



Charissa Leach
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

Agency Notice of Preparation of a Draft Environmental Impact Report

DATE: March 11, 2021

TO: Responsible/Trustee Agencies

The Riverside County Planning Department is currently reviewing a development application (herein, "Project") in the Elsinore Area Plan of Riverside County. The Project is subject to compliance with the California Environmental Quality Act (CEQA). This notice is to inform public agencies and the general public that an Environmental Impact Report (EIR) will be prepared for the Project, and to solicit guidance as to the scope and content of the required EIR.

PROJECT CASE NO./TITLE: Renaissance Ranch (Specific Plan Amendment No. 333A1, General Plan Amendment 200004, and Change of Zone 2000016)

PROJECT LOCATION: South of the Interstate 15, east of Horsethief Canyon Road, north of Palomino Creek Drive, and west of Hostettler Road.

PROJECT DESCRIPTION: The proposed Project consists of applications for the first amendment to the Renaissance Ranch Specific Plan (SP00333A01), a General Plan Amendment (GPA200004), and a Change of Zone (CZ2000016). The adopted Renaissance Ranch Specific Plan allows for development of the 157.1-acre property with 355 Medium Density Residential (MDR) dwelling units, a 4.3-acre community park, 2.0 acres of pocket parks, and open space on 52.8 acres. The Project Applicant proposes to amend the site's specific plan and General Plan land use designations and to amend the site's zoning classifications to instead allow for future development of 18.0 acres of Business Park uses, 97.2 acres of Light Industrial uses, Open Space – Conservation on 11.5 acres, Open Space – Conservation Habitat on 27.1 acres, and major circulation facilities on 3.3 acres. Governmental approvals requested by the Project Applicant from Riverside County to implement the Project consist of the following:

1. Adoption by resolution of a General Plan Amendment (GPA200004);
2. Adoption of Amendment No. 1 to Specific Plan No. 333 (SP00333A01); and
3. Adoption by ordinance of a Change of Zone (CZ2000016).

LEAD AGENCY:

Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409
Attn: Russell Brady, Project Planner

PROJECT SPONSOR:

Applicant: Richland Ventures, Inc.
Address: 3161 Michelson Drive, Suite 425
Irvine, CA, 92612

Pursuant to the California Environmental Quality Act, notice is given to responsible and interested agencies, that the Riverside County Planning Department plans to oversee the preparation on an Environmental Impact Report for the above-described project. The purpose of this notice is to solicit guidance from your agency as to the scope and content of the environmental information to be included in the EIR. Information in that regard should be submitted to this office as soon as possible, but **not later than thirty (30) days** after receiving this notice.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

SCOPE OF ANALYSIS

It is anticipated that the proposed Project would have the potential to result in significant impacts under the following issue areas. A detailed analysis of the following issue areas will be included in the forthcoming EIR:

- Aesthetics
- Agriculture & Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Paleontological Resources
- Population / Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities / Service Systems
- Wildfire
- Mandatory Findings of Significance

PUBLIC SCOPING MEETING:

A Scoping Session has been scheduled in order to bring together and resolve the concerns of affected federal, State and local agencies, the proponent of the proposed Project, and other interested persons; as well as inform the public of the nature and extent of the proposed project, and to provide an opportunity to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the EIR and help eliminate from detailed study issues found not to be important. The Scoping Session is not a public hearing on the merit of the proposed project and NO DECISION on the Project will be made. Public testimony is limited to identifying issues regarding the project and potential environmental impacts. The Project proponent will not be required to provide an immediate response to any concerns raised. The Project proponent will be requested to address any concerns expressed at the Scoping Session, through revisions to the proposed Project and/or completion of a Final Environmental Impact Report, prior to the formal public hearing on the proposed Project. Mailed notice of the public hearing will be provided to anyone requesting such notification.

TIME OF SCOPING SESSION: 1:30 p.m. or as soon as possible thereafter

DATE OF SCOPING SESSION: April 5, 2021

Information on how to participate in the hearing will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this project please contact Project Planner Russell Brady at (951) 955-3025 or email at rbrady@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

Please send all written correspondence to:

RIVERSIDE COUNTY PLANNING DEPARTMENT

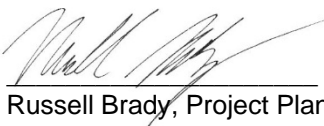
Attn: Russell Brady, Project Planner

P.O. Box 1409, Riverside, CA 92502-1409

If you have any questions please contact Russell Brady, Project Planner at (951) 955-3025.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT



Russell Brady, Project Planner for Charisa Leach, Assistant TLMA Director



Charissa Leach
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

Applicant's Notice of Preparation of a Draft Environmental Impact Report

DATE: March 11, 2021

TO: Richland Ventures, Inc.
3161 Michelson Drive, Suite 425
Irvine, CA, 92612

PROJECT CASE NO./TITLE: Renaissance Ranch (Specific Plan Amendment No. 333A1, General Plan Amendment 200004, and Change of Zone 2000016)

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1. Adoption by resolution of a General Plan Amendment (GPA200004);
2. Adoption of Amendment No. 1 to Specific Plan No. 333 (SP00333A01); and
3. Adoption by ordinance of a Change of Zone (CZ2000016).

Pursuant to the Riverside County Rules to Implement the California Environmental Quality Act of 1970, it has been determined that the above referenced project may have a significant effect on the environment and an Environmental Impact Report (EIR) is required.

OPTION TO REVISE PROJECT:

Upon receipt of this notice, the project sponsor may revise the project to avoid or mitigate any adverse impact. If the potential adverse effects are substantially mitigated by the revised project, an EIR shall not be required and a Mitigated Negative Declaration or a Negative Declaration (statement of no significant effect) shall be prepared.

APPEAL:

The staff requirement to prepare an EIR may be appealed to the Planning Commission within ten (10) days of receipt of this notice. The appeal must be made in writing and contain brief discussion of how the project will avoid the environmental effects listed on the attachment. The appeal must be accompanied by: (1) adhesive labels containing the names and addresses of all property owners within a minimum of 600 feet of the project boundaries that total at least 25 different property owners; and (2) the appropriate filing fee. (Refer to the Current Riverside County Planning Department Fee Schedule).

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Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

PREPARATION OF THE DRAFT EIR:

The Draft EIR shall address the following environmental subject areas:

- Aesthetics
- Agriculture & Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Paleontological Resources
- Population / Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities / Service Systems
- Wildfire
- Mandatory Findings of Significance

The Draft EIR must meet the form and content requirements of the Planning Department. The sponsor should advise the consultant to meet with the staff on a regular basis to ensure an adequate document is prepared in a timely fashion. A preliminary draft shall be submitted for review and if determined acceptable, the consultant will be notified of the appropriate number of final draft copies to be provided for distribution to state and local agencies and interested parties.

