatives like composting, etc.);
 - Agriculture (e.g., encourage composting, reduce pesticides, promote farmer markets, etc.);
 - Water (e.g., auditing program, incentive program, etc.);
 - Waste Management & Short-Lived Climate Pollutants (e.g., minimize organics disposal, residential/commercial waste prevention and recycling programs, exceed building standards, expand anaerobic digestion capacity recycling procurement practices, pay as you throw program, implement organics waste prevention program, food recovery, etc.); and
 - Green Buildings (e.g., tier 2 CalGreen measures, onsite renewable energy and battery storage, reduce heat island effect, cool roofs and paving, etc.).
- 2017 Scoping Plan’s feasible mitigation measures related to:
 - Construction (e.g., use of renewable/electric power during construction, etc.); and
 - Operation (e.g., comply with SB 743 mitigations, fewer parking spaces, shared vehicles, bike parking, onsite renewable, cool roofs, organic collections, achieve net zero energy, encourage LEED certification, preferential parking and carpool incentives, employer-based TDM program, electric landscape equipment, energy efficient outdoor lighting, water retention on site, etc.).

E. Design Review May Be Appropriate For This Once-In-A-Generation Opportunity

The Project is a significant development adjacent to the Mission Inn Historic District, Heritage Square District, and the Mile Square Potential Historic District. So too, the Project will have considerable frontage along important arteries into the City’s downtown, which presents a unique opportunity for signage and placemaking. This presents an exceptional opportunity for the City to consider a one-time, long-lasting initiative for placemaking, signage, and pedestrian-oriented connections to the City’s Pedestrian Mall. However, it also presents a risk of

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incompatibility with adjacent historic districts. Given the gravity and scale of the ultimate Project, this may warrant additional input beyond staff-level review as well as additional input from the public. Design review, including via the City’s Planning Commission and Cultural Heritage Board, could provide a valuable tool to ensure high-quality design that is both inspiring and compatible with the community.

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F. Recirculation Is Warranted To Consider Additional Feasible Project Design Features And Mitigation Measures As An Alternative, Including Retaining Council Discretion With A DA Requirement

Under CEQA, the discussion of mitigation and alternatives is “the core of an EIR,” requiring a lead agency to select a reasonable range of alternatives for evaluation guided by a clearly written statement of objectives. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564-65; see also CEQA Guidelines § 15124(b).) As discussed below, the Draft EIR admits the Project would cause significant and unavoidable air quality and GHG impacts (discussed supra) but does not adequately consider feasible mitigation measures or a reasonable range of alternatives. This skews the City’s consideration of overriding benefits, which should be deferred until a specific project is before its consideration. This can be achieved via a DA requirement. These factors warrant recirculation consistent with CEQA.

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1. The Project Requires Meaningful Mitigation. Mitigations Are Available

Here, the Draft EIR does not adequately consider feasible mitigation measures that could meaningfully reduce the Project’s impacts on air quality and GHG emissions (admittedly significant) and those impacts on energy and VMTs (as alleged herein). The measures include the measures above recommended by CAPCOA, SCAG, and CARB (see also **Exhibit A** attached hereto). Local 11 urges that the City consider, at a minimum, whether the following measures should be incorporated into the Project:

1. Including restricted affordable housing or workforce housing units to reduce VMTs and mobile emissions,
2. maximizing onsite solar panel use,
3. achieving LEED Platinum, and/or achieving Tier 1 or Tier 2 CalGreen status, and
4. applying a hotel/entertainment-specific mandatory commuter reduction program, which could include:
 - A specific performance level to be reached (e.g., specific VMT or average daily trip reduction or both);
 - A specified participation level (e.g., 100 % employees);
 - Participation in guaranteed ride programs;
 - Incentives such as employee carpool/vanpool access to preferential parking spaces or hotel valet service, or both;
 - Subsidized transit passes for hotel workers and patrons; and

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- A dedicated shuttle service for hotel patrons to nearby destinations.⁵¹

Additionally, Local 11 urges the City to consider the site for an area-wide food recovery program, incorporate residential composting devices (commonly referred as “foodcyclers”) at each residential unit,⁵² and implement a hotel-specific recycling programs that include measures such as:

- Promote recycled paper and other products like soap;
- Bans on disposable (i.e., designed to be used once and discarded) foodware items and accessories;
- Allowing customers to bring their own reusable items (if permissible, with accommodation for kosher or other religious standards);
- Requirements for hand soap in refillable containers;
- No promotional items made of plastic;
- No water in plastic bottles or disposable single-use cups;
- No expanded polystyrene (i.e., Styrofoam);
- Require reusable napkins and tablecloths with recyclable disposable napkins only allowed for takeout;
- Hand dryers in areas accessible to customers;
- Requirement for reusable laundry bags;
- Reusable dishware for room service;
- Eliminate coffee pods/coffee machines that require pods;
- Offer toothpaste tablets in refillable packaging such as glass bottles or jars;
- Provide bamboo toothbrushes;
- Offer toiletries on request rather than automatically;
- Key cards made out of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards;
- Incentives for returning keys to discourage waste;
- Non-plastic shower caps, razors, shaving cream, slippers, eye masks, ear plugs;
- Remove minifridge items that use plastic;
- Eliminate the use of garbage bags if possible, or use based on compostable material;
- Choose home compostable gloves;
- Do not use plastic wrap;

⁵¹ See e.g., Santa Monica Municipal Code § 9.5.130(B)(2)(b); <https://www.octa.net/getting-around/rideshare/oc-rideshare/employers/guaranteed-ride-home-program/>; <https://www.ci.healdsburg.ca.us/AgendaCenter/ViewFile/Item/3098?fileID=21731>.

⁵² See e.g., <https://www.nytimes.com/wirecutter/guides/how-to-start-composting/>; [https://www.whygoodnature.com/blog/reducing-food-waste-with-the-vitamix-foodcycler#:~:text=Some%20people%20just%20keep%20their,how%20long%20compost%20bins%20take](https://www.whygoodnature.com/blog/reducing-food-waste-with-the-vitamix-foodcycler#:~:text=Some%20people%20just%20keep%20their,how%20long%20compost%20bins%20take;); <https://foodcycler.com/>.

- Serve employee meals with reusable dishware and cutlery, as well as provide reusable water bottles for all employees with accessible water bottle refill stations;
- Replace paper towels with reusable dish rags; and
- Source plastic-free sponges.⁵³

E-33
Cont.

2. Recirculation Is Warranted Because A Reasonable Range Of Alternatives Is Lacking

Under CEQA, the core of an EIR requires a lead agency to consider a reasonable range of alternatives for evaluation guided by a clearly written statement of objectives. (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564-65; see also CEQA Guidelines § 15124(b).) A reasonable range of alternatives should be capable of being accomplished in a successful manner, thereby attaining most of the basic objectives of the Project and achieving the Project's underlying fundamental purpose. (Pub. Res. Code § 21061.1.⁵⁴)

Here, the Project considered three alternatives, including: (1) a no project alternative; (2) a 30% reduction of intensity project alternative; and (3) a no office/retail alternative. (DEIR, PDF p. 72.) Missing from this analysis is a Project Alternative that includes meaningful mitigation measures and project design changes, such as an alternative incorporating the measures listed above. Such an alternative appears to be capable of being accomplished, to attain the basic objectives and fundamental purpose of the Project, and should be considered. Additionally, because the Draft EIR did not conduct a Project-specific VMT study, it did not consider alternatives that would meaningfully reduce impacts on VMTs. Furthermore, it is possible that Alternative 3 might exacerbate VMTs and GHG impacts. Arguably, office workers might be more likely to be able to afford the proposed market-rate condos and apartment buildings, which might minimize VMTs and their associated mobile emissions (i.e., GHGs). So too, the suggested retail and grocery market is neighborhood-serving, in an area that seems to be lacking adequate access to a walkable grocery. By removing these neighborhood-serving uses, Alternative 3 becomes less mixed-use and more auto-centric (i.e., contrary to GHG reductions). Hence, the Draft EIR does not seem to adequately consider the full scope of reasonable alternatives.

E-34

⁵³ See e.g., <https://www.nytimes.com/2022/05/17/travel/clean-the-world-hotel-soap.html>; <https://freakonomics.com/podcast/the-economics-of-everyday-things-used-hotel-soaps/>; <https://cleantheworld.org/>; <https://bluestandard.com/guides/hotel-guide/>; https://clkrep.lacity.org/online/docs/2021/21-0064_ord_187718_1-23-23.pdf.

⁵⁴ See also *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1509 (citing CEQA Guidelines § 15126.6(a) and (f)); *In re Bay-Delta* (2008) 43 Cal.4th 1143, 1164-1165 (citing CEQA Guidelines § 15124(b)).

3. The Overriding Consideration Is Premature Without More Details, Which May Be Addressed Through A DA Requirement

Under CEQA, when approving a project that will have significant environmental impacts not fully mitigated, a lead agency must adopt a “statement of overriding considerations,” finding that the Project’s benefits outweigh its environmental harm. (Pub. Res. Code § 21081(b); see also CEQA Guidelines § 15043.) An overriding statement expresses the larger, more general reasons for approving the Project, such as the need to create new jobs, provide housing, generate taxes, and the like.⁵⁵ It must fully inform and disclose the specific benefits expected to outweigh environmental impacts, supported by substantial evidence. (See CEQA Guidelines §§ 15043(b) & 15093(b).⁵⁶) However, an agency may adopt a statement of overriding considerations only after it has imposed all feasible mitigation measures to reduce a project’s impact to less than significant levels. (See CEQA Guidelines §§ 15091 & 15126.4.) Hence, decisionmakers may not approve a project when feasible mitigation measures can substantially lessen or avoid such impacts. (See e.g., Pub. Res. Code § 21002; CEQA Guidelines § 15092(b)(2).) So too, additional overriding considerations may be necessary to adequately override those additional impacts that the DEIR underestimates.

E-35

Here, the Draft EIR does not seem to adequately consider all of the potential impacts of the Project. This might skew the City’s decision regarding feasible mitigation measures. A potential solution could be the DA requirement discussed above (supra section IV.A). This approach might give the City Council the opportunity to consider critical issues once project details are forthcoming.

4. Recirculation Of Draft EIR May Be Warranted To Consider Robust Mitigation And Reasonable Range Of Alternatives

CEQA requires a lead agency to recirculate an EIR when significant new information is added to the EIR following public review but before certification. (See Pub. Res. Code § 21092.1.) New information is significant if “the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project” including, for example, “a disclosure showing that ... [a] new significant environmental impact would result from the project.” (CEQA Guidelines § 15088.5.) Here, recirculation may be required because the Draft EIR does not seem to adequately analyze the Project’s impacts on GHGs, energy, and VMTs. Nor does it seem to adequately consider feasible mitigation measures or a reasonable range of alternatives. This arguably might skew the public and decision-making process, which may be an abuse of discretion and warrant recirculation of the Draft EIR.

E-36

⁵⁵ See e.g., *Concerned Citizens of S. Central LA v. Los Angeles Unif. Sch. Dist.* (1994) 24 Cal.App.4th 826, 847.

⁵⁶ See also *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222-1223.

V. CONCLUSION

In closing, Local 11 thanks to the City for the opportunity to provide these belated comments. Local 11 respectfully requests that the City recirculate the Draft EIR to consider additional feasible mitigation measures and project alternatives that might meaningfully reduce the Project's environmental impacts. We also urge the City to consider setting aside a portion of the housing units for affordability and to place a DA requirement for any future hotel at the site.

Local 11 reserves the right to supplement these comments at future hearings and proceedings for this Project. (See *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1120 [CEQA litigation not limited only to claims made during EIR comment period].) To the extent not already on the notice list, please place this office on the notification list for all notices of CEQA actions and any approvals, project CEQA determinations, or public hearings to be held on the Project under state or local law requiring local agencies to mail such notices to any person who has filed a written request for them. (See e.g., Pub. Res. Code §§ 21092.2, 21167(f) and Govt. Code § 65092.) Please send notice by electronic and regular mail to Jamie T. Hall, Esq.

Thank you for your consideration of this matter. I may be contacted at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall

Encls. **Exhibit A**

Cc: LWilson@riversideca.gov
RSingh@riversideca.gov
AMelendrez@riversideca.gov
LMooney@riversideca.gov
JWilder@riversideca.gov
JTeunissen@riversideca.gov
RElizalde@riversideca.gov
BBaird@riversideca.gov
JMunoz@unitehere11.org

E-37

Response to Late Comment Letter E – Channel Law Group, LLP

Response to Late Comment E-1:

This comment does not raise any environmental issue. The comment is written by Channel Law Group, LLP on behalf of UNITE HERE! Local 11, a union. The comment describes the Project and thanks the City for allowing the commenter to provide late comments on the Draft EIR. This comment does not question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-2:

This comment argues that the Draft EIR lacks a specific proposal at this time and is “abstract.” This comment further states that the Draft EIR does not adequately consider project design features and/or mitigation measures that would minimize the Project’s impacts to air quality, greenhouse gas (GHG) emissions and vehicle miles traveled (VMT). This comment also states that the Project does not include any affordable housing. Finally, the comment argues that while a future project may be subject to site plan review or a conditional use permit process, that will not provide the City with sufficient discretion.

The Draft EIR provides a clear and sufficiently detailed project description, outlines the anticipated discretionary approvals, and establishes a framework for future project-level review. Specific quantitative details of the proposed uses were discussed in **Table 1.0-B – Proposed Project Uses** of the Draft EIR providing a maximum development envelope to be evaluated. The Draft EIR outlines the anticipated discretionary approvals that will be required when specific development applications are submitted including but not limited to: site plan review, conditional use permits (CUP), tentative parcel maps, and lot line adjustments. These approvals will provide the City with ample discretion to evaluate future development proposals for consistency with the Draft EIR. While no legislative actions are currently proposed (i.e. General Plan Amendment) this does not limit the City’s future discretion under CEQA when specific development is proposed. The City retains full authority to impose mitigation measures, conditions of approval, and to deny/modify future development proposals that exceed the scope of this Draft EIR. The Draft EIR includes mitigation measures that will guide future development and ensure compliance.

Moreover, the Project includes many project design features and mitigation measures which can apply to the future Projects proposed under the maximum development envelopes analyzed in the Draft EIR to minimize the Project’s impacts, including those to air quality and GHG emissions. As noted in the Project’s Vehicle Miles Traveled (VMT) analysis, since the Project is located within a Transit Priority Area (TPA), the Project would result in less than significant transportation impacts, See Response to Late Comment E-12, below, for further discussion regarding VMT impacts.

Housing affordability is an economic and social issue that may inform decisions made by the City, but it is not treated as a significant effect on the environment (State *CEQA Guidelines* Section 15064(e)) and therefore does not require analysis pursuant to CEQA. According to State *CEQA Guidelines* Sections 15064(d) and 15064(e), a CEQA document must consider the reasonably foreseeable environmental consequences of physical changes resulting from a project’s economic or social changes. That is, social and economic effects are only relevant under CEQA if they would result in, or are caused by, an adverse physical impact to the environment. A shortage in the supply of affordable housing units is not, in and of itself, an identifiable physical impact on the environment.

Finally, there is nothing in the Draft EIR that forecloses affordable housing from being proposed as part of the residential component of the Project site in the future. The Project does not include any specific development applications at this time, and therefore the affordability of any future residential units is currently unknown. If an applicant were to propose affordable housing in the future, nothing in the Project Description or elsewhere in the Draft EIR would prohibit it.

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-3:

This comment asks the City to establish a Development Agreement requirement for any future hotel proposed within the Project site. The comment further states that the City should consider making a portion of the housing component affordable and/or workforce housing. The comment additionally states that the City should consider meaningful mitigation measures to reduce the Project's GHG, energy, and VMT impacts. Finally, the comment states that recirculation is necessary. A development agreement is a voluntary contract between a local jurisdiction and an applicant who owns or controls property within the jurisdiction, detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property. At this time, the Project does not include any specific development applications. Accordingly, a development agreement requirement would be premature. Moreover, development agreements are outside the scope of the City's CEQA process, and therefore this portion of the comment does not raise an environmental issue.

As stated in [Response to Late Comment E-2](#), there is nothing in the Draft EIR that forecloses affordable housing from being proposed in the residential component of the Project site in the future. The Project does not include any specific development applications at this time, and therefore the affordability of any future residential units is currently unknown. If an applicant were to propose affordable housing in the future, nothing in the Project Description or elsewhere in the Draft EIR would prohibit it.