The Draft EIR must be submitted within 120 days of this Notice unless an extension of not more than thirty (30) days is received and granted by the Department.

PUBLIC SCOPING MEETING:

A Scoping Session has been scheduled in order to bring together and resolve the concerns of affected federal, State and local agencies, the proponent of the proposed Project, and other interested persons; as well as inform the public of the nature and extent of the proposed project, and to provide an opportunity to identify the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the EIR and help eliminate from detailed study issues found not to be important. The Scoping Session is not a public hearing on the merit of the proposed project and NO DECISION on the Project will be made. Public testimony is limited to identifying issues regarding the project and potential environmental impacts. The Project proponent will not be required to provide an immediate response to any concerns raised. The Project proponent will be requested to address any concerns expressed at the Scoping Session, through revisions to the proposed Project and/or completion of a Final Environmental Impact Report, prior to the formal public hearing on the proposed Project. Mailed notice of the public hearing will be provided to anyone requesting such notification.

TIME OF SCOPING SESSION: 1:30 p.m. or as soon as possible thereafter

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EIR FEES:

The appropriate fee for an EIR (Refer to the Current Riverside County Planning Department Fee Schedule) must be submitted to the Planning Department within thirty (30) days of this Notice.

PROJECT PRESUMED ABANDONED:

Unless the EIR fee and the Draft EIR are submitted within the time periods specified above, the project will be presumed abandoned, and there will be no further processing of the development application(s) by the County of Riverside, and no refund of previously paid filing fees.

Please send all written correspondence to:

RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Russell Brady, Project Planner
P.O. Box 1409, Riverside, CA 92502-1409

If you have any questions please contact Russell Brady, Project Planner at (951) 955-3025.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

A handwritten signature in black ink, appearing to read 'Russell Brady', is written over a horizontal line.

Russell Brady, Project Planner for Charissa Leach, Assistant TLMA Director



Charissa Leach
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

Public Notice of Preparation of a Draft Environmental Impact Report

DATE: March 11, 2021

TO: Interested Parties

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Palm Desert, California 92211
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SCOPE OF ANALYSIS

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RIVERSIDE COUNTY PLANNING DEPARTMENT

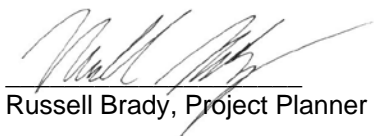
Attn: Russell Brady, Project Planner

P.O. Box 1409, Riverside, CA 92502-1409

If you have any questions please contact Russell Brady, Project Planner at (951) 955-3025.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT



Russell Brady, Project Planner for Charissa Leach, Assistant TLMA Director

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Renaissance Ranch Specific Plan

Lead Agency: Riverside County

Contact Person: Russell Brady, Project Planner

Mailing Address: P.O. Box 1409

Phone: (951) 955-3025

City: Riverside

Zip: 92502-1409

County: Riverside County

Project Location: County: Riverside County

City/Nearest Community: Lake Elsinore

Cross Streets: Southeast of Horesthief Canyon Road at Interstate 15

Zip Code: 92883

Longitude/Latitude (degrees, minutes and seconds): 33 ° 43 ' 52 " N / 117 ° 25 ' 13 " W Total Acres: 157.1 acres

Assessor's Parcel No.: See attached list

Section: 17

Twp.: 5S

Range: 5W

Base: S. Bern.

Within 2 Miles: State Hwy #: I-15

Waterways: Temescal Wash, Corona Lake

Airports: None

Railways: None

Schools: Luiseno Elementary

Document Type:CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.)

☐ Draft EIS☐ Other:☐ Mit Neg Dec

Other:

☐ FONSI**Local Action Type:**☐ General Plan Update☒ Specific Plan☒ Rezone☐ Annexation☒ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other:**Development Type:**☐ Residential: Units _____ Acres _____☐ Office: Sq.ft. _____ Acres _____ Employees _____☐ Commercial: Sq.ft. _____ Acres _____ Employees _____☒ Industrial: Sq.ft. _____ Acres 97.2 Employees +/-2,709☐ Educational: _____☐ Recreational: _____☐ Water Facilities: Type _____ MGD _____☐ Transportation: Type _____☐ Mining: Mineral _____☐ Power: Type _____ MW☐ Waste Treatment: Type _____ MGD☐ Hazardous Waste: Type _____☒ Other: Business Park: 18.0 ac., Open Space: 38.6 ac., Roads: 3.3 ac.**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Growth Inducement☐ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other:**Present Land Use/Zoning/General Plan Designation:**

Undeveloped/Specific Plan Zone/Medium Density Residential, Recreation, Open Space

Project Description: (please use a separate page if necessary)

The proposed Project consists of applications for the first amendment to the Renaissance Ranch Specific Plan (SP00333A01), a General Plan Amendment (GPA200004), and a Change of Zone (CZ2000016). The Project Applicant proposes to amend the site's specific plan and General Plan land use designations and to amend the site's zoning classifications to allow for future development of 18.0 acres of Business Park uses, 97.2 acres of Light Industrial uses, Open Space – Conservation on 11.5 acres, Open Space – Conservation Habitat on 27.1 acres, and major circulation facilities on 3.3 acres.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> S Air Resources Board	<input checked="" type="checkbox"/> X Office of Historic Preservation
<input checked="" type="checkbox"/> X Boating & Waterways, Department of	<input checked="" type="checkbox"/> X Office of Public School Construction
<input checked="" type="checkbox"/> X California Emergency Management Agency	<input type="checkbox"/> S Parks & Recreation, Department of
<input checked="" type="checkbox"/> X California Highway Patrol	<input checked="" type="checkbox"/> X Pesticide Regulation, Department of
<input type="checkbox"/> S Caltrans District # 8	<input checked="" type="checkbox"/> X Public Utilities Commission
<input checked="" type="checkbox"/> X Caltrans Division of Aeronautics	<input type="checkbox"/> S Regional WQCB # 8
<input checked="" type="checkbox"/> X Caltrans Planning	<input checked="" type="checkbox"/> X Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input checked="" type="checkbox"/> X Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input checked="" type="checkbox"/> X Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> S Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input checked="" type="checkbox"/> X Corrections, Department of	<input checked="" type="checkbox"/> X State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input checked="" type="checkbox"/> X SWRCB: Clean Water Grants
<input checked="" type="checkbox"/> X Education, Department of	<input checked="" type="checkbox"/> X SWRCB: Water Quality
<input checked="" type="checkbox"/> X Energy Commission	<input checked="" type="checkbox"/> X SWRCB: Water Rights
<input type="checkbox"/> S Fish & Game Region # 6	<input type="checkbox"/> Tahoe Regional Planning Agency
<input checked="" type="checkbox"/> X Food & Agriculture, Department of	<input checked="" type="checkbox"/> X Toxic Substances Control, Department of
<input checked="" type="checkbox"/> X Forestry and Fire Protection, Department of	<input checked="" type="checkbox"/> X Water Resources, Department of
<input checked="" type="checkbox"/> X General Services, Department of	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> X Health Services, Department of	<input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> X Housing & Community Development	
<input type="checkbox"/> S Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date March 11, 2021 Ending Date April 10, 2021

Lead Agency (Complete if applicable):

Consulting Firm: <u>T&B Planning, Inc.</u>	Applicant: <u>Richland Ventures, Inc.</u>
Address: <u>3200 El Camino Real, Suite 100</u>	Address: <u>3161 Michelson Drive, Suite 425</u>
City/State/Zip: <u>Irvine, CA 92602</u>	City/State/Zip: <u>Irvine, CA 92612</u>
Contact: <u>Jerrica Harding, AICP</u>	Phone: <u>(949) 261-7010</u>
Phone: <u>(714) 505-6360 ext. 101</u>	

Signature of Lead Agency Representative:  Date: 3/3/21

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Notice of Preparation

Notice of Preparation

To: _____ From: _____

(Address)

(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

_____ will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (☐ is ☒ is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to _____ at the address shown above. We will need the name for a contact person in your agency.

Project Title: _____

Project Applicant, if any: _____

Date _____

Signature  _____

Title _____

Telephone _____

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Renaissance Ranch Commerce Center

Lead Agency: Riverside County

Contact Name: Russell Brady, Project Planner

Email: rbrady@rivco.org Phone Number: (951) 955-3025

Project Location: North of the City of Lake Elsinore in unincorporated Riverside County

City

County

Project Description (Proposed actions, location, and/or consequences).

The proposed Project consists of applications for the first amendment to the Renaissance Ranch Specific Plan (SP00333A01), a General Plan Amendment (GPA200004), and a Change of Zone (CZ2000016). The adopted Renaissance Ranch Specific Plan allows for development of the 157.1-acre property with 355 Medium Density Residential (MDR) dwelling units, a 4.3-acre community park, 2.0 acres of pocket parks, and open space on 52.8 acres. The Project Applicant proposes to amend the site's specific plan and General Plan land use designations and to amend the site's zoning classifications to instead allow for future development of 18.0 acres of Business Park uses, 97.2 acres of Light Industrial uses, Open Space – Conservation on 11.5 acres, Open Space – Conservation Habitat on 27.1 acres, and major circulation facilities on 3.3 acres. Governmental approvals requested by the Project Applicant from Riverside County to implement the Project consist of the following: (1) Adoption by resolution of a General Plan Amendment (GPA200004); (2) Adoption of Amendment No. 1 to Specific Plan No. 333 (SP00333A01); and (3) Adoption by ordinance of a Change of Zone (CZ2000016).

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

The Draft EIR shall address the following environmental subject areas: Aesthetics; Agriculture & Forest Resources; Air Quality; Biological Resources; Cultural Resources; Energy; Geology / Soils; Greenhouse Gas Emissions; Hazards & Hazardous Materials; Hydrology / Water Quality; Land Use / Planning; Mineral Resources; Noise; Paleontological Resources; Population / Housing; Public Services; Recreation; Transportation; Tribal Cultural Resources; Utilities / Service Systems; Wildfire; and Mandatory Findings of Significance. Mitigation measures, if required, will be identified by the forthcoming EIR.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

There are no known areas of controversy regarding the Project at this time.

Provide a list of the responsible or trustee agencies for the project.

Regional Water Quality Control Board
California Department of Fish and Wildlife
U.S. Army Corps of Engineers
Riverside County Flood Control and Water Conservation District (RCFCWCD)
South Coast Air Quality Management District (SCAQMD)
Western Municipal Water District (WMWD)

RENAISSANCE RANCH SP333, A1 (SP333, A1)**APN LIST**

393120011	393150013	393250031
393280085	393150066	393280058
393280086	393150014	393250013
393180009	393150065	393280015
393150003	393150044	393250018
393150061	393150015	393250005
393150047	393150064	393280033
393180006	393150043	393250026
393290052	393150016	393280051
393180005	393150042	393250032
393180008	393150017	393280059
393290054	393150041	393250012
393290055	393150018	393250002
393280087	393150040	393250019
393150068	393150019	393280014
393150074	393150039	393250006
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RENAISSANCE RANCH SP333, A1 (SP333, A1)**APN LIST**

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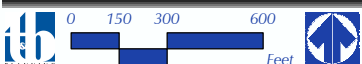
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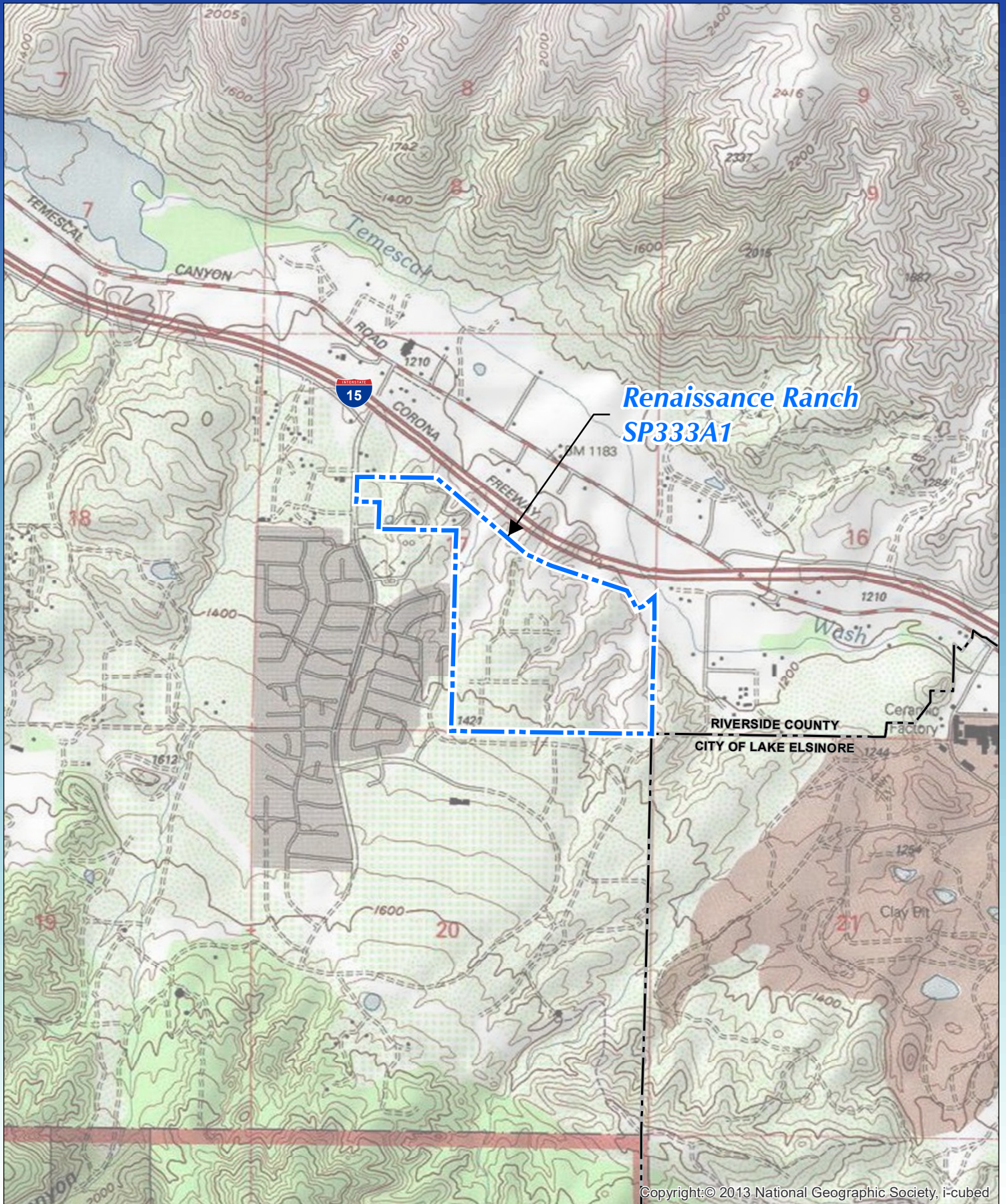
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Renaissance Ranch SP 333, A1