Moreover, the Project includes many project design features and mitigation measures to minimize the Project's impacts, including those to air quality and GHG emissions. As noted in the Project's VMT analysis, since the Project is located within a Transit Priority Area (TPA), the Project would result in less than significant transportation impacts. See [Response to Late Comment E-12](#), below, for further discussion regarding VMT impacts.

Recirculation of an EIR prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review and comment, but before the Final EIR is certified by the lead agency. (State *CEQA Guidelines*, Section 15088.5). As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's applicant have declined to implement.

The commenter provides no evidence, substantial or otherwise, that the Draft EIR is inadequate or requires significant new information. The Draft EIR was prepared in accordance with the requirements of

the State *CEQA Guidelines* and the City's local guidelines for implementing CEQA and contains a thorough analysis of the Project's potential environmental impacts to all environmental issues in Appendix G of the State *CEQA Guidelines*.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-4:

This comment discusses the membership of union Local 11, which represents workers employed in hotels, restaurants, airports, sports arenas, and convention centers. The comment notes that the union has a constitutional right to address public officials in connection with matters of public concern. It further notes that California courts have consistently upheld unions' standing to litigate land use and environmental claims.

This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-5:

The comment provides information regarding CEQA and the commenter's understanding regarding preparation of EIRs including CEQA's requirements for environmental analysis and reducing environmental impacts. Several court cases are cited. The comment also describes the commenter's understanding of the "abuse of discretion" standard of review that courts apply to determine the sufficiency of an EIR. The comment states that an abuse of discretion has occurred if an EIR precludes informed decision-making and informed public participation. The comment discusses CEQA's "substantial evidence" standard.

The comment's general description of CEQA's goals and requirements is noted. With respect to the description of the standard of review applicable to a court's review of the sufficiency of an EIR, the City notes that an EIR's adequacy with respect to methodology, baseline conditions, scope of environmental impact analysis, and adequacy of mitigation measures is reviewed under the substantial evidence standard. (*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 435; *Mission Bay All. v. Office of Cmty. Inv. & Infrastructure* (2016) 6 Cal.App.5th 160, 192, 206; Guidelines §15384(a)). The lead agency may adopt the environmental conclusions reached by the experts that prepared the EIR, even though others may disagree with the underlying data, analysis, or conclusions. (*Laurel Heights Improvement Assn. v. Regents of Univ. of California* (1988) 47 Cal.3d 376, 407-08). No comment was made specific to the Project or the Draft EIR; therefore, no further response is required.

Response to Late Comment E-6:

This comment includes a brief summary of the Project. The comment correctly notes that there is no specific development application being presented at this time. The comment states that the City's process may be skewed "by not being able to fully weigh a more-specific project proposal."

Contrary to the commenter's assertion, the Draft EIR provides a clear and sufficiently detailed Project Description, outlines the anticipated discretionary approvals, and establishes a framework for future

project-level review. Specific quantitative details of the proposed uses were discussed in **Table 1.0-B – Proposed Project Uses** of the Draft EIR providing a maximum development envelope to be evaluated. Accordingly, the City has adequate information in order to allow it to analyze the Project and evaluate its impacts. In the event a specific development application is brought forth, the Draft EIR explains that supplemental discretionary approvals and environmental review may be necessary. (*Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036 [finding project description sufficiently detailed where future project features would “be likely subjects of supplemental review before a final design was implemented]”).

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-7:

This comment correctly summarizes the proposed demolition of Lot 33 and the Outdoor Plaza Area. The comment also correctly summarizes that there is no specific development application under consideration and that the Project evaluated in the Draft EIR consists of maximum development envelopes for residential and non-residential uses, including a new Outdoor Plaza, and reproduces **Table 1.0-B – Proposed Project Uses** from the Draft EIR Executive Summary. The comment also correctly indicates the Outdoor Plaza may include an amphitheater. However, the comment neglects to state that the Outdoor Plaza, which would contain flexible outdoor gathering spaces, such as an amphitheater, is intended to be used on an intermittent basis. (DEIR, pp. 1-5,3-5, 4-14). This omission is relevant in that this comment assumes the amphitheater would be used for large-scale events, which is a conclusion not justified by the Project description or any other information in the record. Rather, it seems the commenter *assumed* the amphitheater would be used for “significant events” based on figures cited in the comment as being on pages 100,102, 105 of the PDF file for the Draft EIR, which correspond to the following figures:

PDF page cited in Comment	Draft EIR Figure
100	3.0-12 Project Site Elevation Cross Section B
103	3.0-15 Project Site Elevation Cross Section C
152	5.1-10 Views at Main St/Fifth St Intersection

There is nothing in the cited figures, or in the screenshot of Draft EIR **Figure 1.0-8 – Project Site Rendering from Third St. and Orange St.** and **Figure 1.0-18 – Project Site Rendering from Fifth Street**, that constitute substantial evidence “significant events” would take place at the proposed amphitheater or that the Draft EIR did not accurately describe the anticipated size or intensity of events at the proposed amphitheater. As such, this comment, which does not provide substantial evidence concerning the existence of a significant environmental impact expresses unsubstantiated opinion that the Draft EIR does not adequately analyze the potential for larger events at the potential amphitheater.

Regarding the evaluation of larger events at the potential amphitheater, which are not anticipated based on the Project description and the discussion under the subheading Outdoor Plaza/Amphitheater on Draft EIR page 5.6-18 to lead to the conclusion that anything other than low-intensity community events

are reasonably foreseeable. CEQA does not require an EIR to evaluate a worst-case analysis. Rather CEQA requires an analysis of the reasonably foreseeable changes in the physical environment resulting from Project implementation, which is what is provided in Draft EIR Section 5.6. Noise and the *Noise Analysis Report Riverside Alive* included in Appendix D of the Draft EIR. Thus, the noise analysis in the Draft EIR appropriately evaluated impacts resulting from low-intensity community events.

As disclosed in the Draft EIR, the anticipated community events would be low-intensity, generally occur between the hours of 7:00 a.m. and 10:00 p.m., and occasionally may include usage of low-level public address/sound amplification equipment. The Draft EIR further states that if sound amplification equipment is used, the event coordinator would be required to ensure the sound levels do not exceed (i) 65 dBA at any time at surrounding commercial land uses, (ii) 55 dBA between 7:00 a.m. and 10:00 p.m. at any residential land uses, or (iii) 45 dBA between 10:00 p.m. and 7:00 a.m. at any residential land uses. (DEIR, p. 5.6-18). These sound levels are the same as those set forth in Riverside Municipal Code (RMC) section 7.25.010 and disclosed in Draft EIR **Table 5.6-7 – Exterior Noise Standards**. (DEIR, pp. 5.6-14-- 5.6-15). Per RMC section 7.15.005, the City's noise regulation shall be enforced by the Code Enforcement Division of the Community & Economic Development Department and/or the Riverside Police Department.

Regarding enforceable conditions that limit the intensity and impact of future events, mitigation measure **MM NOI 3**, which addresses non-residential exterior noise, requires further evaluation and incorporation of design features at final design and prior to the issuance of a building permit or use permit for any non-residential structure or non-residential use that includes any outdoor gathering or dining areas to ensure compliance with noise standards. Because the proposed amphitheater is a potential feature of the outdoor plaza, its future use would be subject to review as required by **MM NOI 3**.

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-8:

This comment correctly summarizes the geographic location of the Project site and identifies surrounding land uses as described in the Draft EIR.

This comment does not question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-9:

This comment argues that the Draft EIR lacks specifics and details about the development on the Project site that expresses the unsubstantiated opinion that because there are no legislative approvals anticipated at this time, the City's discretion for any future implementing development project may somehow be limited. However, the comment does not provide an explanation as to how the City's future discretion would be limited.

Regarding the assertion that the Project is "conceptual" and "lacks project-specific details," the Draft EIR provides a clear and sufficiently detailed project description, outlines the anticipated discretionary approvals, and establishes a framework for review of future implementing development projects. Specific quantitative details of the proposed uses are discussed in Draft EIR **Table 1.0-B – Proposed**

Project Uses and **Table 3.0-B – Proposed Project Uses**. These tables identify a maximum development envelope along with some of the reasonable details for the residential and non-residential uses evaluated in the Draft EIR. (DEIR, pp. 1-3 – 1-4, 3-3 – 3-4).

The Draft EIR outlines the anticipated discretionary approvals that will be required when specific development applications are submitted including: site plan review, conditional use permits (CUP), tentative parcel maps or lot line adjustments. (DEIR, pp. 1-9, 3-9). These approvals provide the City with ample discretion to evaluate future implementing development project proposals and impose conditions of project approval or additional/revised mitigation as appropriate. While no legislative actions are currently proposed (i.e. General Plan Amendment, Development Agreement) this does not limit the City's discretion under CEQA with regard to future implementing development projects. The City retains full authority to impose mitigation measures, conditions of approval, and deny/modify future implementing development projects that exceed the scope of this Draft EIR. Further, the Draft EIR includes mitigation measures for potential impacts to air quality/greenhouse gas emissions, biological resources, cultural resources, noise, and public services that will be implemented by future implementing development projects.

This comment does not question the contents or conclusions of the Draft EIR or provide any information that changes the environmental analysis or findings contained within the Draft EIR. No new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-10:

This comment argues that the Draft EIR lacks specifics and details about the development on the Project site. The comment cites case law in support of its position. The comment also states that the project description is unstable, and that the Project is conceptual in nature. The comment contends that the conceptual nature of the Project precludes informed decision-making and public participation. These arguments have been addressed elsewhere in these Responses to Comments, specifically: Response to Late Comment E-8 and E-2, and are further addressed below.

The Draft EIR provides a clear and sufficiently detailed project description, outlines the anticipated discretionary approvals, and establishes a framework for future project-level review. Specific quantitative details of the proposed uses were discussed in **Table 1.0-B – Proposed Project Uses** of the Draft EIR providing a maximum development envelope to be evaluated. The Draft EIR outlines the anticipated discretionary approvals that will be required when specific development applications are submitted including but not limited to: site plan review, conditional use permits (CUP), tentative parcel maps, and lot line adjustments. These approvals will provide the City with ample discretion to evaluate future development proposals for consistency.

The commenter correctly states that no development application is currently before the City as part of the Project. Thus, as matter of necessity at this stage in the planning process, there are many specifics that quite likely will be the subjects of supplemental review when a specific development proposal is brought forth. (*Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036 [finding project description sufficiently detailed where future project features would “be likely subjects of supplemental review before a final design was implemented”].) However, the EIR cannot be faulted for not providing detail that, due to the nature of the Project, simply does not now exist. (Guidelines, § 15146 [“The degree of specificity required in an EIR will correspond to the degree

of specificity involved in the underlying activity which is described in the EIR”].) Nor have the courts required resolution of all hypothetical details prior to approval of an EIR, as the commenter implies. (*Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 909–910 [EIR for mixed-use development sufficiently addressed seismic safety when the “preparers of the EIR” committed themselves to conduct a more thorough “site-specific investigations” that would be used to formulate the final structural designs prior to issuance of all relevant construction permits]; *City of Antioch v. City Council* (1986) 187 Cal.App.3d 1325, 1336–1337 [it was unreasonable and unrealistic to demand that an EIR “must describe in detail each and every conceivable development scenario”].)

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-11:

The comment reiterates the argument that the Project is unknown and conceptual. The comment notes that potential development of the site includes hotels. The comment argues that requiring a development agreement may reduce impacts to traffic, sustainability, and housing. The comment recommends that the City consider requiring development agreements for future hotel development. The comment does not specify a method for enforcing a development agreement requirement within the context of the Draft EIR.

A development agreement is a voluntary contract between a local jurisdiction and an applicant who owns or controls property within the jurisdiction, detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property. Development agreements are governed by California Government Code § 65864 et seq., which is not part of the CEQA guidelines or statutes. Neither the applicant nor the public agency is required to enter into a development agreement. When they do, the allowable land uses and other terms and conditions of approval are negotiated between the parties at that time, subject to the public agencies’ ultimate approval.

Currently, the Project does not include any specific development applications. Accordingly, a development agreement requirement would be premature. Moreover, development agreements are outside the scope of the City’s CEQA process, and therefore this portion of the comment does not raise an environmental issue.

Response to Late Comment E-12:

The commenter does not provide substantial evidence concerning the existence of a significant environmental impact. The comment expresses an opinion that hotels and entertainment venues such as amphitheaters and convention centers tend to be regional vehicle miles traveled (VMT) generators and that mitigation measures and travel demand measures (TDM) require careful consideration. See [Response to Late Comment E-7](#), above, regarding the potential amphitheater.

The Project’s VMT impacts were evaluated pursuant to the City of Riverside’s Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment (hereinafter City’s TIA Guidelines), which were developed to comply with CEQA requirements for VMT.

The proposed Project is located within a designated Transit Priority Area (TPA). (DEIR, p. 5.8-24). As stated in the City’s TIA Guidelines, Projects located within a TPA may be presumed to have a less than

significant impact absent substantial evidence to the contrary. This presumption may NOT be appropriate if the project:

1. Has a Floor Area Ratio (FAR) of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the City), with input from the Metropolitan Planning Organization); or
4. Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

The proposed Project would be consistent with all four criteria above because: 1) the Project exceeds the minimum Floor Area Ratio (FAR) of 0.75; 2) the City will ensure, as part of the Development Application review of future implementing development projects, that City parking requirements are met and that the site will not be overparked; 3) the Project is consistent with the existing General Plan land use designation and thus the Project is consistent with Connect SoCal 2024 SCS (see also *Section 6.0* of this Draft EIR); and 4) the Project will not replace affordable housing units. (DEIR, p. 5.8-24). As such, the Project meets the detailed TPA screening criteria, and a project-level VMT analysis would not be warranted.

Since the screening analysis prepared for the Project determined a less than significant impact on VMT, no other analysis or mitigation is required.

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR, nor does it raise any new environmental issues. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-13:

The commenter does not provide substantial evidence concerning the existence of a significant environmental impact. The comment expresses an opinion that hotels can also have a unique impact on energy and water use.

The Draft EIR accurately analyzed the Project's impacts from all proposed land uses, including the proposed hotels, using the California Emissions Estimator Model (CalEEMod) to estimate air quality and greenhouse gas (GHG) emissions. CalEEMod output was included in Appendix B of the Draft EIR. CalEEMod program defaults were utilized to for energy usage from electricity and natural gas and the resultant emissions; CalEEMod program defaults for were utilized for outdoor water demand and the overall water demand was obtained from Project-specific water demand estimates. (DEIR, p. 5.5-28 – 5.5-29).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-14:

This comment states that hotels create affordable housing demand. This comment argues that many service workers, including housekeepers, cooks, and front desk staff, as well as other hotel and event

center workers, often earn modest wages, making it difficult to afford housing near their jobs, leading to either disproportionate housing costs, overcrowding, or longer commutes.

Draft EIR Section 5.7 (Public Services) discusses population generation as a result of the non-residential components of the Project. Per the Draft EIR, the Project is expected to increase the City's population by a maximum of approximately 576 persons using the City's factor of 3.43 people per dwelling unit and generate a maximum of approximately 1,746 employees using available data from the County of Riverside.¹ Therefore, the Project is anticipated to generate a total of approximately 2,322 residents and employees onsite. (DEIR, p. 5.7-9).

As mentioned in *Section 4.0 – Environmental Effects Found Not to be Significant*, specifically *Section 4.1.12 – Population and Housing* of the Draft EIR, the Project would allow future implementing developments to introduce a mixture of residential uses and hotel uses which may introduce between approximately 514 to 576 additional residents to the City of Riverside. This increase represents growth that is less than one percent of the more conservative population projections analyzed by the City Phase I General Plan Update (GPU). Since the proposed Project uses are consistent with the Downtown Specific Plan designation, which allows for high-density residential and mixed-use development, including affordable housing, within the Raincross District, the Project does not induce unplanned growth. Additionally, the Project will provide the City more opportunities to help reach the RHNA allocation of 18,458 new housing units for the planning period for 2021-2029 and the City's self-prescribed target of 24,000 units.

As stated in Response to Late Comment E-2, there is nothing in the Draft EIR that forecloses affordable housing from being proposed in the residential component of the Project site in the future. The Project does not include any specific development applications at this time, and therefore the affordability of any future residential units is currently unknown. If an applicant were to propose affordable housing in the future, nothing in the Project Description or elsewhere in the Draft EIR would prohibit it, nor would affordable housing create new or different impacts from what was already disclosed and analyzed in the Draft EIR. This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-15:

See Response to Late Comment E-7, above, regarding the potential amphitheater. See Response to Late Comment E-11, above, regarding the suggested DA requirement. See Response to Late Comment E-24, below, regarding energy impacts and Response to Late Comment E-28 and Response to Late Comment E-29, below, regarding VMT impacts.

The commenter does not provide substantial evidence concerning the existence of a significant environmental impact. This comment correctly summarizes the Project's impact to air quality and GHG emissions and expresses unsubstantiated opinion that the Project's potential impacts can be substantially reduced through various strategies and measures published by multiple public agencies. The Project does not include any specific development applications at this time, and therefore the

¹ Number of employees were calculated using the Riverside County General Plan Appendix E, Table E-5 - Commercial Employment Factors and the proposed Project land use and associated square footage.
(<https://planning.rctlma.org/sites/g/files/aldnop416/files/migrated/Portals-14-genplan-general-Plan-2017-appendices-Appendix-E-2-April-2017.pdf>)

feasibility of these measures is currently unknown. See Late Comment E-30 and [Response to Late Comment E-30](#), below, for detailed responses to these measures.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-16:

This comment notes that other cities have adopted development agreement requirements for hotel projects and cites several examples. See [Response to Late Comment E-11](#), above, regarding the suggested DA requirement. This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-17:

This comment proposes an amendment to the Downtown Specific Plan (DSP) to require a development agreement for hotel uses within the Project site. The comment notes that the City could consider adopting CEQA mitigation as part of its certification of the EIR, and argues that the Draft EIR lacks adequate mitigation measures to mitigate GHG emissions and reduce the Project's anticipated VMT. This comment expresses unsubstantiated opinion that a DA requirement would help mitigate these alleged impacts.

See [Response to Late Comment E-30](#) regarding the Project's GHG impacts. See [Response to Late Comment E-12](#) regarding the Project's VMT impacts. The proposed DSP amendment fails to raise an environmental issue or provide any information that changes the environmental analysis or findings contained within the Draft EIR. The Project is consistent with the 2025 General Plan, the GPUI and the DSP and therefore does not require an amendment to the DSP (DEIR, pp. 4-13 – 4-14). The comment proposes an entirely new legislative action, which has no bearing on the Project as proposed. Additionally, the comment states without substantiation that the DSP amendment would preserve "maximum flexibility" for the decisionmakers, beyond that which is included as a part of the CUP process. As stated above, a development agreement is a voluntary contract between a local jurisdiction and an applicant who owns or controls property within the jurisdiction, detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property. Development agreements are governed by California Government Code § 65864 et seq., which is not part of the CEQA guidelines or statutes. The legislative action proposed by the comment does not raise or address an environmental issue or question the contents or conclusions in the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-18:

This comment suggests that the City consider an affordable housing Project component. The comment contends that development agreements allow for the creation of affordable and/or workforce housing. The comment argues that the Project may place further demand on the City's housing resources.

As noted in [Response to Late Comment E-2](#) above, housing affordability is an economic and social issue that may inform decisions made by the City, but it is not treated as a significant effect on the environment for the purposes of CEQA. Moreover, there is nothing in the Draft EIR that forecloses affordable housing from being proposed as part of the residential component of the Project site in the

future. The Project does not include any specific development applications at this time, and therefore the affordability of any future residential units is currently unknown. If an applicant were to propose affordable housing in the future, nothing in the Project Description or elsewhere in the Draft EIR would prohibit it. See [Response to Late Comment E-11](#) above regarding the commenter's suggested development agreement. See [Response to Late Comment E-14](#) regarding the Project's demand on housing resources.

This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-19:

This comment correctly notes that the Draft EIR determined that population growth as a result of this Project will not be significant. The comment then claims that that Draft EIR fails to discuss the induced housing demand by the non-residential components of the Project. The comment claims that the Project could generate over 1,200 new jobs and therefore contribute to housing demand. The comment then cites data from the City of Los Angeles VMT Calculator.

Contrary to the commenter's assertion, Draft EIR Section 5.7 discusses population generation as a result of the non-residential components of the Project. Per the Draft EIR, the Project is expected to increase the City's population by a maximum of approximately 576 persons using the City's factor of 3.43 people per dwelling unit and generate a maximum of approximately 1,746 employees using available data from the County of Riverside. Therefore, the Project is anticipated to generate a total of approximately 2,322 residents and employees onsite. (DEIR, p. 5.7-9). As noted in the Draft EIR, this was calculated using the Riverside County General Plan Appendix E, Table E-5 - Commercial Employment Factors and the proposed Project land use and associated square footage. The commenter's City of Los Angeles data has no bearing on the Draft EIR's Project Analysis.

As noted in [Response to Late Comment E-2](#), above, housing affordability is an economic and social issue that may inform decisions made by the City, but it is not treated as a significant effect on the environment for the purposes of CEQA. According to State [CEQA Guidelines](#) Sections 15064(d) and 15064(e), a CEQA document must consider the reasonably foreseeable environmental consequences of physical changes resulting from a project's economic or social changes. That is, social and economic effects are only relevant under CEQA if they would result in, or are caused by, an adverse physical impact to the environment. A shortage in the supply of affordable housing units is not, in and of itself, an identifiable physical impact on the environment.

This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-20:

This comment notes that the California Department of Housing and Community Development (HCD) oversees local municipalities' compliance with various state housing laws, including those relevant to Housing Element updates to accommodate local RHNA numbers. The comment goes on to describe the City's progress on meeting its RHNA goals. The comment states that the City is well on its way to achieving its market-rate RHNA goals but is underperforming on its affordable RHNA goals. The

comment concludes by stating that the City is missing an opportunity to encourage affordable housing units at the Project site.

As noted in Response to Late Comment E-14, the Project will provide the City more opportunities to help reach the RHNA allocation of 18,458 new housing units for the planning period for 2021-2029 and the City's self-prescribed target of 24,000 units. Additionally, as noted in Response to Late Comment E-2, above, housing affordability is an economic and social issue that may inform decisions made by the City, but it is not treated as a significant effect on the environment for the purposes of CEQA. Moreover, there is nothing in the Draft EIR that forecloses affordable housing from being proposed as part of the residential component of the Project site in the future. The Project does not include any specific development applications at this time, and therefore the affordability of any future residential units is currently unknown. If an applicant were to propose affordable housing in the future, nothing in the Project Description or elsewhere in the Draft EIR would prohibit it.

This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-21:

The comment once again states that the City is underperforming on its affordable RHNA goals. This comment goes on to discuss jobs-to-housing balance, and states that adding more jobs in a jobs-rich area (i.e., housing-poor area) can adversely affect a community's housing stock. The comment notes that the City is considered jobs-rich, and claims the Project would add a significant number of jobs with relatively few dwelling units. The comment discusses the City's Housing Element and highlights that City residents are considered modest earners compared to elsewhere in the state. Finally, the comment notes that the Project site is not identified as an "opportunity site" under the City's Housing Element, but states that the Project site is near other sites identified for potential use as affordable housing.

As noted in Response to Late Comment E-2, above, housing affordability is an economic and social issue that may inform decisions made by the City, but it is not treated as a significant effect on the environment for the purposes of CEQA. Moreover, there is nothing in the Draft EIR that forecloses affordable housing from being proposed as part of the residential component of the Project site in the future. The Project does not include any specific development applications at this time, and therefore the affordability of any future residential units is currently unknown. If an applicant were to propose affordable housing in the future, nothing in the Project Description or elsewhere in the Draft EIR would prohibit it.

This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-22:

This comment states that the City has an opportunity to encourage affordable/workforce housing at the Project site. The comment then goes on to list various goals and policies under the City's General Plan intended to encourage affordable housing, which they identify is an environmental justice issue. Environmental justice is a social issue, which as noted in Response to Late Comment E-2, above, may inform decisions made by the City, but it is not treated as a significant effect on the environment (State *CEQA Guidelines* Section 15064(e)) and therefore does not require analysis pursuant to CEQA.

This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E-23:

This comment correctly notes that the Project is located within the Southern California Association of Governments (SCAG) region, which has prepared its most recent 2024 Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS). The comment claims that providing affordable and sustainable housing is a major theme in the 2024 RTP/SCS. The comment goes on to list several 2024 RTP/SCS goals related to providing housing. The comment notes that the Draft EIR states that the 2024 RTP/SCS goals are met and that the Project is consistent because it is a mixed-use project that includes a mix of for-sale and for-rent housing. The comment then argues that the Draft EIR analysis does not adequately consider the specific categories, policies, and strategies intended to further the 2024 RTP/SCS goals, specifically their emphasis on affordable housing.

As noted by the comment and in the Draft EIR, the Project is consistent with the 2024 RTP/SCS because it aims to increase the variety of housing options within the Downtown area by providing a mix of for-sale and for-rent housing products. Future implementing development would introduce mixed uses to the Project site that would provide pedestrian connectivity to the existing surrounding pedestrian network. Due to the urban setting, a mixed-use development at the Project site would provide a connected, human-centered and sustainable thriving community that increases mobility options and would reduce travel distances. (DEIR, pp. 6-4 – 6-5). Notably, the 2024 RTP/SCS does not require that new units be subject to affordability restrictions in order for a Project to be deemed consistent. Instead, the RTP/SCS emphasizes creating “human-centered communities in urban, suburban and rural settings to increase mobility options and reduce travel distances;” and “producing and preserving diverse housing types in an effort to improve affordability, accessibility and opportunities for all households.” The Project as proposed aims to achieve these policy goals and is therefore consistent with the 2024 RTP/SCS.

Finally, as stated in Response to Late Comment E-2, above, there is nothing in the Draft EIR that forecloses affordable housing from being proposed as part of the residential component of the Project site in the future. This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-24:

The comment correctly states that the Draft EIR identified no significant impacts to energy and that no mitigation measures were required. CEQA does not require mitigation measures for less than significant impacts. Therefore, since no mitigation is required, the mitigation listed by the commenter is noted, but is not required to be implemented.

Draft EIR Section 5.4 accurately analyzed the Project’s construction and operation energy impacts for the proposed land uses, utilizing the assumptions from the *Air Quality/Greenhouse Gas Analysis* (Draft EIR Appendix B).

As discussed in the Draft EIR, the Project would be subject to the applicable Title 24 energy efficiency standards in place at the time of the building permit process. The Title 24 standards are designed to reduce wasteful, uneconomic, inefficient, or unnecessary consumption of energy, and enhance outdoor

and indoor environmental quality. (DEIR, p. 5.5-7). Under Title 24, the Project would be required to implement measures aimed at reducing building energy usage through the use of energy efficient lighting, increased insulation, and the use of energy efficient heating, ventilating, and air conditioning (HVAC) systems and other appliances. Further, Title 24 requires that the Project include dedicated electric vehicle (EV) charging spaces, which would encourage the use of alternative fueled vehicles and reduce the Project's transportation energy demand.

The Project does not include any specific development applications at this time, and therefore the extent to which on-site renewable energy sources may be incorporated is unknown. The Project would, however, be designed and built to facilitate the installation of solar photovoltaics in the future. As of 2023, 46.4 percent of Riverside Public Utilities' (RPU) energy supply was generated from renewable energy sources and is currently expected to exceed the 60 percent required by the State's 2030 Renewable Portfolio Standards (RPS) mandate three years ahead of schedule. RPU is also expected to achieve 105 percent RPS in 2038 and remain 100 percent through the 2045 study horizon to meet the state goal of carbon neutrality.

Moreover, the State *CEQA Guidelines* merely indicates a project's energy use be evaluated and if the energy use may result in significant effects, the EIR shall mitigate energy use and consider building code compliance, among other considerations relevant for the analysis, when incorporating energy features into the project (State CEQA Guidelines Section 15126.2(b)).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-25:

See Response to Late Comment E-7, above, the Outdoor Plaza, which would contain flexible outdoor gathering spaces, such as an amphitheater, is intended to be used on an intermittent basis. Thus, the Draft EIR appropriately evaluated impacts resulting from the Outdoor Plaza associated with the Convention Center and proposed land uses. The Outdoor Plaza is not a separate land use. As such, no additional mobile sources would be generated and the Project's GHG emissions were not underestimated.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-26:

The comment provides unsubstantiated opinion that the design features are inadequate. Contrary to the commenter's assertion, the proposed mitigation measures are not vague. The proposed mitigation measures **MM AQ 1** through **MM AQ 9** reduce air quality and GHG emissions from the proposed Project to the extent feasible.

MM AQ 1 and **MM AQ 2** require disclosure to future residents and employees about available opportunities for alternative transportation. The Project does not include any specific development applications at this time, and therefore the feasibility of mandatory commute trip reduction programs is currently unknown. Moreover, specific users for hotel, commercial-retail, and office component of the

Project are also unknown. If an applicant were to propose a mandatory commute trip reduction program in the future, nothing in the Draft EIR would prohibit it.

MM AQ 3 requires designated spaces for carpool/vanpool to complement the alternative transportation information, including ridesharing, disclosed under **MM AQ 1** and **MM AQ 2**. The number of preferential carpool/vanpool stalls would be determined during the development application review process.

Contrary to the commenter's assertion, **MM AQ 4** does require the Project to provide electric vehicle (EV) charging spaces in excess of current code. There is also nothing to prohibit a future applicant from implementing additional measures such as the Tier 1 or Tier 2 voluntary CALGreen code measures, although it should be noted that implementation of such measures does not have a quantitative reduction in emissions associated with them. To require voluntary CALGreen code standards for this Project would be arbitrary, as meeting those standards would not demonstrably mitigate the Project's air quality or GHG impacts. Because the Project does not include any specific development applications at this time, the impact on the Project's marketability is unknown, and the implementation of voluntary CALGreen code measures could make the Project unmarketable.

MM AQ 5 similarly requires secure bicycle parking in excess of existing code at the time of building permit. The number of bicycle parking facilities and shower facilities would be determined during the development application review process.

Contrary to the commenter's assertion, the broadband internet and Energy-Star rated appliances required by **MM AQ 6** and **MM AQ 8** are not mandated by existing code. Broadband internet is not required by Title 24 standards nor is it required by the Riverside Municipal Code. Similarly, Energy-Star rated appliances are not required of all new construction under Title 24.

MM AQ 7, as stated, requires information to be provided to the residential property owner and/or property management firm. It does not require the property owner and/or property management firm to unbundle parking fees from rental fees because the Project does not include any specific development applications at this time, and therefore the feasibility of requiring unbundled costs is currently unknown. This information is readily available to residential property owners and management firms. The measure offers information about the benefit of removing parking fees from rental unit fees may allow for discounted or lower rental fees to benefit individuals who may not own a vehicle and simply ensures residential property owners and management firms are aware of this ability. The intent of the measure is to help entice individuals who may not have an automobile, by providing information to property owners and management firms about their ability to uncouple parking and rental fees; thereby allowing them to provide a rental unit at a reduced rate to prospective tenants. Nonetheless, it should be noted that AB 1317 became effective in January 2025, which requires certain new residential developments to unbundle parking costs from rental rates, unless otherwise exempt.² Therefore, future development would be subject to these requirements if they are not exempt.

The comment correctly states that **MM AQ 9** requires all necessary infrastructure (i.e., wiring, reinforced roofs) to allow solar photovoltaic systems on the Project site to be installed in the future, with a specified electrical generation capacity. The Project does not include any specific development applications at

² <https://legiscan.com/CA/text/AB1317/id/2845248>

this time, and therefore the feasibility of requiring a mandatory amount of solar is currently unknown. Moreover, as stated in [Response to Late Comment E-24](#), above, nearly half of RPU's current energy supply is generated from renewable energy sources and is currently expected to exceed the 60 percent requirement by the State's 2030 RPS mandate three years ahead of schedule and remain 100 percent through the 2045 study horizon to meet the state goal of carbon neutrality.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-27:

The City's Climate Action Plan (CAP) was included as part of the Riverside Restorative Growthprint that combines two plans: the Economic Prosperity Action Plan (EPAP) and the Climate Action Plan and was adopted by Riverside City Council on January 5, 2016 with Resolution No. 22942 after a Mitigated Negative Declaration was completed and processed in compliance with the requirements of CEQA. As such, the City's CAP is a qualified CAP pursuant to State *CEQA Guidelines* Section 15183.5(b)(1). It is correct that the City is in the process of preparing an update to the CAP; however, an updated CAP is not available at this time and the current CAP remains effective.