Aerial Photograph



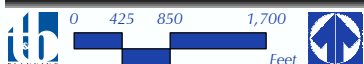
Date: February 2020



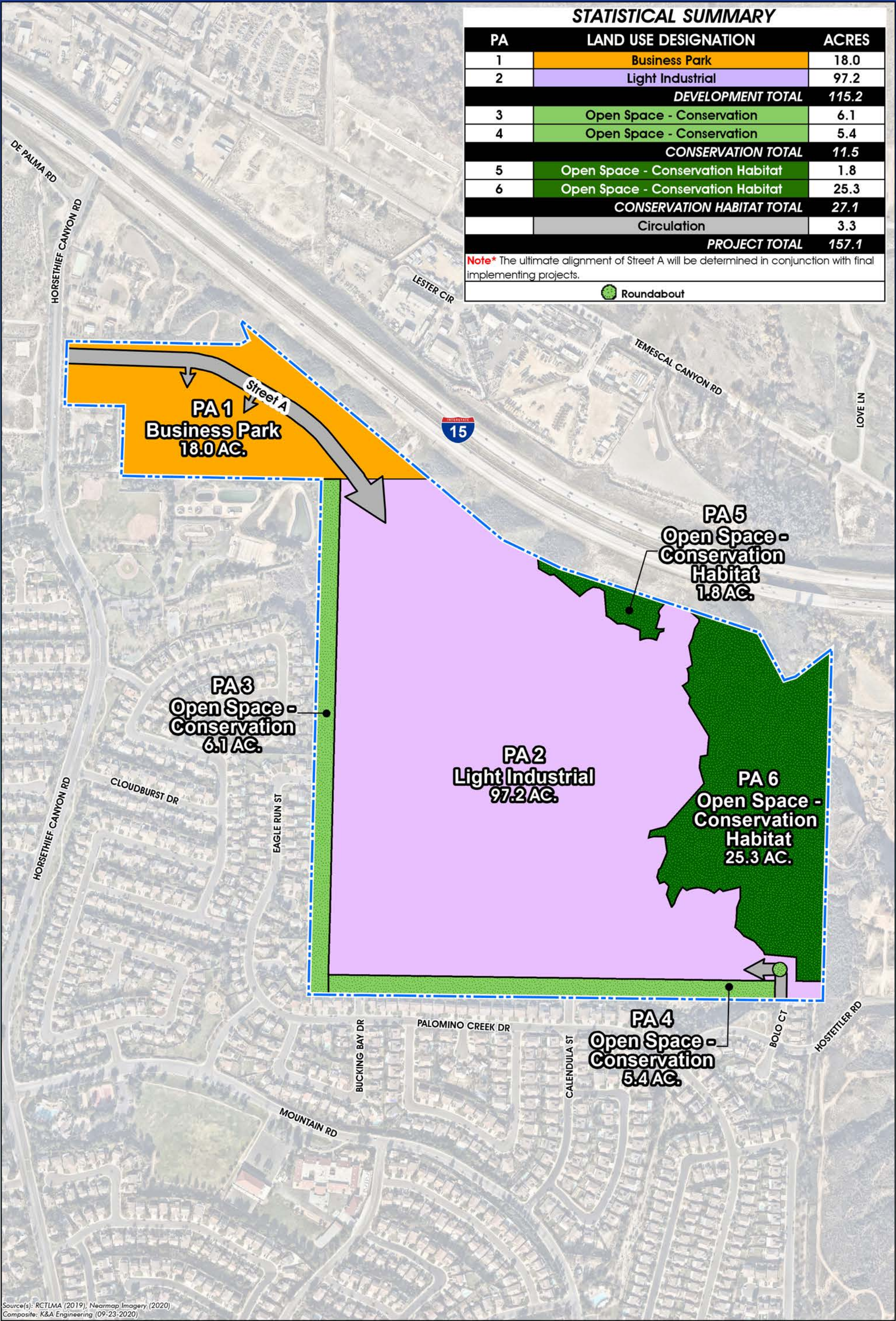
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Renaissance Ranch SP 333, A1

USGS Topographic Map



Date: February 2020



Source(s): RCTLMA (2019), Nearmap Imagery (2020)
Composite: K&A Engineering (09-23-2020)

Renaissance Ranch SP 333, A1

Date: 09-29-2020
Job #: 471-017



April 13, 2021

Russell Brady
Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, California 92502-1409
rbrady@rivco.org

Dear Russell Brady:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the Renaissance Ranch (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2021030301. The Project would allow for future development of 18.0 acres of Business Park uses, 97.2 acres of Light Industrial uses, Open Space – Conservation on 11.5 acres, Open Space – Conservation Habitat on 27.1 acres, and major circulation facilities on 3.3 acres. The Project-site is located within an unincorporated area of Riverside County (County), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Industrial development, such as those proposed under the Project, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.¹ CARB has reviewed the NOP and is concerned about the air pollution and health risk impacts that would result should the County approve the Project

The Project Would Increase Exposure to Air Pollution in Disadvantaged Communities

The Project, if approved, will expose nearby communities to elevated levels of air pollution. Residences are located within 50 feet of the Project's southern and western boundary. In addition to residences, Luiseno Elementary School is located within 1,300 feet of the Project-site. The community is near existing toxic diesel particulate matter (diesel PM) emission sources, which include existing industrial uses and vehicular traffic along Interstate 15 (I-15). Due to the Project's proximity to residences already burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

¹ With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

The State of California has placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens, like those in which the Project is located. Diesel PM emissions generated during the construction and operation of the Project would negatively impact the community, which is already impacted by air pollution from existing industrial uses and vehicular traffic along I-15.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Operation

Since the Project is near residential communities that are already burdened by multiple air pollution sources, CARB urges the County and applicant to prepare a health risk assessment (HRA) for the Project. The HRA should account for all potential operational health risks from Project-related diesel PM emission sources, including, but not limited to, back-up generators, on-site diesel-powered equipment, and heavy-duty trucks. The HRA should also determine if the operation of the Project in conjunction with past, present, and reasonably foreseeable future projects or activities would result in a cumulative cancer risk impact on nearby residences. To reduce diesel PM exposure and associated cancer risks, CARB urges the County and applicant to include all the air pollution reduction measures listed in Attachment A of this comment letter in the HRA and DEIR.

Since the Project description provided in the NOP does not explicitly state that the proposed industrial land uses would not be used for cold storage, there is a possibility that trucks and trailers visiting the Project-site would be equipped with transport refrigeration units (TRU).² TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project-site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating, would be exposed to diesel exhaust emissions that would result in a significant cancer risk impact to the nearby community. If the Project would be used for cold storage, CARB urges the County to model air pollutant emissions from on-site TRUs in the DEIR, as well as include potential cancer risks from on-site TRUs in the Project's HRA. If the Project will not be used for cold storage, CARB urges the County to include one of the following design measures in the DEIR:

- A Project design measure requiring contractual language in tenant lease agreements that prohibits tenants from operating TRUs within the Project-site; or
- A condition requiring a restrictive covenant over the parcel that prohibits the applicant's use of TRUs on the property unless the applicant seeks and receives an amendment to its conditional use permit allowing such use.

The HRA prepared in support of the Project should be based on the latest Office of Environmental Health Hazard Assessment's (OEHHA) guidance (2015 Air Toxics Hot Spots

² TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

Program Guidance Manual for Preparation of Health Risk Assessments),³ CARB's Hot Spots Analysis and Reporting Program (HARP2 model), and the South Coast Air Quality Management District's (SCAQMD) CEQA Air Quality Handbook.⁴ The Project's mobile diesel PM emissions used to estimate the Project's cancer risk impacts should be based on CARB's latest 2021 Emission Factors model (EMFAC2021). Mobile emission factors can be easily obtained by running the EMFAC2021 Web Database:

<https://arb.ca.gov/emfac/emissionsinventory>.

The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and planners will have a complete understanding of the potential health impacts that would result from the Project.

The DEIR Should Quantify and Discuss the Potential Cancer Risks from Project Construction

In addition to the health risks associated with operational diesel PM emissions, health risks associated with construction diesel PM emissions should also be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel PM emissions from the use of both on-road and off-road diesel equipment. The OEHHA guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project-site during construction.

The HRA should account for all diesel PM emission sources related to Project construction, including, but not limited to, off-road mobile equipment, diesel generators, and on-road heavy-duty trucks. As previously stated in Section II of this letter, the cancer risks evaluated in the construction HRA should be based on the latest OEHHA guidance, CARB's HARP2 model, and SCAQMD's CEQA guidance. The cancer risks reported in the HRA should be calculated using the latest emission factors obtained from CARB's latest EMFAC (currently EMFAC 2021) and Off-road models

Conclusion

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and NO_x emissions, as well as the greenhouse gases that contribute to climate change. CARB encourages the County and

3- Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/cmr/2015guidancemanual.pdf>.

4- SCAQMD's 1993 Handbook can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

applicant to implement the measures listed in Attachment A of this comment letter to reduce the Project's construction and operational air pollution emissions.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Stanley Armstrong, Air Pollution Specialist via email at stanley.armstrong@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Krieger".

Robert Krieger, Branch Chief, Risk Reduction Branch

Attachment

cc: See next page.

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

Carlo De La Cruz, Senior Campaign Representative, Sierra Club
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Lijin Sun, Program Supervisor, CEQA Intergovernmental Review, South Coast Air
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Morgan Capilla, NEPA Reviewer, U.S. Environmental Protection Agency, Air Division,
Region 9
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Taylor Thomas, Research and Policy Analyst, East Yard Communities for Environmental
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Torres Ivette, Policy Analyst, Center for Community Action and Environmental Justice
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Stanley Armstrong, Air Pollution Specialist, Risk Reduction Branch

ATTACHMENT A

ATTACHMENT A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

The California Air Resources Board (CARB) recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommended by CARB, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved equal to or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NO_x) standard starting in the year 2022.¹

¹ In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB's optional low-NO_x emission standard is available at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>.

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB is available to assist in implementing this recommendation.

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.²
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project-site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements requiring all TRUs, trucks, and cars entering the project site be zero-emission.
6. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available.
7. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.
8. Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks

² CARB's technology assessment for transport refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at: https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf.

including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,³ Periodic Smoke Inspection Program (PSIP),⁴ and the Statewide Truck and Bus Regulation.⁵

9. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while on site.
10. Include contractual language in tenant lease agreements that limits on-site TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted, and the health impacts fully mitigated.
11. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.
12. Including language in tenant lease agreements, requiring the installing of vegetative walls⁶ or other effective barriers that separate loading docks and people living or working nearby.

³. In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://ww2.arb.ca.gov/our-work/programs/ttghg>.

⁴. The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvip/hdvip.htm>.

⁵. The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model-year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

⁶. Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies (2017) is available at: <https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/13-306.pdf>.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 8, 2021
Sent via email

Mr. Russell Brady
Project Planner
Riverside County Planning Department
P.O. Box 1409
Riverside, CA 92502-1409
rbrady@rivco.gov

Subject: Notice of Preparation of a Draft Environmental Impact Report
Renaissance Ranch (Specific Plan Amendment No. 333 Amendment No.
1, General Plan Amendment No. 200004, and Change of Zone No.
2000016)
State Clearinghouse No. 2021030301

Dear Mr. Brady:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the T&B Planning, Inc. pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The proposed Project includes a general plan amendment, zone change, and amendment to Specific Plan No. 333. The 157.1-acres project site is located within the unincorporated community of Horsethief Canyon, generally located east of Horsethief Canyon Road, south of Interstate-15, west of Hostetler Road, north of Palomino Creek Drive. Specific Plan No. 333 was originally approved in 2005 as a primarily residential Specific Plan with a maximum of 355 residential units. Tentative Tract Map No. 31210 and Tentative Tract Map No. 31485 were approved in 2005 and subsequently recorded in 2007. The Tentative Tract Maps covered the whole Specific Plan area. The proposed changes substantially alter the Specific Plan by making it for non-residential use, in particular for industrial uses.