The comments regarding specific CAP measures evaluated in the Draft EIR express unsubstantiated opinion that the consistency with CAP measures is wanting. Consistency with the applicable CAP measures is determined using multiple mechanisms that may include, but are not limited to, existing regulatory compliance, project design features, or mitigation measures. Draft EIR **Table 5.5-H** demonstrates Project consistency with the applicable measures using one or more of these mechanisms.

The comment also asserts several CAP measures should have been evaluated in the Draft EIR. However, these CAP measures were not evaluated in the Draft EIR because they are not applicable to the Project. To clarify the rationale for their exclusion, the disposition of these measures is described below.

The objective of CAP measure T-4 is to promote TDM strategies for existing businesses (CAP, p. B.3-45). The Project proposes new development. Further, the Draft EIR includes **MM AQ 1** and **MM AQ 2** which promote alternative transportation and commute trip reduction.

CAP measure T-9 is the City's responsibility and aimed to amend the parking code requirements for non-residential development. The City will ensure, as part of the Development Application review, that City parking requirements are met and that the site will not be overparked (DEIR, p. 5.8-24).

CAP measure T-10 is the City's responsibility to coordinate with RTA on bus rapid transit service in the City and is not applicable at the individual project level.

CAP measure T-14 is a City responsibility to develop a neighborhood electric vehicle (NEV) plan that is not applicable at the individual project level.

CAP measure T-15 is also a City responsibility to provide more subsidized transit passes to residents, students, and employees in Riverside and is not applicable the individual project level.

The comment also expresses unsubstantiated opinion that the Draft EIR analysis of GHG impacts did not consider mitigation to the extent feasible, consistent with existing regulatory schemes. Pursuant to CEQA, the Draft EIR evaluated the Project's consistency with regulatory requirements and incorporated feasible mitigation that exceeds existing regulations. As stated in the Draft EIR, the GHG plan consistency for the Project is based on the Project's consistency with the Southern California Association of Governments (SCAG's) Connect SoCal (2024-2050 RTP/SCS), the applicable 2025 General Plan goals and policies, the City's CAP, and the 2022 Scoping Plan. (DEIR, p. 5.5-31). As such, the Draft EIR evaluated the Project's consistency with State regulatory requirements.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-28:

The commenter does not provide substantial evidence concerning the existence of a significant environmental impact. Contrary to the commenter's assertion, the Draft EIR properly described the City's VMT screening criteria and accurately analyzed the Project's impacts under each criterion. The Project was appropriately screened-out from a detailed VMT analysis because the Project site is located within a TPA and meets all four sub-criteria for the presumption of less than significant impacts to apply, as described above in Response to Late Comment E-12.

The citations from the OPR Technical Advisory are noted. However, the Technical Advisory is guidance for local agencies to use at their discretion (Technical Advisory, p. 1). Each CEQA lead agency was required to adopt VMT guidelines for their respective agency in July 2020 and the City has done so in compliance with the State *CEQA Guidelines* upon adopting the City's TIA Guidelines.

The comment refers to documents such as "ATT-E" and "ATT-B" several times. However, it is unclear what the commenter is referring to as there are no attachments to the comment letter labeled in this manner. Accordingly, it is assumed the commenter is referring to the Draft EIR Appendices in these instances, which are labeled A through E. The excerpts in the comment regarding "ATT-E" pull facts from the City's other independent screening criteria to inappropriately imply that certain components of the Project would result in significant VMT impacts. This is inappropriate because each of the City's screening criteria functions independently from the others.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-29:

The commenter does not provide substantial evidence concerning the existence of a significant environmental impact. Contrary to the commenter's assertion, each of the City's screening criteria (Steps) was accurately evaluated, as described below.

Regarding the comment on Step 1: TPA criteria, the commenter inaccurately asserts that the Project's consistency with two sub-criterion is conclusory. Through the subsequent development application review process, the City would ensure that the proposed Project would not be overparked per City parking requirements, which include, but are not limited to, the DSP and the Riverside Municipal Code.

This is not illusory mitigation or a conclusory statement; rather, it is a performance standard that would be met during the development application review process. The comment that the SCS consistency analysis is illogical is unfounded. As stated in the Project-Specific VMT Memo, “In order to develop regional development forecasts, SCAG consults with local governments and utilizes local general plans. Since the Project is consistent with the General Plan land use and the Downtown Specific Plan, then the SCS would have taken into account such uses when it was developed...” (DEIR Appendix E, p. 6).

Regarding the comment on Step 2: Low VMT Area Screening, the suggestion that the commercial component of the Project is more impactful than the residential component is unsubstantiated. The fact that the service population and worker metric for the Project site exceeds the City’s existing threshold merely indicates that this screening criterion would not apply. It does not indicate a significant impact; rather it means a proposed project MAY have the potential for a significant impact that would require VMT modeling to evaluate project impacts if a project could not be screened out using the City’s other adopted criteria.

Regarding the comment on Step 3: Project Type Screening/Step 4: Mixed Use Project Criteria, the applicability of each land use of the Project was evaluated per the City’s TIA Guidelines. Similar to above, the fact that the hotel and convention center expansion do not meet the criteria for Project Type Screening is not in and of itself an acknowledgement of a significant impact. Rather, it indicates the whole Project does not meet this particular screening criterion.

Regarding the comment on Step 5: Redevelopment Project Criteria, it is noted, and stated in the Draft EIR, that the Project would not replace existing VMT generating land use. The Project proposes development consistent with the approved Downtown Specific Plan and would not be overparked. The City agrees that the Project does not meet this criterion. The Project’s VMT Memo in Appendix E and the Draft EIR text inadvertently omitted the word “not.” Draft EIR Section 5.8, Transportation, has been clarified as shown below and *Section 3.0 - Errata* of this Final EIR reflects the associated change. The VMT Memo has also been clarified and is provided in Final EIR Attachment A.

Page 5.8-24 of the Draft EIR will be clarified as follows:

1. The Project is not proposing to replace existing VMT generating land uses because the existing Riverside Convention Center is not being demolished. Additionally, as mentioned under Criterion 1, the City will ensure adequate parking is provided during the Development Application review process. Therefore, this criterion is not met.

The correction of a typographical error in the VMT Memo and Draft EIR do not constitute significant new information that would require recirculation of the Draft EIR pursuant to State *CEQA Guidelines* Section 15088.5. As such, this comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR and no further analysis is required.

Response to Late Comment E-30:

As discussed in above in Response to Late Comment E-24 and Response to Late Comment E-12, the Project’s energy and VMT impacts were less than significant and therefore no mitigation is required. Further, as discussed in Response to Late Comment E-26, above, the proposed mitigation measures **MM AQ 1** through **MM AQ 9** reduce air quality and GHG emissions from the proposed Project to the extent feasible.

The Project does not include any specific development applications at this time, and therefore the extent to which additional mitigation may be feasible is unknown. Although there will be significant and unavoidable impacts related to air quality and GHG emissions, even with feasible mitigation incorporated, the City has discretion to approve a Statement of Overriding Considerations and move forward with the Project. Section 15093(a) of the State *CEQA Guidelines* requires the City to balance, as applicable, the economic, legal, social, technological, or other benefits, of the proposed Project against its unavoidable environmental risks in determining whether to approve the Project. If these benefits outweigh the unavoidable adverse environmental effects, the City may consider the adverse environmental effects to be acceptable.

The remainder of the comment provides a general list of potential mitigation measures from the California Air Pollution Control Officers Association (CAPCOA), SCAG's RTP/SCS, and the California Air Resources Board (CARB) Scoping Plan without substantial evidence that they apply to the proposed Project. Note that "CEQA does not require an analysis of every imaginable alternative or mitigation measure; its concern is with feasible means of reducing environmental effects." (*Long Beach Sav. & Loan Ass'n v. Long Beach Redevelopment Agency* (1986) 188 Cal.App. 3d 249, 263). "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors. (CEQA Guidelines Section 15364). While a lead agency is required to respond to comments proposing concrete, facially feasible mitigation measures, it is not required to accept said measures. (*A Local & Reg'l Monitor v. City of Los Angeles* (1993) 12 Cal.App. 4th 1773, 1809). Further, while the lead agency's response should evince good faith and include a reasoned analysis, it need not be exhaustive. (*Los Angeles Unified Sch. Dist. v. City of Los Angeles* (1997) 58 Cal.App. 4th 1019, 1029). Finally, no response is required where a suggested mitigation measures is facially infeasible or is described in only general terms (i.e., not specific to the Project). (Id.; *Santa Clarita Org. for Planning the Env't v. City of Santa Clarita* (2011) 197 Cal.App. 4th 1042, 1055).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-31:

This comment suggests that design review may be appropriate for the Project. The comment also correctly notes the Project location. This comment states that there is a risk of incompatibility with adjacent historic districts, and that additional input beyond staff-level review is needed. The comment proposes design review via the City's Planning Commission and Cultural Heritage Board.

As an initial matter, the Project is not required to go through the City's Cultural Heritage Board because the Project site does not contain any buildings or structures that are designated historic resources, nor any other actions which trigger a Certificate of Appropriateness. Furthermore, the Draft EIR outlines the anticipated discretionary approvals that will be required when specific development applications are submitted including but not limited to: site plan review, conditional use permits (CUP), tentative parcel maps, and lot line adjustments. These approvals will provide the City with ample discretion to evaluate future development proposals for consistency, including compatibility with the adjacent historic districts. This comment does not provide any information that changes the environmental analysis or findings contained within the Draft EIR and no new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-32:

This comment states that recirculation of the Draft EIR is warranted because it does not adequately consider feasible mitigation measures or a reasonable range of alternatives.

Recirculation of an EIR prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review and comment, but before the Final EIR is certified by the lead agency. (State *CEQA Guidelines*, Section 15088.5). As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s applicant have declined to implement.

The commenter provides no evidence, substantial or otherwise, that the Draft EIR is inadequate or requires significant new information. The Draft EIR was prepared in accordance with the requirements of the State *CEQA Guidelines* and the City’s local guidelines for implementing CEQA and contains a thorough analysis of the Project’s potential environmental impacts to all environmental issues in Appendix G of the State *CEQA Guidelines*.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-33:

See [Response to Late Comment E-30](#), above, for discussion of mitigation measures listed by CAPCOA, SCAG, and CARB. The Project does not include any specific development applications at this time, and therefore the extent to which additional mitigation may be feasible is unknown. Nonetheless, a discussion of the four proposed mitigation measures is included herein. The request for implementation for “an area-wide food recovery program” or other hotel specific recycling programs is noted; however, it is infeasible to implement without a specific development application. Moreover, a food recycling program would have limited effectiveness in reducing GHG emissions from the Project because the Project’s waste-related GHG emissions are less than two percent of total GHG emissions (see **Table 5.5-F** of the Draft EIR on page 5.5-30).

Regarding the suggested mitigation measure for affordable housing, as stated in [Response to Late Comment E-2](#), above, the affordability of any future residential units is currently unknown because the Project does not include any specific development applications at this time. If an applicant were to propose affordable housing in the future, nothing in the Draft EIR would prohibit it.

Regarding the suggested mitigation measures to maximize solar, as stated in [Response Late Comment E-26](#), above, the feasibility of solar is currently unknown because the Project does not include any specific development applications at this time. If an applicant were to propose solar in the future, nothing in the Draft EIR would prohibit it. Further, nearly half of RPU’s current energy supply is generated from renewable energy sources and is currently expected to exceed the 60 percent by the State’s 2030 RPS mandate three years ahead of schedule and remain 100 percent through the 2045 study horizon to meet the state goal of carbon neutrality.

Regarding the suggested mitigation measures of achieving LEED Platinum and/or implementing Tier 1 or 2 from the voluntary CALGreen code measures, as stated in Response to Late Comment E-26, above, the feasibility of implementing such standards is currently unknown because the Project does not include any specific development applications at this time. However, there is nothing to prohibit a future applicant from implementing additional measures such as the Tier 1 or Tier 2 voluntary CALGreen code measures or LEED Platinum. Although it should be noted that implementation of such measures does not have a quantitative reduction associated with them. To require such standards for this Project would be arbitrary, as meeting those standards would not demonstrably mitigate the Project's air quality or GHG impacts.

Regarding the suggested mitigation measures of a mandatory hotel/entertainment specific commute reduction program, as stated in Response to Late Comment E-26, above, the feasibility of implementing such a mandatory program is currently unknown because the Project does not include any specific development applications at this time. However, **MM AQ 2** does requires disclosure to future employees from non-residential uses, including the hotels and convention center, about available opportunities for alternative transportation. If an applicant were to propose a mandatory commute trip reduction program in the future, nothing in the Draft EIR would prohibit it. Further, South Coast Air Quality Management District (SCAQMD) Rule 2202 would apply to future tenants who employ 250 or more employees on a full- or part-time basis;³ this rule implements an employee commute emission reduction program and provides employers with a menu of options to reduce employee commute vehicle emissions.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-34:

This comment states that recirculation of the Draft EIR is warranted because it does not adequately consider a reasonable range of alternatives. The comment correctly notes that the Project considered three alternatives, including: (1) a no project alternative; (2) a 30% reduction of intensity project alternative; and (3) a no office/retail alternative. The comment argues that the Draft EIR should have included an alternative "that includes meaningful mitigation measures and project design changes." The comment states that because the Draft EIR did not conduct a Project-specific VMT study, it did not consider alternatives that would meaningfully reduce impacts on VMTs.

As an initial matter, changes to the Project mitigation measures and design features do not constitute "project alternatives" as defined by Section 15126.6 of the State *CEQA Guidelines*. Here, the comment does not propose any alternatives beyond the reasonable range analyzed in the EIR. Instead, the comment suggests ambiguous additional mitigation measures and project design features, which are not appropriate for a Draft EIR alternatives discussion. Moreover, the range of alternatives in an EIR is governed by a "rule of reason" that requires an EIR to set forth only those alternatives necessary to permit a reasonable choice. An EIR need not consider every conceivable alternative to a project. Rather, the alternatives must be limited to ones that meet the project objectives, are feasible, and would avoid or

³ <https://www.aqmd.gov/docs/default-source/rule-book/req-xxii/rule-2202.pdf?sfvrsn=4>

substantially lessen at least one of the significant environmental effects of the project. Regarding the commenter's VMT remarks, please see [Response to Late Comment E-12](#).

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-35:

This comment describes the requirement for a statement of overriding considerations when an agency approves a project with significant environmental impacts. The comment goes on to summarize the CEQA Guidelines that govern statements of overriding considerations. The comment then states that the Draft EIR does not consider all the potential impacts of the Project. This comment once again raises the commenter's desire for a DA requirement.

The commenter accurately describes the statutory framework relating to statements of overriding considerations. However, the commenter erroneously asserts that the Draft EIR does not consider all potential Project impacts. To the contrary, the Project impacts are addressed in detail in the Draft EIR and where feasible, mitigated below a level of significance. Where significant impacts are identified, the Draft EIR also states that a Statement of Overriding Considerations would be needed. (DEIR, pp. 5.2-33; 5.5-35). The commenter once again baldly claims that a DA requirement may mitigate some potential Project impacts. See [Response to Late Comment E-11](#), above, regarding the suggested DA requirement.

This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-36:

This comment describes CEQA's recirculation requirements. The comment then argues that recirculation may be required because the Draft EIR does not seem to adequately analyze the Project's impacts on GHGs, energy, and VMTs and does not adequately consider feasible mitigation measures or a reasonable range of alternatives.

See [Response to Late Comment E-24](#), above, regarding energy impacts and [Response to Late Comment E-28](#) and [Response to Late Comment E-29](#), above, regarding VMT impacts. See [Response to Late Comment E-34](#), above regarding alternatives.

The Draft EIR accurately analyzed the Project's impacts from all proposed land uses using the California Emissions Estimator Model (CalEEMod) to estimate air quality and greenhouse gas (GHG) emissions. CalEEMod program defaults were utilized to for energy usage from electricity and natural gas and the resultant emissions; CalEEMod program defaults for were utilized for outdoor water demand and the overall water demand was obtained from Project-specific water demand estimates. (DEIR, p. 5.5-28 – 5.5-29). Accordingly, the Project's impacts on GHG were adequately analyzed and considered. Moreover, the Project includes many project design features and mitigation measures to minimize the Project's impacts, including those to air quality and GHG emissions.

Recirculation of an EIR prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR for public review and comment, but before the Final EIR is certified by the lead agency. (State *CEQA Guidelines*, Section 15088.5). As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s applicant have declined to implement.