1. Specific Plan Amendment includes the following:

- Redesignate the primary land use in the Specific Plan from a Medium Density Residential land use designation to Light Industrial (97.2 acres), Business Park (18.0 acres), Open Space – Conservation (11.4 acres), and Open Space – Conservation Habitat (27.1 acres).
- Identifies the total amount of planned building area as 2,509,057 sq. ft., with 2,117,017 sq. ft. designated within the Light Industrial and 393,040 sq. ft. designated with Business.
- Name the amended Specific Plan the Renaissance Ranch Commerce Center.
- Modify the Specific Plan circulation plan for 3.3 acres of major circulation facilities.

2. The General Plan Amendment to the Riverside County General Plan proposes to modify the land use designations of the General Plan to match those as proposed by the Specific Plan Amendment.

3. Zone Change proposes to modify the zoning ordinance of the Specific Plan and define the Planning Area boundaries of the Specific Plan.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. The comments and recommendations are also offered to enable the CDFW to adequately review and comment on the proposed Project with respect to the Project's consistency with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009²). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted

² Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. <http://vegetation.cnps.org/>

at (916) 322-2493 or CNDDDB@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018³).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).
6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

³ California Department of Fish and Wildlife (CDFW). 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. State of California, Natural Resources Agency. Available for download at: <https://wildlife.ca.gov/Conservation/Plants>

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation and dumping), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).

Please note that the Project area supports significant biological resources and contains habitat connections, providing for wildlife movement across the broader landscape, sustaining both transitory and permanent wildlife populations. CDFW encourages project design that avoids and preserves onsite features that contribute to habitat connectivity, with a particularly focus on the onsite drainages that convey water, sand and nutrients across the site in a southeasterly direction and eventually into Smith Creek. The drainages include ecologically valuable ephemeral wash and other habitat. The DEIR should include a discussion of both direct and indirect impacts to wildlife movement and connectivity, including maintenance of wildlife corridor/movement areas to adjacent undisturbed habitats.

3. An evaluation of impacts to on-site and adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would “feasibly attain most of the basic objectives of the Project,” and would avoid or substantially lessen any of the Project’s significant effects (CEQA Guidelines § 15126.6[a]). Alternatives might include the inclusion of additional buffer habitat surrounding the drainages that are planned as conserved habitat within the project area. The alternatives analysis should also evaluate a “no project” alternative (CEQA Guidelines § 15126.6[e]).

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The County of Riverside should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.
3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the

project area include, but are not limited to: burrowing owl, loggerhead shrike, northern harrier and yellow warbler.

4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum:
(a) the location of restoration sites and assessment of appropriate reference sites;

(b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction

surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

7. *Moving out of Harm's Way*: To avoid direct mortality, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.
8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

Western Riverside County Multiple Species Habitat Conservation Plan

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County MSHCP per Section 2800, *et seq.*, of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the MSHCP please go to: <http://rctlma.org/epd/WR-MSHCP>.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. To be considered a covered activity, Permittees need to demonstrate that proposed actions are consistent with the MSHCP, the Permits, and the Implementing Agreement. The County of Riverside is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. To demonstrate consistency with the MSHCP CDFW recommends that the DEIR address, at a minimum, the City's obligations as follows:

- a. Addressing the collection of fees as set forth in Section 8.5 of the MSHCP.
- b. Demonstrating how the Project complies with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; the policies for set forth in Section 6.3.2 and associated vegetation survey requirements identified in Section 6.3.1; and compliance with the Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

Because the Project is located within the MSHCP Criteria Area, pursuant to the Implementing Agreement, public and private projects are expected to be designed and implemented in accordance with the Criteria for each Area Plan presented in Section 3.2 of the MSHCP and all other MSHCP requirements as set forth in the MSHCP and in Section 13.0 of the Implementing Agreement. Section 13.2 of the Implementing Agreement identifies that County obligations under the MSHCP and the Implementing Agreement include, but are not limited to: the adoption and maintenance of ordinances or resolutions, as necessary, and the amendment of general plans as appropriate, to implement the requirements and to fulfill the purposes of the Permits, the MSHCP, and the Implementing Agreement for private and public development projects (including siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP); and taking all necessary and appropriate actions, following applicable land use permit enforcement procedures and practices, to enforce the terms of the project approvals for public and private projects, including compliance with the MSHCP, the Permits, and the Implementing Agreement. The County is also obligated to notify the Western Riverside County Regional Conservation Authority (RCA), through the Joint Project/Acquisition Review Process set forth in Section 6.6.2 of the MSHCP, or proposed discretionary Projects within the Criteria Area and participate in any further requirements imposed by MSHCP Section 6.6.2.

To examine how the Project might contribute to, or conflict with, assembly of the MSHCP Conservation Area consistent with the reserve configuration requirements CDFW recommends that the DEIR identify the specific Area Plan and Area Plan Subunit within which the Project is located, and the associated Planning Species and Biological Issues and Considerations that may apply to the Project. The DEIR should also discuss the specific Criteria for the identified Cell or Cell Group within which the Project is located and identify the associated Core and/or Linkage. Next, the DEIR should identify the vegetation communities toward which conservation should be directed along with the connectivity requirements. Finally, the DEIR should examine the Project with respect to the percentage conservation portion of the Cell Criteria. Following this sequential identification of the relationship of the Project to the MSHCP the DEIR should then include an in-depth discussion of the Project in the context of

these aforementioned elements, and as mentioned, examine how the Project might contribute to, or conflict with, the conservation criteria of the MSHCP.

For example, the entirety of the Project is located within the Estelle Mountain/Indian Canyon Subunit (SU1) of the Elsinore Area Plan and occurs entirely within MSHCP Criteria Cell 3748. The MSHCP states that conservation within Cell 3748 will contribute to assembly of Proposed Constrained Linkage 6. Conservation within this Cell will focus on riparian habitat associated with Temescal Wash and adjacent chaparral and coastal sage scrub habitat. Areas conserved within this Cell will be connected to upland and riparian habitat proposed for conservation in Cell Groups F to the north, H to the east and N to the southeast. Conservation within this Cell will range from 40%-50% of the Cell focusing in the eastern portion of the Cell. The Planning Species and Biological Issues and Considerations for SU1 of the are identified in Section 3.3.3 of the MSHCP.