The commenter provides no evidence, substantial or otherwise, that the Draft EIR is inadequate or requires significant new information. Nor does the commenter provide evidence for which mitigation measures or design considerations are inadequate nor does it provide replacement measures or design considerations. The Draft EIR was prepared in accordance with the requirements of the State *CEQA Guidelines* and the City’s local guidelines for implementing CEQA and contains a thorough analysis of the Project’s potential environmental impacts to all environmental issues in Appendix G of the State *CEQA Guidelines*. This comment does not identify any significant new environmental issues or impacts that were not already addressed in the Draft EIR. Therefore, no further analysis or revisions to the Draft EIR are required.

Response to Late Comment E-37:

This comment thanks the City for the opportunity to provide comments beyond the deadline and requests that the City recirculate the Draft EIR to consider additional feasible mitigation measures and project alternatives. This comment also urges the City to consider setting aside a portion of the housing units for affordability and to place a DA requirement for any future hotel at the site.

This comment is noted. This comment does not raise any environmental issues or question the contents or conclusions of the Draft EIR. Therefore, no further analysis is required.

Response to Late Comment E, Exhibit A:

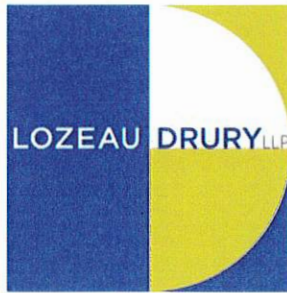
Comment Letter E enclosed Exhibit A, which contains 40 excerpted pages from various public documents cited in the comment letter, and as such does not question the content or conclusions of the Draft EIR. Therefore, no further analysis is required. The entirety of Exhibit A is a part of the administrative record and is available for review at the City of Riverside, upon request.

Response to Late Comment E, Referenced Documents Attachment:

Submitted concurrently with Comment Letter E was a separate cover letter with 43 exhibits attached. The cover letter attaching Exhibits 1-43 is noted. As stated in the cover letter, Exhibits 1-43 include copies of the reference documents cited in Comment Letter E, and as such, do not question the content or conclusions of the Draft EIR. Therefore, no further analysis is required. The entirety of this cover letter and all attachments is a part of the administrative record and is available for review at the City of Riverside, upon request.

5.5 Late Comment Letter F – Lozeau Drury LLP

Late Comment Letter F commences on the next page.



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SEP - 5 2025

VIA EMAIL AND OVERNIGHT MAIL

September 4, 2025

Community & Economic
Development Department

Riverside City Council
Patricia Lock Dawson, Mayor
Philip Falcone, Ward 1, Councilmember
Clarissa Cervantes, Ward 2, Councilmember
Steven Robillard, Ward 3, Councilmember
Chuck Conder, Ward 4, Councilmember
Sean Mill, Ward 5, Councilmember
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3900 Main Street
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Paige Montojo, Senior Planner
Community & Economic Development
Department
Planning Division
City of Riverside
3900 Main Street, 3rd Floor
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PMontojo@Riversideca.gov

Re: Appeal of Decision of the Planning Commission to Approve the Riverside Alive Project (Case No.: PR-2024-001675, SCH 2024100396)

Dear Honorable Mayor and City Council:

This letter is submitted on behalf of the Supporters Alliance for Environmental Responsibility ("SAFER") to appeal the decision of the Planning Commission on August 28, 2025 regarding the Riverside Alive Project (No. PR-2024-001675) ("Project").

On August 28, 2025, the Planning Commission voted to recommend to the City Council that the Council: (1) find that the Draft Environmental Impact Report for the Project has been completed in compliance with the California Environmental Quality Act and (2) approve the Project.

SAFER is appealing this decision because the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the City address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

F-1

September 4, 2025

SAFER Appeal

Riverside Alive Project (Case No.: PR-2024-001675, SCH 2024100396))

Page 2 of 2

Sincerely,



Brian B. Flynn

Lozeau Drury LLP

1939 Harrison St., Suite 150

Oakland, CA 94612

(510) 836-4200

Response to Late Comment Letter F – Lozeau Drury LLP

Response to Late Comment F-1:

This comment is an appeal, filed by Lozeau Drury LLP on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”), of the Planning Commission’s August 28, 2025 decision regarding the proposed Project. The comment alleges, without any explanation or evidence, the Draft EIR fails as an informational document and does not impose all feasible mitigation measures to reduce the Project’s impacts.

Note: Two previous comment letters were submitted by Lozeau Drury LLP on behalf of SAFER, Comment Letter A and Comment Letter C. Comment Letter A does not raise any environmental issue. Refer to Response to Comment A-1. Comment Letter C alleges, without explanation or evidence the EIR fails as an informational document and does not impose all feasible mitigation measures. Refer to Response to Comment C-2.

No new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required

5.6 Late Comment Letter G – Channel Law Group, LLP

Late Comment Letter G commences on the next page.

Channel Law Group, LLP

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Writer's Direct Line: (310) 982-1760
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September 8, 2025

RECEIVED

SEP - 8 2025

VIA HAND DELIVERY

Honorable Mayor and City Council
Attn: Paige Montojo, Senior Planner
Planning Division - Riverside City Hall
3900 Main Street, 3rd Floor
Riverside, CA 92522

Community & Economic
Development Department

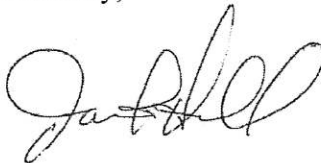
Re: Appeal of Riverside Alive Project (PR-2024-001675)

Dear Honorable Mayor and City Council:

This firm represents UNITE HERE! Local 11 or Appellant in this matter ("Appellant" or "Local 11"). Appellant is filing an appeal of the Planning Commission decision on August 28, 2025, regarding Project Case Number PR-2024-001675, involving the proposed new mixed-use development (i.e., residential, office, retail, hotel uses) in conjunction with the Riverside Convention Center expansion ("Project") at the approximately 10-acre Raincross Square site ("Site"). Appellant contends that the Draft Environmental Impact Report ("EIR") prepared for the Project is legally inadequate for the reasons outlined in Appellant's letter dated August 27, 2025. See **Exhibit 1**. Thank you for your consideration of this matter. I may be contacted at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

G-1

Sincerely,



Jamie T. Hall
Channel Law Group, LLP
8383 Wilshire Blvd., Suite 750
Beverly Hills, CA 90211
Telephone: (310) 982-1760
Representative for Appellant UNITE HERE! Local 11

Encl.

Response to Late Comment Letter G – Channel Law Group, LLP

Response to Late Comment G-1:

This comment is an appeal of the Planning Commission's August 28, 2025 decision regarding the proposed Project filed on behalf of UNITE HERE! Local 11.

Attached as Exhibit 1 to Late Comment Letter G, is the August 27, 2025 late comment letter prepared by the Channel Law Group, LLP on behalf of UNITE HERE! Local 11. Said Exhibit 1 is identified as Late Comment Letter E. Refer to Responses to Late Comments E-1 through E-37.

No new environmental issues are raised by this comment. Therefore, no further analysis or revisions to the Draft EIR are required.



Memorandum

To: Philip Nitollama, City Traffic Engineer, City of Riverside
Vital Patel, Traffic Engineering, City of Riverside

From: Kawai Mang, Project Engineer, Albert A. Webb Associates
Jacqueline Gamboa, Assistant Environmental Analyst, Albert A. Webb Associates

Date: November 07, 2024

Subject: Vehicle Miles Traveled (VMT) Screening Assessment for the Riverside Alive Project (PR 2024-001675) in the City of Riverside

Albert A. Webb (WEBB) has prepared this vehicle miles traveled (VMT) screening assessment for the proposed Riverside Alive Project, located at 3637 Fifth Street in the City of Riverside see Figure 1: Project Location. This assessment is based on the City of Riverside's Transportation Impact Analysis Guidelines for Vehicles Miles Traveled and Level of Service Assessment (2020) (herein after referred to as Guidelines), and the approved Project scoping form (Attachment A).

Figure 1: Project Location



A. Background and Project Description

The Project site is in Downtown Riverside on approximately 10 acres and includes the Lot 33 parking lot and Riverside Convention Center (RCC). The existing RCC is located at 3637 Fifth Street in Riverside in Riverside County. The Project entails the following Assessor Parcel Numbers (APNs) 213-111-011, 213-111-012, 213-111-014, 213-111-015, 213-111-016. Local access to the Project site is provided via Main Street, Third Street, Fifth Street, Market Street and Orange Street. There is no change proposed to the existing land use and zoning of Downtown Specific Plan.

Existing Development

The existing RCC is a 108,000 square-foot (sf) building that offers 50,000 sf of flexible indoor exhibit, ballroom, and meeting space as well as outdoor meeting space and passive park area in the Outdoor Plaza.

Lot 33 is a surface parking lot managed by the City of Riverside with 498 parking stalls, of which 18 are accessible and one is an electric vehicle charging station. Lot 33 has two existing full-access driveways, one on Market Street and one on Third Street at the existing Main Street intersection.

Project Proposal

The Project proposes a combination of residential, office, retail, and hotel uses, along with a Convention Center expansion and new parking facilities. No specific development is currently proposed; however, the following maximum size assumptions for the proposed Project land uses are used to determine a reasonable site buildout for analysis (Table A: Proposed Project Uses). The potential layout of these uses is shown in Figure 2: Proposed Project Layout.

With the demolition of Lot 33, its two existing driveways on Third Street and Market Street would be removed. Vehicle access to the Project is proposed via existing driveways on Market Street and Fifth Street serving the existing Marriott Hotel. Vehicle loading and passenger drop-off/pick-up areas will be provided on Third Street, Market Street, and Fifth Street. The existing Orange Street loading area would remain.

The Project area is served by Riverside Transit Agency (RTA) routes 12, 29 and 204 via Market Street, with bus stops at Third Street, Fourth Street, and Sixth Street. The Downtown Riverside Metrolink station is located approximately 0.5 miles southwest of the Project site along Vine Street between Fourteenth Street and University Avenue.

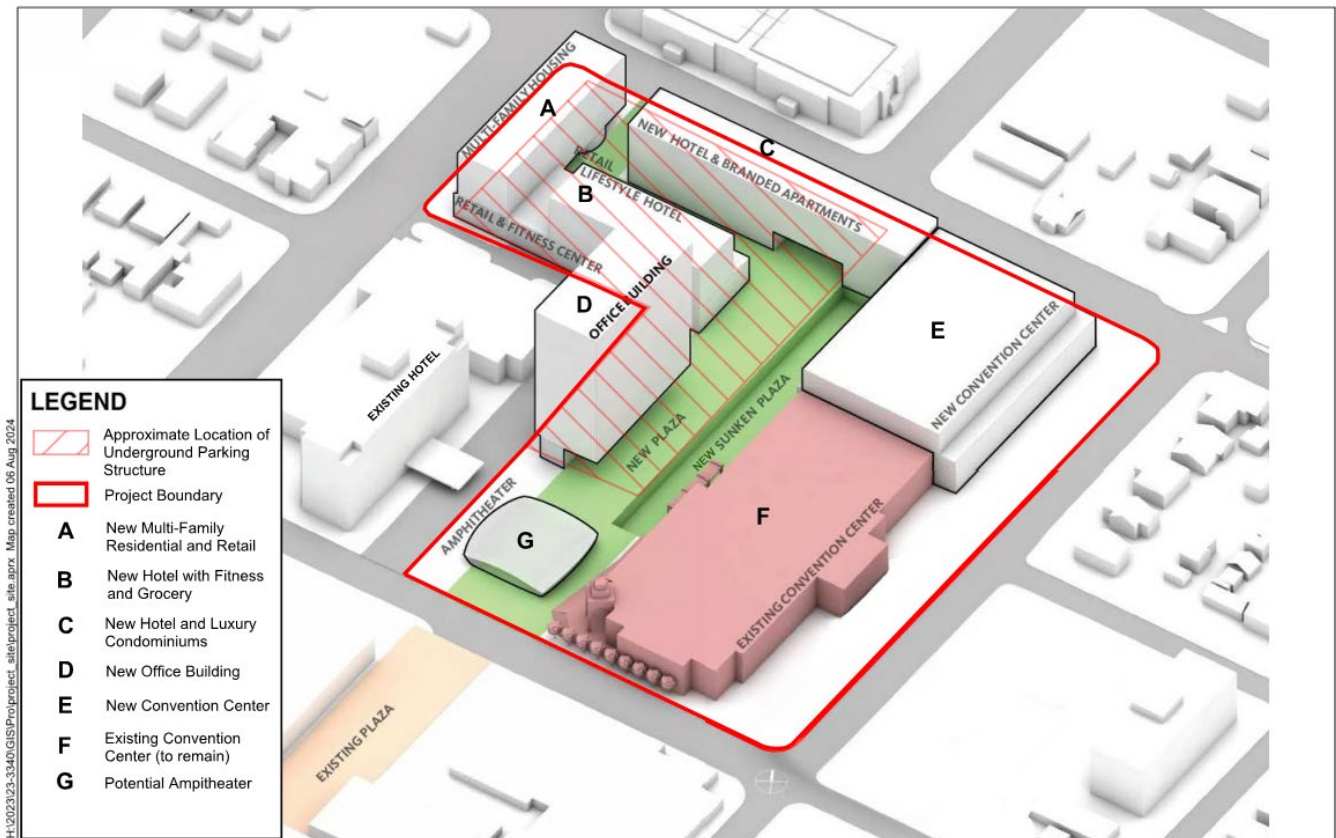
The Project will provide pathways to facilitate the movement of pedestrians within the site and provide connection to the existing sidewalks along Third Street, Fifth Street, Market Street and Orange Street.

Table A: Proposed Project Uses

Land Use Type	Maximum Size	Unit ¹
Condominiums	55	DU
Multi-Family Residential	113	DU
Hotel	376	RM
Office	220,000	SF
Commercial Retail Uses		
Restaurant-Focused Retail	12,875	SF
Grocery Store	20,690	SF
Fitness Center	28,416	SF
Parking Facilities	Up to 5	Levels
Convention Center Expansion	189,000	SF

Notes: ¹ DU = dwelling unit; RM = room; SF = square feet

Figure 2: Proposed Project Layout



B. VMT Screening Criteria and Findings

Per California Senate Bill 743 (SB 743), the California Office of Planning and Research (OPR) identified VMT as the most appropriate measure of determining transportation impacts under the California Environmental Quality Act (CEQA), replacing previous level of service (LOS) analyses. Accordingly, the City of Riverside adopted their Guidelines that provide criteria to screen for projects that are presumed to have a less-than-significant effect on VMT. This assessment also uses the Western Riverside Council of Governments (WRCOG) web-based VMT screening tool to determine whether the Project meets the screening criteria based on traffic analysis zone (TAZ).