The proposed Project footprint is not consistent with the described conservation for Criteria Cell 3748. Criteria Cell 3748 is approximately 160 acres, with described conservation of 40-50% of the cell focused on the eastern portion, therefore approximately 64-88 acres should be identified for conservation on the eastern portion. However, only 27.1 acres of the 157.1-acre site is identified for conservation on the eastern edge of the site to contribute to reserve assembly. The Conceptual Land Use Plan map, provided with the NOP, includes 11.5 acres of Open Space Conservation (6.1 acres on the western edge and 5.4 acres on the southern edge). The 11.5 acres are linear parcels sandwiched between existing and proposed development, with high edge effect, and are unlikely to provide biological value that contributes to the conservation goals of the MSHCP. The 11.5 acres of Open Space Conservation do not contribute towards the described conservation for this Cell and should not be counted toward Reserve Assembly for the MSHCP.

CDFW recommends that the project is modified to provide the described conservation for the Criteria Cell 3748 that is consistent with MSHCP implementation procedures or the County addresses the acreage shortfall for described conservation through the Criteria Refinement Process in Section 6.5 of the MSHCP. The Criteria Refinement Process was included in the MSHCP specifically to address and mitigate instances where project proponents or MSHCP permittees choose or seek to adopt projects that do not adhere to the MSHCP Cell Criteria.

Riparian/Riverine Areas and Vernal Pools and MSHCP Covered Species

The MSHCP, Section 6.1.2, identifies that information necessary for the assessment of riparian/riverine and vernal resources includes identification and mapping of riparian/riverine areas and vernal pools. The assessment shall consider species composition, topography/ hydrology, and soil analysis, where appropriate. The assessment maybe completed as part of the CEQA review process as set forth in Article V of the State CEQA Guidelines.

The documentation for the assessment shall include mapping and a description of the functions and values of the mapped areas with respect to the species listed above, under "Purpose." Factors to be considered include hydrologic regime, flood storage and flood flow modification, nutrient retention and transformation, sediment trapping and transport, toxicant trapping, public use, wildlife Habitat, and aquatic Habitat. The functions and values assessment will focus on those areas that should be considered for priority acquisition for the MSHCP Conservation Area, as well as those functions that may affect downstream values related to Conservation of Covered Species within the MSHCP.

The MSHCP identifies that for mapped riparian/riverine and vernal pool resources that are not included in the MSHCP conservation area, applicable mitigation under CEQA, shall be imposed by the Permittee (in this case the County). Further, the MSHCP identifies that to ensure the standards in Section 6.1.2 are met, the Permittee shall ensure that, through the CEQA process, project applicants develop project alternatives demonstrating efforts that first avoid, and then minimize direct and indirect effects to the wetlands mapped pursuant to Section 6.1.2. If an avoidance alternative is not Feasible, a practicable alternative that minimizes direct and indirect effects to riparian/riverine areas and vernal pools and associated functions and values to the greatest extent possible shall be selected. Those impacts that are unavoidable shall be mitigated such that the lost functions and values as they relate to Covered Species are replaced as through the Determination of Biologically Equivalent or Superior Preservation. The Applicant should complete the Determination of Biologically Equivalent or Superior Preservation process prior to completion of the DEIR to demonstrate implementation of MSHCP requirements in the CEQA documentation.

The following are covered species that are conserved under the MSHCP based on the location of the project site:

Burrowing Owl (*Athene cunicularia*)

The Project site has the potential to provide suitable foraging and/or nesting habitat for burrowing owl. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill."

CDFW recommends that the County of Riverside follow the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012⁴).

⁴ California Department of Fish and Game (CDFG). 2012. Staff report of burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: http://www.dfg.ca.gov/wildlife/nonqgame/survey_monitor.html

The Staff Report on Burrowing Owl Mitigation, specifies three steps for project impact evaluations:

- a. A habitat assessment;
- b. Surveys; and
- c. An impact assessment

As stated in the Staff Report on Burrowing Owl Mitigation, the three progressive steps are effective in evaluating whether a project will result in impacts to burrowing owls, and the information gained from the steps will inform any subsequent avoidance, minimization, and mitigation measures. Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

Additionally, CDFW recommends that the County of Riverside review and follow requirements for burrowing owl outlined in the MSHCP, specifically Section 6.3.2 (Additional Survey Needs and Procedures) and Appendix E (Summary of Species Survey Requirements). Appendix E of the MSHCP outlines survey requirements, actions to be taken if survey results are positive, and species-specific conservation objectives, among other relevant information.

Narrow Endemic and Criteria Area Species Plants

The Project site has the potential to provide suitable habitat for narrow endemic species identified in the MSHCP, including Munz's onion (*Allium munzii*), San Diego ambrosia (*Ambrosia pumila*), Slender-horned spineflower (*Dodecahema leptoceras*), Many-stemmed dudleya (*Dudleya multicaulis*), Spreading navarretia (*Navarretia fossalis*), California Orcutt grass (*Orcuttia californica*), San Miguel savory (*Satureja chandleri*), Hammitt's clay-cress (*Sibaropsis hammittii*), Wrights's trichocoronis (*Trichocoronis wrightii* var. *wrightii*), many-stemmed dudleya (*Dudleya multicaulis*). In addition, the Project site has the potential to provide suitable habitat for Criteria Area Species identified in the MSHCP (figure 6-2), including Thread-leaved brodiaea (*Brodiaea filifolia*), Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), Parish's brittlescale (*Atriplex parishii*), Smooth tarplant, Round-leaved filaree (*Erodium macrophyllum*), Coulter's goldfields (*Lasthenia glabrata* ssp. *Coulteri*), Little mouseltail (*Myosurus minimus*). CDFW recommends that the County of Riverside review and follow requirements for these plant species outlined in the MSHCP, specifically Section 6.1.3 (Protection of Narrow Endemic Plant Species), Section 6.3.2 (Additional Survey Needs and Procedures) and Appendix E (Summary of Species Survey Requirements). Appendix E of the MSHCP outlines survey

requirements, actions to be taken if survey results are positive, and species-specific conservation objectives, among other relevant information.

Covered Activities

CDFW also recommends that the County demonstrate how the Project is consistent with Section 7.0 of the MSHCP. For projects proposed within Public/Quasi-Public Lands, the DEIR should include a discussion of the Project and its consistency with MSHCP Section 7.2, and for projects proposed inside the MSHCP Criteria Area, the DEIR should include a discussion of the Project and its consistency with Section 7.3 of the MSHCP. Where maintenance of existing roads within the Criteria Area is proposed, CDFW recommends that the County reference MSHCP Section 7.3.4 and Table 7-3, which provides a summary of the existing roads permitted to remain in the MSHCP Criteria Area. Planned roads within the MSHCP Criteria Area are discussed in MSHCP Section 7.3.5 and identified on Figure 7-1. Please note that roadways other than those identified in Section 7.3.5 of the MSHCP are not covered without an amendment to the MSHCP in accordance with the procedures described in MSHCP Section 6.10. CDFW recommends that the County review MSHCP Section 7.3.5 and include in the DEIR information that demonstrates that Project-related roads are MSHCP covered activities. The DEIR should also discuss design and siting information for all proposed roads to ensure that the roads are sited, designed, and constructed in a manner consistent with MSHCP conservation objectives.