Per the City Guidelines, several screening criteria may be applied to effectively screen projects from project-level assessment. The five screening steps are summarized below:

- **Step 1: Transit Priority Area (TPA) Screening**

Projects located within a TPA may be presumed to have a less than significant impact absent substantial evidence to the contrary. This presumption may NOT be appropriate if the project:

1. Has a Floor Area Ratio (FAR) of less than 0.75;
2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the City), with input from the Metropolitan Planning Organization); or
4. Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

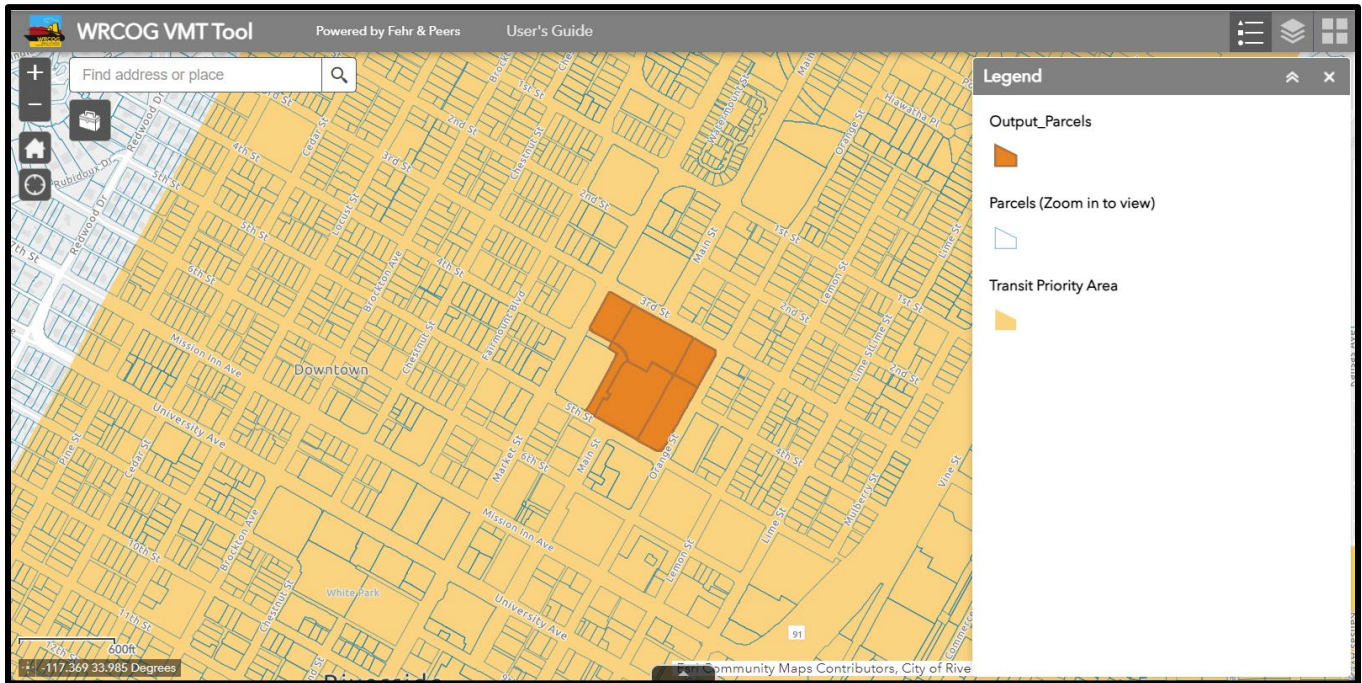
A TPA is defined as a half mile area around an existing major transit stop or an existing stop along a high quality transit corridor per the definitions below.

Pub. Resources Code, § 21064.3 - 'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

Pub. Resources Code, § 21155 - For purposes of this section, a 'high-quality transit corridor' means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

According to the WRCOG VMT tool, the Project is in traffic analysis zone (TAZ) 2075, which is located within a designated TPA (Figure 3: Transit Priority Area).

Figure 3: Transit Priority Area



The Project's eligibility under the four sub-requirements is evaluated below:

1. As indicated in Section A, above, the maximum size assumptions for the proposed Project land uses are used to determine a reasonable site buildout for analysis. Table B: Estimated Floor Area Ratio, calculates that the maximum development FAR would be 2.25, which is greater than 0.75. Therefore, this sub-criterion is met.

Table B: Estimated Floor Area Ratio

Land Use Categories ¹	Gross Square Footage ²	Floor to Area Ratio ³
Convention Center	297,000 ⁴	0.66
Hotel ⁵	254,918	0.57
Commercial Retail	61,981	0.14
Office	220,000	0.49
Residential Units ⁶	172,548	0.38
Total	1,006,447	2.25
Notes: <ol style="list-style-type: none"> 1. Residential and Non-Residential land uses were grouped together by general land use category. 2. Gross Square Footage was calculated based on the estimated development area for each Project use. 3. FAR for each use was calculated by dividing the respective Gross Square Footage by 446,925.60 SF, which is based on total Project site acreage of 10.26. 4. Convention Center Gross Square Footage is the summation of existing and proposed square footage. 5. Assumes approximately 678 square footage per hotel room. 6. Assumes approximately 933 square feet per multi-family residential unit and 1,220 square feet per condominium. 		

2. The Project proposes a subterranean parking structure that may be up to five levels. However, amount of parking has not been specified at this time because there is no specific development currently proposed. As part of the Development Application review process, the City will ensure adequate parking is provided per City requirements and that the site is not overparked. Therefore, this sub-criterion is met.
3. The Project is consistent with the General Plan land use designation and does not conflict with the permitted uses outlined in the Downtown Specific Plan. Thus, the Project does not require a General Plan Amendment or Specific Plan Amendment. Southern California Association of Government (SCAG) is the designated Metropolitan Planning Organization for Riverside and as such, establishes the applicable Sustainability Community Strategy (SCS), known as Connect SoCal 2024 Plan, the Regional Transportation Plan/Sustainable Communities Strategy. In order to develop regional development forecasts, SCAG consults with local governments and utilizes local general plans. Since the Project is consistent with the General Plan land use and the Downtown Specific Plan, then the SCS would have taken into account such uses when it was developed, and the Project would not be inconsistent with or conflict with implementation of the SCS. The environmental impact report (EIR) will provide more details on the Project's consistency with SCS goals. Therefore, this sub-criterion is met.
4. The Project site is currently developed with the Riverside Convention Center, surface parking lot and Outdoor Plaza, which is not residential use. Therefore, the proposed Project would not replace residential units. Thus, this sub-criterion is met.

In sum, the Project is located within a TPA and meets the four sub-requirements of this step because it proposes a FAR greater than 0.75, will not be overparked, will not be inconsistent with the SCS, and does not replace affordable housing. Therefore, this criterion is met.

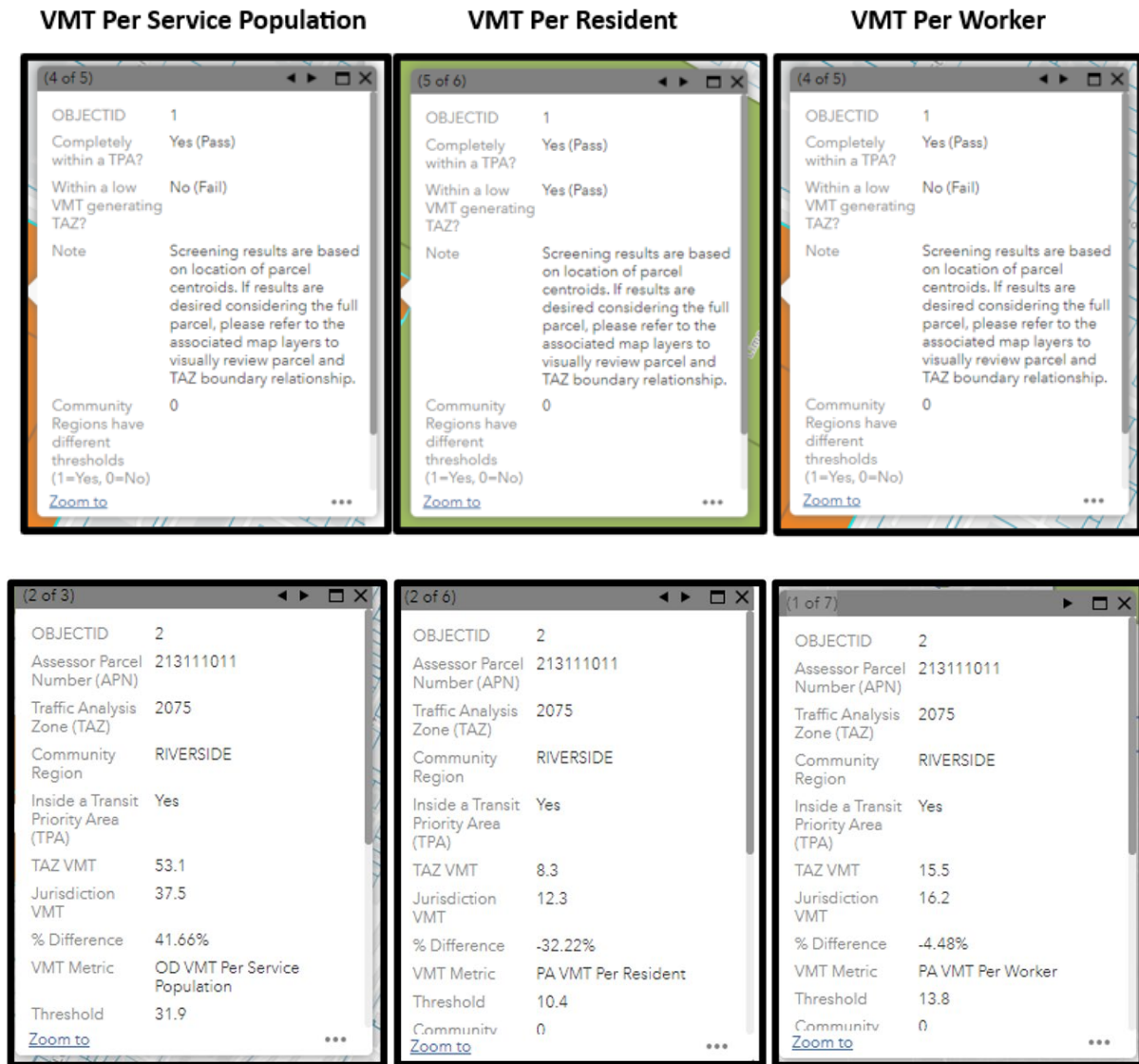
- Step 2: Low VMT Area Screening

Residential and office projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per resident or per worker that is similar to the existing land uses in the low VMT area—provided the VMT of the area falls below thresholds.

For this screening in the WRCOG area, the RIVTAM travel forecasting model was used to measure VMT performance for individual jurisdictions and for individual traffic analysis zones (TAZs). TAZs are geographic polygons similar to Census block groups used to represent areas of homogenous travel behavior. Daily VMT per capita was estimated for each TAZ. This presumption may not be appropriate if the project land uses would alter the existing built environment in such a way as to increase the rate or length of vehicle trips.

The Project site is in TAZ 2075. Figure 4: Low VMT Area shows the results of the WRCOG VMT tool for each VMT metric; Service Population, Resident, and Worker. A Baseline Year of 2024, and a threshold of 15 percent below City baseline¹ was used. The Project TAZ has a VMT per Service Population of 53.1, a VMT per Resident of 8.3, and VMT per Worker of 15.5. Based on the results shown in Figure 4, the Project would not be within a low VMT-generating area under the VMT per Service Population or Worker metric but would be within a low VMT-generating area under the VMT per Resident metric. Because the Project's uses do not meet all VMT metrics, the Project site is not located within a low VMT-generating area. Therefore, this criterion is not met.

Figure 4: WRCOG VMT Tool Outputs



¹ The City guidelines identify a significant project generated VMT impact if the Project results exceed a 15 percent below baseline conditions.

- Step 3: Project Type Screening

Local serving retail projects less than 50,000 square feet may be presumed to have a less than significant impact absent substantial evidence to the contrary. Local serving retail generally improves the convenience of shopping close to home and has the effect of reducing vehicle travel.

In addition to local serving retail, the following uses can also be presumed to have a less than significant impact absent substantial evidence to the contrary as their uses are local serving in nature:

- Local-serving K-12 schools
- Local parks
- Day care centers
- Local-serving gas stations & car-washes
- Local-serving banks
- Local-serving hotels (e.g. non-destination hotels)
- Student housing projects
- Local serving community colleges that are consistent with the assumptions noted in the RTP/SCS
- Projects consisting of 100% affordable housing
- Projects generating less than 110 daily vehicle trips
 - This generally corresponds to the following "typical" development potentials:
 - 11 single family housing units
 - 16 multi-family, condominiums. or townhouse housing units
 - 10,000 sq. ft. of office
 - 15,000 sq. ft. of light industrial
 - 63,000 sq. ft. of warehousing
 - 79,000 sq. ft. of high cube transload and short-term storage warehouse

The Project proposes local-serving retail uses located adjacent to residential neighborhoods and as shown in Table A, the Project site does not include a single retail use over 50,000 square feet. Thus, the retail component of the Project would meet this criterion.

The Project proposes up to 376 hotel rooms; however, the use is speculative and because the operators are unknown it cannot be determined if the hotels are local-serving hotels (e.g. non-destination hotels). Thus, the hotel component of this Project would not meet this criterion.

The Project's residential uses are not proposed as affordable housing. The Project's proposed office uses and RCC expansion are not included in the list of other local serving uses and as shown in the Project's approved Scoping Agreement, each use generates more than 110 daily vehicles trips. As such, the residential, office, and RCC expansion uses would not meet this criterion. Therefore, for these reasons, the Project overall would not meet this criterion.

- Step 4: Mixed-Use Projects

To identify if the proposed project requires a VMT analysis, the City of Riverside may evaluate each component of a mixed-use project independently and apply the significance threshold for each project type included (e.g. residential and retail).

Per the City guidelines, each component of the Project was analyzed separately for Step 3 above.

- Step 5: Redevelopment Projects

Where a project replaces existing VMT generating land uses, if the replacement leads to a net overall decrease in VMT, the project would lead to less than significant transportation impact. If the project leads to a net overall increase in VMT, then the thresholds described above should apply.

The Project would not replace existing VMT generating land uses because the existing RCC is not being demolished. Additionally, as indicated under Step 1, above, the City will ensure adequate parking is provided per City requirements and that the site is not overparked as a part of the Development Application review process. Therefore, this criterion is not met.

C. Summary

Per the City of Riverside Guidelines, several screening criteria may be applied to determine the need for VMT modeling and analysis. This VMT screening assessment indicates that the Project meets the criteria of Transit Priority Area (TPA) Screening in Step 1 because the Project is located within a TPA, will not be overparked, does not replace affordable housing, is consistent with the SCS, and it has a proposed FAR greater than 0.75, which is presumed to have a less than significant VMT impact. Therefore, a project-level VMT analysis is not required.

Attachments:

A. Scoping Agreement

Vital Patel

11/4/2024

Memorandum

To: Vital Patel
City of Riverside

From: Kawai Mang, Project Engineer
Albert A. Webb Associates

Date: September 18, 2024

Subject: Traffic study scoping agreement for Riverside Alive

Albert A. Webb has prepared this traffic scoping agreement for the Riverside Alive project, a proposed revitalization and expansion of the existing Riverside Convention Center and the surrounding city block, including the downtown pedestrian corridor. This scoping agreement is based on the City of Riverside Traffic Impact Analysis Guidelines (2020) and our current understanding of the proposed development.

A. Background and Project Description

The Project site is in Downtown Riverside on approximately 10 acres and includes the Lot 33 parking lot and Riverside Convention Center (RCC). The existing RCC, located at 3637 Fifth Street, is a 108,000 square-foot (sf) building that offers 50,000 sf of flexible indoor exhibit, ballroom, and meeting space as well as outdoor meeting space and passive park area in the Outdoor Plaza. Local access to the Project is provided via Main Street, Third Street, Fifth Street, Market Street and Orange Street.

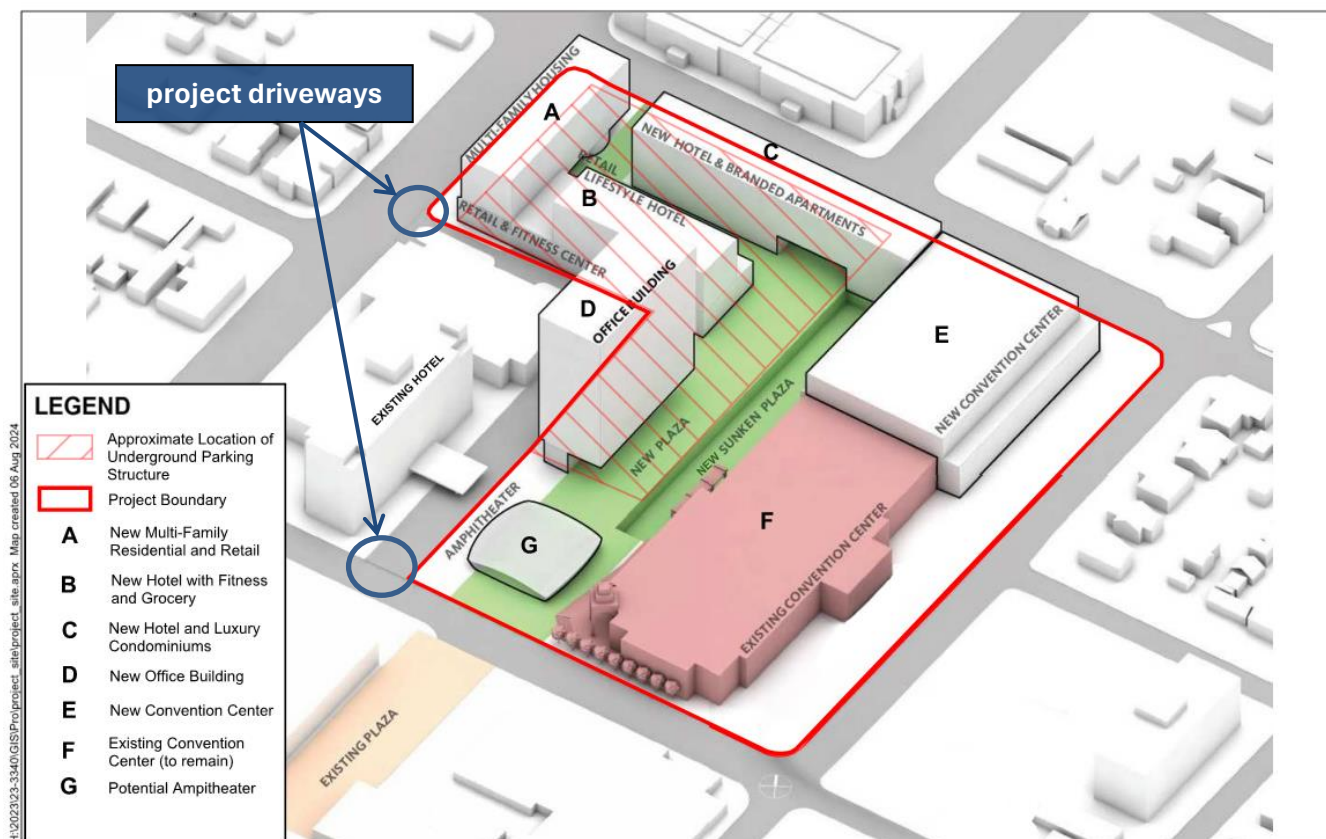
Lot 33 is a surface parking lot managed by the City of Riverside with 498 parking stalls, of which 18 are accessible and one is an electric vehicle charging station. Lot 33 has two existing full-access driveways, one on Market Street and one on Third Street at the existing Main Street intersection.

The project site is located within the Raincross District of the Downtown Specific Plan.

The Project proposes a combination of residential, office, retail, and hotel uses, along with a Convention Center expansion and new parking facilities. No specific development is currently proposed; however, the following maximum size assumptions for the proposed Project land uses are used to determine a reasonable site buildout for analysis (**Table 1**). The potential layout of these uses is shown in **Figure 1**.

Hotel

The Project proposes two full-service hotels totaling up to 376 guest rooms. A 208-room full-service hotel would be located within Building C along Third Street. A second, 168-room extended stay hotel would be located within Building B on the interior of the Project site.

Figure 1: Proposed Project Site Plan Rendering**Table 1: Proposed Development Sizes**

Building	Land Use Type	Size ¹
Existing Land Use		
Riverside Convention Center (Building F)	Conference & Event Center	108 KSF
Proposed Project		
Building A	Multifamily Housing	113 DU
Building B	Hotel	168 RM
	Commercial Restaurant/Retail	49.1 KSF
Building C	Hotel	208 RM
	Multifamily Housing	55 DU
Building D	General Office Building	220 KSF
Buildings A, C, D	Commercial Restaurant/Retail	12.9 KSF
RCC Expansion (Building E)	Conference & Event Center	189 KSF

¹ DU = dwelling unit, RM = rooms, KSF = 1,000 square feet

Residential

The Project proposes up to 168 residential units, consisting of 113 units of multi-family residential located within one 9-story building at the corner of Market Street and Third Street (Building A) and 55 condominiums on the top two levels of Building C.

Office

The Project proposes up to approximately 220,000 sf of Class A office space in Building D, up to 14 stories tall. The office building is located on the interior of the Project site south of the extended stay hotel building and across from the existing Riverside Convention Center building.

Commercial Retail Uses

The Project proposes up to 62,000 sf of commercial retail uses that may include retail, restaurant, entertainment and personal services. Approximately 12,875 sf of restaurant-focused retail space is assumed, accommodating several restaurant users integrated in the first floor of Buildings A, C, and D. Within Building B, an approximately 20,690 sf grocery store is anticipated on the ground floor, with an approximately 28,416 sf public fitness center on the second level.

Convention Center Expansion

The proposed Project includes a new 189,000 sf building to be joined to the existing 108,000 sf RCC building, adding 100,000 sf of space for exhibit, ballroom and meeting areas for a total Convention Center rentable function space of approximately 150,000 sf.

Vehicle Circulation, Parking, and Access

Regional access to the Project is provided via State Route 91 (SR-91) and State Route 60 (SR-60). The nearest SR-91 access is at Mission Inn Avenue, University Avenue, and Lime Street southeast of the project. The nearest SR-60 access is via Main Street north of the project. Local access to the Project is provided via Main Street, Third Street, Fifth Street, Market Street and Orange Street. A separate City project, scheduled to be completed by February 2027, is planned to reduce Main Street between Third Street and SR-60 from 4 to 2 travel lanes divided by a median with additional parking, landscaping, and pedestrian walkways.

The Project proposes a subterranean parking structure of up to 5 levels to replace Lot 33. With the demolition of Lot 33, its two existing driveways on Third Street and Market Street would be removed. Vehicle access to the Project is proposed via existing driveways on Market Street and Fifth Street serving the existing Marriott Hotel. Vehicle loading and passenger drop-off/pick-up areas will be provided on Third Street, Market Street, and Fifth Street. The existing Orange Street loading area would remain.

Public Transit and Pedestrian Access

The Project area is served by Riverside Transit Agency (RTA) routes 12, 29 and 204 via Market Street, with bus stops at Third Street, Fourth Street, and Sixth Street. The Downtown Riverside Metrolink station provides commuter rail and regional rail service to Los Angeles, Orange, and San Bernardino Counties.

The Project will provide pathways to facilitate the movement of pedestrians within the site and provide connection to the existing sidewalks along Third Street, Fifth Street, Market Street and Orange Street.

B. Traffic Study

Per the City guidelines, the project will be required to provide a traffic study with LOS analysis due to its size and uses. The City's traffic scoping form is provided in **Attachment A**.

Analysis Scenarios (weekday AM/PM peak hour)

1. Existing Conditions
2. Background Conditions: Existing + Cumulative Projects
3. Background plus Project: Existing + Cumulative + Project
4. Cumulative Conditions: RIVCOM 2045 Horizon Year
5. Cumulative plus Project: RIVCOM 2045 + Project

Study Intersections (see Attachment B):

- | | |
|------------------------------------|--|
| 1. Main St @ SR-60 WB / Oakley Ave | 21. Brockton Ave @ Mission Inn Ave |
| 2. Main St @ SR-60 EB | 22. Brockton Ave @ University Ave |
| 3. Main St @ Spruce St | 23. Orange St @ Third St |
| 4. Main St @ First St | 24. Orange St @ Fourth St |
| 5. Main St @ Second St | 25. Orange St @ Fifth St |
| 6. Main St @ Third St | 26. Orange St @ Sixth St |
| 7. Market St @ First St | 27. Orange St @ Mission Inn Ave |
| 8. Market St @ Second St | 28. Orange St @ University Ave |
| 9. Market St @ Third St | 29. Orange St @ Tenth St |
| 10. Market St @ Fourth St | 30. Lime St @ Third St |
| 11. Market St @ Fifth St | 31. Lime St @ Fourth St |
| 12. Market St @ Sixth St | 32. Lime St @ Fifth St |
| 13. Market St @ Mission Inn Ave | 33. Lime St @ Mission Inn Ave |
| 14. Market St @ University Ave | 34. Lime St @ University Ave |
| 15. Market St @ Ninth St | 35. Lime St @ Tenth St / SR-91 WB On-Ramp |
| 16. Market St @ Tenth St | 36. Mission Inn Ave @ SR-91 WB Off-Ramp |
| 17. Market St @ 11th St | 37. Mission Inn Ave @ SR-91 EB / Mulberry St |
| 18. Market St @ 12th St | 38. University Ave @ SR-91 EB / Mulberry St |
| 19. Market St @ 13th St | |
| 20. Market St @ 14th St | |

Study Roadway Segments (see Attachment B):

1. Main St n/o Third St
2. Market St n/o Third St
3. Market St b/t Third St & Fifth St
4. Market St s/o Fifth St
5. Market St s/o Sixth St

Existing Conditions

Traffic volume data date(s): June 6, 2024

Future Traffic Forecasting

Project opening year: 2028

Future buildout growth: per RIVCOM model outputs

Specific issues to be included in the study

Traffic study will include discussion of and recommendations for pedestrian connectivity, including relevant exhibits. Future analysis model will include planned Main Street improvements.

C. Project Traffic

Trip Generation Study:

The project includes a 189,000 sf expansion to the existing RCC for 100,00 sf new rentable space in addition to the existing 50,000 sf. As there is no “standard” trip generation for special event venues due to their particularities, the RCC trip generation rates were developed by a trip generation study.

Based on the June 2024 RCC calendar of events, traffic volume counts were conducted at Lot 33 and adjacent public parking lot on Orange St and 5th St on Thursday, June 6 and Saturday, June 8, 2024, both of which had two scheduled events totaling over 500 contracted attendees per day. Arrival observations were also conducted at the 5th St RCC entrance to capture drop-offs, street parking, and pedestrian arrivals.

From the traffic volume data, trip generation for the weekday daily, AM peak hour, PM peak hour, Saturday daily, and Saturday peak hour periods were derived from the existing RCC square footage and then applied to the proposed RCC expansion to estimate the project traffic to the expansion (**Table 2**). On Thursday, a total of 829 vehicle trips accessed the RCC parking areas, with the peak hour occurring at 7:15am. On Saturday, a total of 421 vehicle trips accessed the RCC parking areas, with the peak hour occurring at 8:15am. Therefore, the Thursday traffic volumes are more intensive and the traffic study will use the typical weekday operations for analysis. On a typical weekday, the RCC expansion is expected to generate approximately 1,658 daily vehicle trips, with 350 and 122 trips in the AM and peak hour, respectively.

Project Trip Generation and Distribution

The expected Project traffic volumes and patterns are based on data compiled by the Institute of Transportation Engineers (ITE), the RCC trip generation study, the Downtown Riverside roadway network, and regional freeway connections. As a mixed-use development, the various uses within the project are expected to experience internal capture, where a resident, patron, or employee may also use or visit another use within the project. The internal capture worksheets are provided in **Attachment C**. The commercial uses are also expected to have some pass-by traffic, where patrons stop at the restaurant or store on their way to another destination. **Table 3** shows the project trip generation, including internal capture and pass-by trip credits. The proposed project trip distribution is provided in **Attachment D**.

Table 2: Convention Center Trip Generation Study

Day of Week	Size ¹	Daily	AM/SAT Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Existing RCC Site Traffic Volumes ²								
Weekday	50 KSF	829	30	145	175	33	28	61
Saturday		421	67	59	126			
Calculated Trip Generation Rates								
Weekday	1 KSF	16.58	0.60	2.90	3.50	0.66	0.56	1.22
Saturday		8.42	1.34	1.18	2.52			
Proposed RCC Expansion Traffic Volumes								
Weekday	100 KSF	1,658	60	290	350	66	56	122
Saturday		842	134	118	252			

¹ KSF = 1,000 sf gross rentable space² Existing traffic volume data collected on June 6 and June 8, 2024.**Table 3: Project Trip Generation**

Project Portion	Land Use ¹	Size ²	Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Project Trip Generation									
Convention Center ³	N/A	100 KSF	1,658	60	290	350	66	56	122
Hotels	310	376 RM	3,004	97	76	173	98	94	192
Condos	220	55 DU	371	5	17	22	18	10	28
Multifamily Housing	221	113 DU	513	10	32	42	27	17	44
Office	710	220 KSF	2,385	294	40	334	54	263	317
Commercial	821	62.0 KSF	5,857	136	83	219	269	291	560
Total Project Trips			13,788	602	538	1,140	532	731	1,263
Trip Credits									
Internal Capture ⁴			-1,379	-38	-38	-76	-79	-79	-158
Pass-By ⁵ 34% PM peak-hour			-1,900	-	-	-	-91	-99	-190
Net New Project Trips			10,509	564	500	1,064	362	553	915

¹ Land use rates per ITE Trip Generation Manual, 11th Ed (2021)² DU = dwelling unit, RM = rooms, KSF = 1,000 square feet³ Trip generation for Convention Center expansion based on trip generation study of existing rentable space and traffic volumes.⁴ Internal trip capture per NCHRP 684 estimator. 10% lowest peak-hour capture rate applied to daily traffic volumes.⁵ Pass-by trip credit applied to commercial trips only. Pass-by rates per ITE Trip Generation Handbook, 3e. Daily trip credit estimated as 10x PM pass-by trips.

D. Vehicle Miles Traveled Assessment

Per California Senate Bill 743 (SB 743), the California Office of Planning and Research (OPR) identified vehicle miles traveled (VMT) as the most appropriate measure to determine transportation impacts under the California Environmental Quality Act (CEQA), replacing LOS analyses. **Figure 2** shows the project traffic analysis zone (TAZ) VMT data per the Western Riverside Council of Governments (WRCOG) webtool.

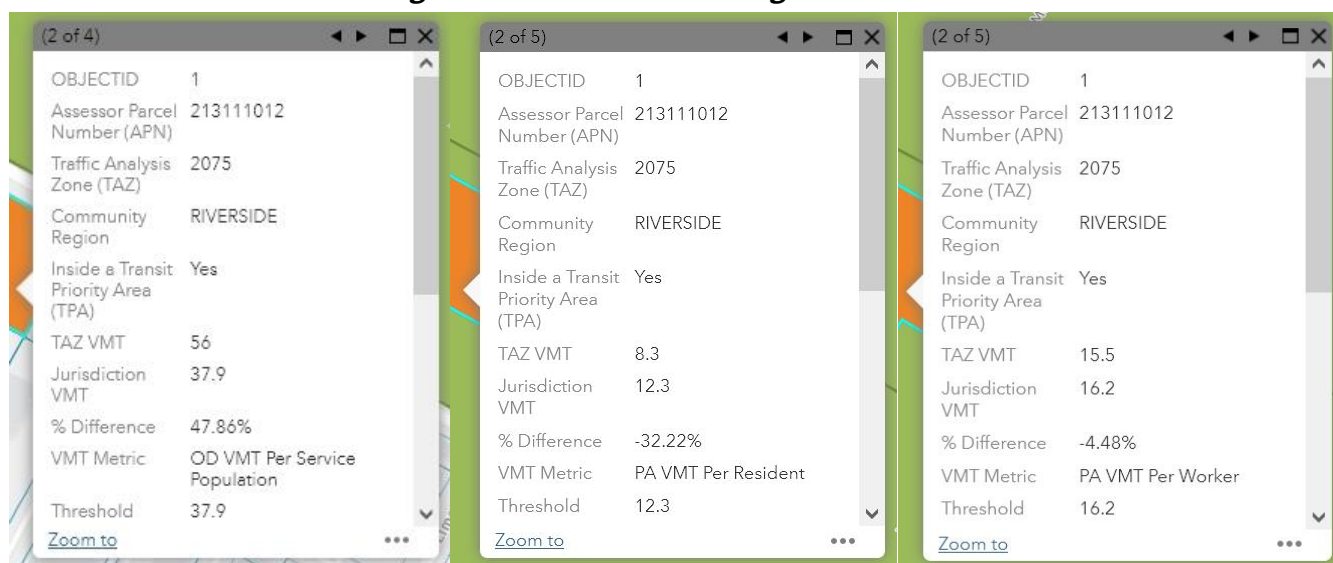
VMT Screening Criteria

Per the City Guidelines, several screening criteria may be applied to identify projects with a less-than-significant VMT impact. The project is eligible to screen out of full VMT analysis under the following criteria:

- Project is located within a transit priority area (TPA), has floor area ratio (FAR) over 0.75, will not be overparked, and is consistent with the local Sustainable Communities Strategy.
- For the residential portion of the project, VMT per resident in the project TAZ is below the City's threshold of significance.

A memo applying the screening criteria in detail will be provided separately.

Figure 2: WRCOG Screening Tool Results



Recommended by:

Kawai C. Mang, Project Engineer
Albert A. Webb Associates

5-23-2024
Date

Revised: 6-7-2024
Date

Revised: 6-28-2024
Date

8-6-2024
Date

9-18-2024
Date

Approved Scoping Agreement:

Agency Representative

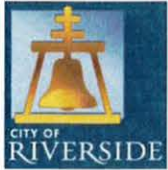
Date

Attachments:

- A. City of Riverside Scoping Form
- B. Study Area
- C. NCHRP Internal Trip Capture Worksheets
- D. Project Trip Distribution

Attachment A

City Traffic Scoping Form



Public Works Department

City of Arts & Innovation

Traffic Analysis Scoping Form

This scoping form shall be submitted to the City of Riverside Traffic Engineering Division

Project Identification:

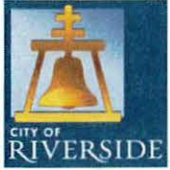
Case Number:	
Related Cases:	
SP No.	
EIR No.	
GPA No.	
CZ No.	
Project Name:	
Project Address:	
Project Opening Year:	
Project Description:	

	Consultant:	Developer:
Name:		
Address:		
Telephone:		
Fax/Email:		

Scoping & Study Fees:

Fees to be made payable to "City of Riverside" and delivered to Land Development.
City Hall 3rd Floor, 3900 Main Street, Riverside, CA 92522

- 1) Scoping Agreement Fee (For all projects not screened from analysis): **\$271.00**
- 2) TIA Review (For projects with both LOS & VMT analysis of any scale, or standalone LOS analyses with over 100 vehicle trips per hour): **\$2671.02**
- 3) TIA Review (For standalone VMT analysis, or standalone LOS analyses with under 100 vehicle trips per hour): **\$1288.20**



Public Works Department

City of Arts & Innovation

Trip Generation Information:

Trip Generation Data Source: _____

Current General Plan Land Use:

Proposed General Plan Land Use:

Current Zoning:

Proposed Zoning:

	Existing Trip Generation			Proposed Trip Generation		
	In	Out	Total	In	Out	Total
AM Trips						
PM Trips						

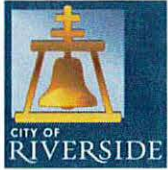
Trip Internalization: ☐ Yes ☐ No (_____% Trip Discount)

Pass-By Allowance: ☐ Yes ☐ No (_____% Trip Discount)

Potential Screening Checks

Is your project screened from specific analyses in accordance with City Guidelines?

Is the project screened from LOS assessment? ☐ Yes ☐ No



Public Works Department

City of Arts & Innovation

LOS screening justification (see Page 6 of the guidelines): _____

Is the project screened from VMT assessment? ☐ Yes ☐ No

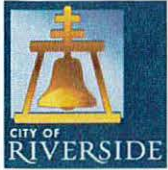
VMT screening justification (see Pages 23-25 of the guidelines): _____

Level of Service Scoping

- Proposed Trip Distribution (Attach Graphic for Detailed Distribution):

North	South	East	West
%	%	%	%

- Attach list of Approved and Pending Projects that need to be considered (provided by the lead agency and adjacent agencies)
- Attach list of study intersections/roadway segments
- Attach legible site plan
- Note other specific items to be addressed:
 - Site access
 - On-site circulation
 - Parking
 - Consistency with Plans supporting Bikes/Peds/Transit
 - Other _____
- Date of Traffic Counts _____
- Attach proposed analysis scenarios (years plus proposed forecasting approach)
- Attach proposed phasing approach (if the project is phased)



Public Works Department

City of Arts & Innovation

VMT Scoping

For projects that are not screened, identify the following:

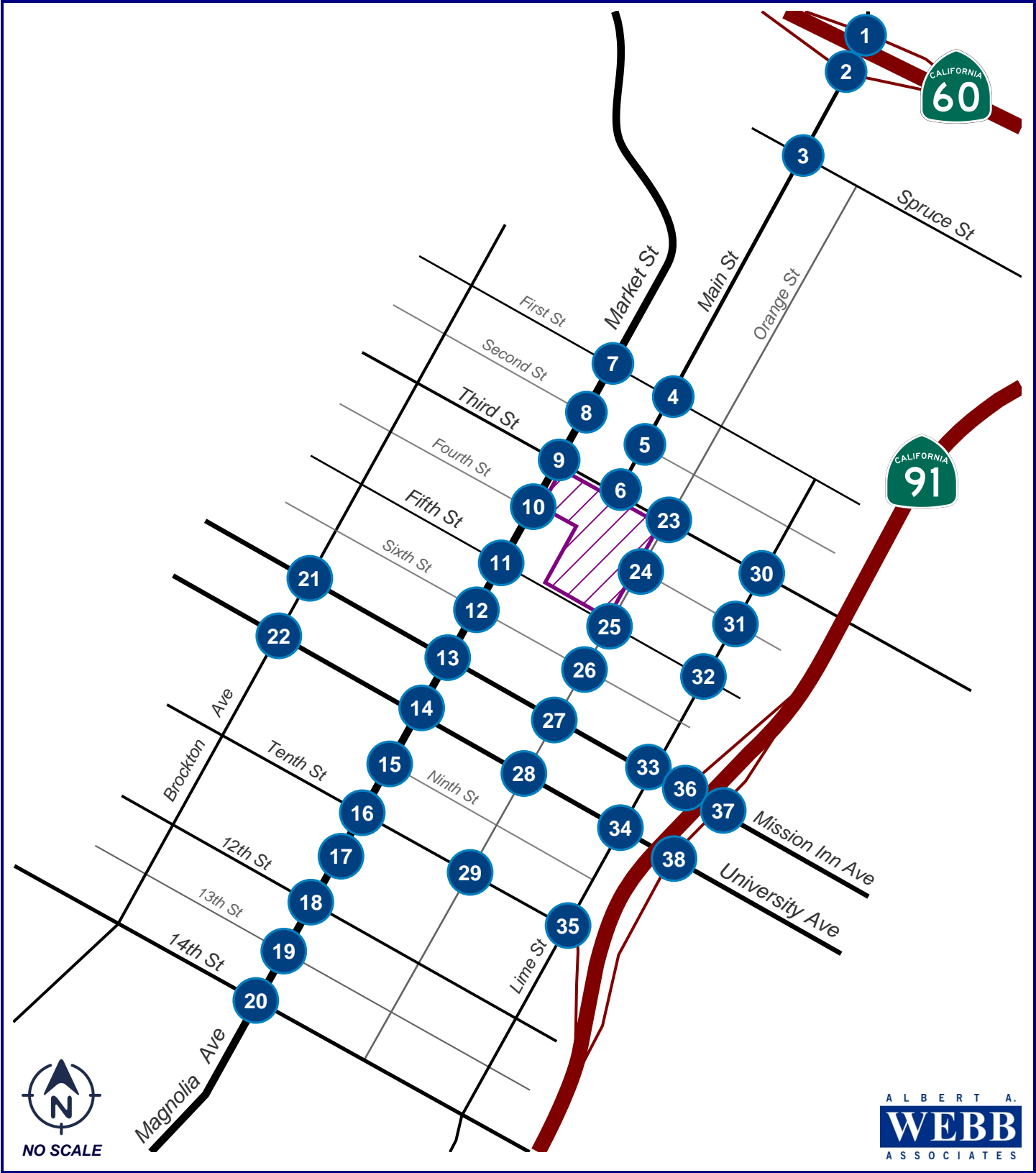
- Travel Demand Forecasting Model _____
- Attach WRCOG Screening VMT Assessment output or describe why it is not appropriate for use
- Attach proposed Model Land Use Inputs and Assumed Conversion Factors (attach)

Specific Issues to be addressed in the Study (in addition to the standard analysis described in the Guidelines) (To be filled out by the Public Works Traffic Engineering Division)

Attachment B

Study Area

Figure 1: Study Area



Attachment C

NCHRP Internal Capture Worksheets

NCHRP 8-51 Internal Trip Capture Estimation Tool					
Project Name:	Riverside Alive		Organization:	City of Riverside	
Project Location:	Riverside Convention Center		Performed By:	Albert A Webb Associates	
Scenario Description:	Project		Date:	05/23/24	
Analysis Year:	Opening Year		Checked By:	KCM	
Analysis Period:	AM Street Peak Hour		Date:	05/23/24	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				334	294	40
Retail				219	136	83
Restaurant				0		
Cinema/Entertainment				0		
Residential				55	13	42
Hotel				173	97	76
All Other Land Uses ²				0		
Total				781	540	241

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		11	0	0	0	0
Retail	12		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	0	0	0		0
Hotel	9	5	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	781	540	241
Internal Capture Percentage	10%	7%	16%
External Vehicle-Trips ³	705	502	203
External Transit-Trips ⁴	0	0	0
External Non-Motorized Trips ⁴	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	7%	28%
Retail	12%	14%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	2%
Hotel	0%	18%

¹ Land Use Codes (LUCs) from <i>Trip Generation Informational Report</i> , published by the Institute of Transportation Engineers.
² Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
³ Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
⁴ Person-Trips
*Indicates computation that has been rounded to the nearest whole number.
<i>Estimation Tool Developed by the Texas Transportation Institute</i>

Project Name:	Riverside Alive
Analysis Period:	AM Street Peak Hour

Table 7-A: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-A (D): Entering Trips				Table 7-A (O): Exiting Trips	
	Veh. Occ.	Vehicle-Trips	Person-Trips*		Veh. Occ.	Person-Trips*
Office	1.00	294	294		1.00	40
Retail	1.00	136	136		1.00	83
Restaurant	1.00	0	0		1.00	0
Cinema/Entertainment	1.00	0	0		1.00	0
Residential	1.00	13	13		1.00	42
Hotel	1.00	97	97		1.00	76

Table 8-A (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		11	25	0	0	0
Retail	24		11	0	12	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	0	8	0		0
Hotel	57	11	7	0	0	

Table 8-A (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		44	0	0	0	0
Retail	12		0	0	0	0
Restaurant	41	11		0	1	4
Cinema/Entertainment	0	0	0		0	0
Residential	9	23	0	0		0
Hotel	9	5	0	0	0	

Table 9-A (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates				External Trips by Mode*	
	Internal	External	Total		Vehicles ¹	Transit ²
Office	22	272	294		272	0
Retail	16	120	136		120	0
Restaurant	0	0	0		0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	13	13		13	0
Hotel	0	97	97		97	0
All Other Land Uses ³	0	0	0		0	0

Table 9-A (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates				External Trips by Mode*	
	Internal	External	Total		Vehicles ¹	Transit ²
Office	11	29	40		29	0
Retail	12	71	83		71	0
Restaurant	0	0	0		0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	41	42		41	0
Hotel	14	62	76		62	0
All Other Land Uses ³	0	0	0		0	0

¹ Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
² Person-Trips
³ Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
*Indicates computation that has been rounded to the nearest whole number.

NCHRP 8-51 Internal Trip Capture Estimation Tool					
Project Name:	Riverside Alive		Organization:	City of Riverside	
Project Location:	Riverside Convention Center		Performed By:	Albert A Webb Associates	
Scenario Description:	Project		Date:	05/23/24	
Analysis Year:	Opening Year		Checked By:	KCM	
Analysis Period:	PM Street Peak Hour		Date:	05/23/24	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				317	54	263
Retail				560	269	291
Restaurant				0		
Cinema/Entertainment				0		
Residential				62	38	24
Hotel				192	98	94
All Other Land Uses ²				0		
Total				1131	459	672

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		22	0	0	2	0
Retail	6		0	0	17	15
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	10	0	0		1
Hotel	0	5	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	1,131	459	672
Internal Capture Percentage	14%	17%	12%
External Vehicle-Trips ³	973	380	593
External Transit-Trips ⁴	0	0	0
External Non-Motorized Trips ⁴	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	13%	9%
Retail	14%	13%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	50%	50%
Hotel	16%	5%

¹ Land Use Codes (LUCs) from <i>Trip Generation Informational Report</i> , published by the Institute of Transportation Engineers.
² Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
³ Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P
⁴ Person-Trips
*Indicates computation that has been rounded to the nearest whole number.
<i>Estimation Tool Developed by the Texas Transportation Institute</i>

Project Name:	Riverside Alive
Analysis Period:	PM Street Peak Hour

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	54	54	1.00	263	263
Retail	1.00	269	269	1.00	291	291
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	38	38	1.00	24	24
Hotel	1.00	98	98	1.00	94	94

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		53	11	0	5	0
Retail	6		84	12	76	15
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	10	5	0		1
Hotel	0	15	64	0	2	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		22	0	0	2	0
Retail	17		0	0	17	17
Restaurant	16	135		0	6	70
Cinema/Entertainment	3	11	0		2	1
Residential	31	27	0	0		12
Hotel	0	5	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	7	47	54	47	0	0
Retail	37	232	269	232	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	19	19	38	19	0	0
Hotel	16	82	98	82	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	24	239	263	239	0	0
Retail	38	253	291	253	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	12	12	24	12	0	0
Hotel	5	89	94	89	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹ Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P
² Person-Trips
³ Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
*Indicates computation that has been rounded to the nearest whole number.

Attachment D

Project Trip Distribution

Figure : Project Trip Distribution (Outbound)

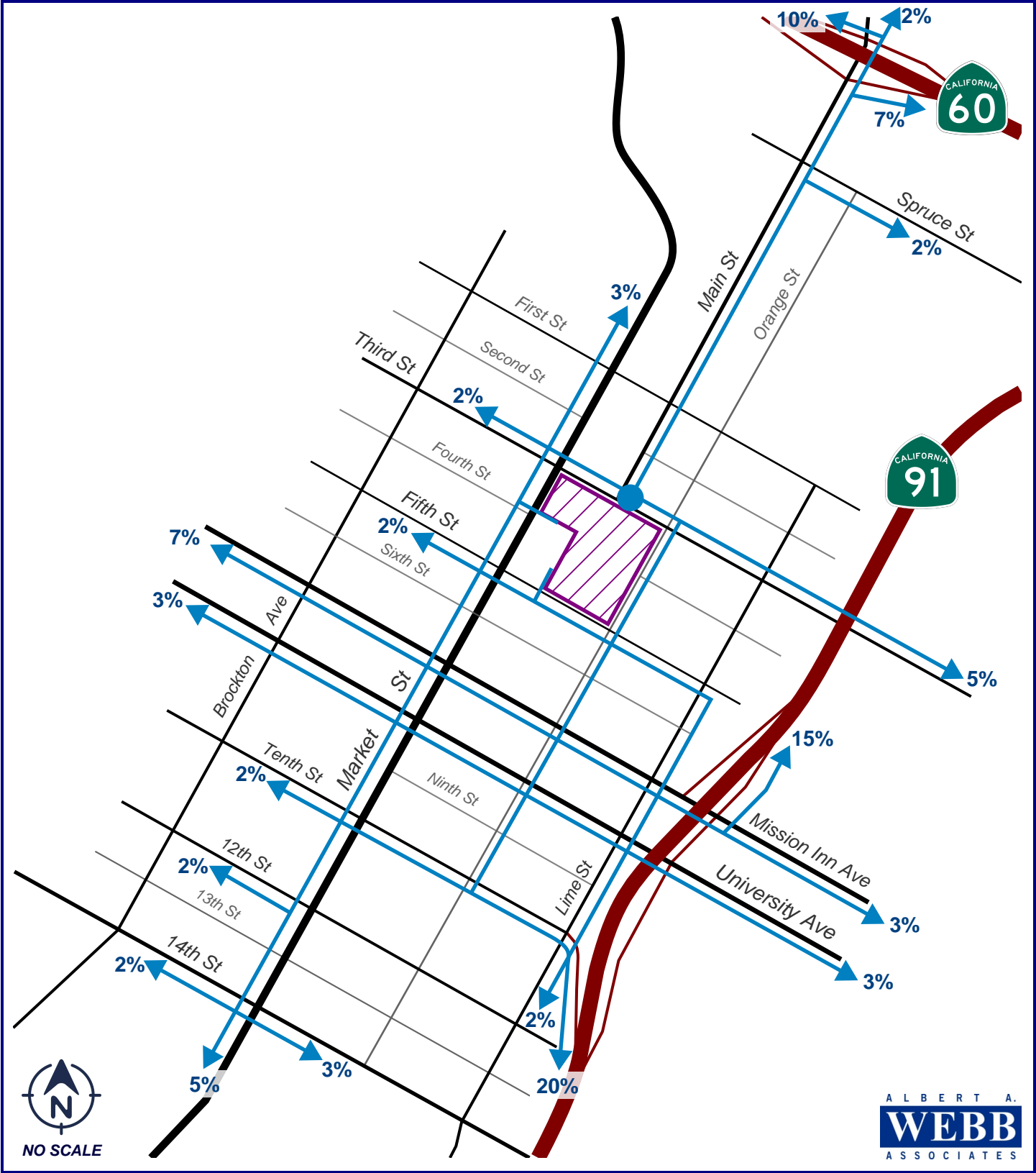


Figure : Project Trip Distribution (Inbound)