Specifically to the Project, CDFW recommends that the proposed Project address whether project-related traffic in combination with existing traffic can be accommodated on the allowed maximum right-of-way (ROW) for Horsethief Canyon Road. Horsethief Canyon is covered secondary road in the MSHCP with a maximum ROW of 100 feet (Section 7.3.5 of the MSHCP, Figure 7-1). Widening Horsethief Canyon Road beyond the covered width of 100', whether to accommodate increased traffic or address safety concerns, would require a Major Amendment of the MSHCP. While Horsethief Canyon Road is outside the Project footprint, the Project has the potential to impact traffic on Horsethief Canyon Road and CDFW recommends analysis of these impacts to ensure consistent MSHCP implementation.

CDFW recommends that the DEIR also include a discussion of the Project and MSHCP Section 7.4, which identifies and discusses allowable uses in the MSHCP Conservation Area. For example, if trails are proposed as part of the Project, the DEIR should discuss whether the trail is identified on Figure 7-4, and provide details regarding trail construction (siting and design), and operations and maintenance that demonstrate that the proposed trail is consistent with MSHCP Section 7.4. Regardless of whether take of threatened and/or endangered species is obtained through the MSHCP or through a CESA ITP, the DEIR needs to address how the proposed Project will affect the policies and procedures of the MSHCP. Therefore, all surveys required by the MSHCP policies and procedures listed above to determine consistency with the MSHCP should be conducted and results included in the DEIR so that CDFW can adequately assess whether the Project will impact the MSHCP.

Stephens' Kangaroo Rat Habitat Conservation Plan

The Project occurs within the Stephens' kangaroo rat (*Dipodomys stephensi*) Habitat Conservation Plan (SKR HCP) fee area boundary. State and federal authorizations associated with the SKR HCP provide take authorization for Stephens' kangaroo rat within its boundaries, and the MSHCP provides Take Authorization for Stephens' kangaroo rat outside of the boundaries of the SKR HCP, but within the MSHCP area boundaries. The DEIR should identify if any portion of the Project will occur on SKR HCP lands, or on Stephens' kangaroo rat habitat lands outside of the SKR HCP, but within the MSHCP. Note that the SKR HCP allows for encroachment into the Stephens' kangaroo rat Core Reserve for public projects, however, there are no provisions for encroachment into the Core Reserve for privately owned projects. If impacts to Stephens' kangaroo rat habitat will occur from the proposed Project, the DEIR should specifically identify the total number of permanent impacts to Stephens' kangaroo rat core habitat and the appropriate mitigation to compensate for those impacts.

Lake and Streambed Alteration Program

Based on review of material submitted with the NOP and review of aerial photography, at least three drainage features traverse the site. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code § 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife

resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Local water agencies/districts, and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens (for example the Riverside-Corona Resource Conservation District in Riverside). Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <http://saveourwater.com/what-you-can-do/tips/landscaping/>

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). Information can be submitted online or via completion of the CNDDDB field survey form at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Renaissance Ranch Project and recommends that the County of Riverside address the CDFW's comments and concerns in the forthcoming DEIR. If you should have

Russel Brady, Project Planner
Renaissance Ranch Specific Plan
April 8, 2021
Page 17 of 17

any questions pertaining to the comments provided in this letter, please contact Carly Beck, Senior Environmental Scientist (Specialist) at carly.beck@wildlife.ca.gov.

Sincerely,

DocuSigned by:

8091B1A9242F49C...

Scott Wilson
Environmental Program Manager

ec: Heather Pert, Senior Environmental Scientist, Supervisor
Inland Deserts Region
heather.pert@wildlife.ca.gov

HCPB CEQA Coordinator
Habitat Conservation Planning Branch
CEQAComentLetters@wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@opr.ca.gov

Tricia Campbell (Western Riverside County Regional Conservation Authority)
Director of Reserve Management and Monitoring
tcampbell@rctc.org

REFERENCES

California Department of Fish and Game (CDFG). 2012. Staff report of burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html



NATIVE AMERICAN HERITAGE COMMISSION

March 15, 2021

Governor's Office of Planning & Research

Mar 19 2021

STATE CLEARINGHOUSE

Russell Brady, Project Planner
Riverside County
P.O. Box 1409
Riverside, CA 92502-1409

Re: 2021030301, Renaissance Ranch Specific Plan Project, Riverside County

Dear Mr. Brady:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
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Karuk

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

rbrady@rivco.org

Russell Brady, Project Planner
County of Riverside, Planning Department
P.O. Box 1409
Riverside, California 92502

April 6, 2021

Notice of Preparation of a Draft Environmental Impact Report for the Renaissance Ranch Specific Plan (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁶ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁷.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan⁸, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy⁹.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS

RVC210310-01

Control Number

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

⁷ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁸ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

⁹ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

Jer Harding

To: Deborah Bryant
Subject: RE: Renaissance Ranch NOP Mailing (471-018)

From: Mauricio Alvarez <malvarez@riversidetransit.com>
Sent: Tuesday, March 30, 2021 2:47 PM
To: Deborah Bryant <dbryant@tbplanning.com>
Subject: RE: Renaissance Ranch NOP Mailing (471-018)

Hello Ms. Bryant,

Thank you for reaching out to Riverside Transit Agency and providing the plans to the Renaissance Ranch project. Although we have no active routes that run near the proposed project, it is always good to plan ahead as the area continues to grow. Check out our first/last mile report ([Here](#)) for information regarding walkable developments that encourages active transportation and public transit usage.

If you have any questions, please feel free to contact me.

Thank you,

Mauricio Alvarez, MBA

Planning Analyst
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155 South El Molino Avenue
Suite 104
Pasadena, California 91101

VIA U.S. MAIL & E-MAIL

April 8, 2021

Russell Brady
Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
Em: rbrady@rivco.org

RE: Notice of Preparation of a Draft Environmental Impact Report for the Renaissance Ranch Specific Plan.

Dear Mr. Brady,

On behalf of the Southwest Regional Council of Carpenters (“**Carpenters**” or “**SWRCC**”), my Office is submitting these comments on the County of Riverside (“**County**”) Notice of Preparation of an Environmental Impact Report (“**NOP**”) (SCH No. #2021030301) for the Renaissance Ranch Specific Plan (“**Project**”).

The Southwest Carpenters is a labor union representing 50,000 union carpenters in six states, including California, and has a strong interest in well-ordered land use planning, addressing the environmental impacts of development projects and equitable economic development.

Individual members of the Southwest live, work and recreate in the County and surrounding communities and would be directly affected by the Project’s environmental impacts.

Commenter expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearings and proceedings related to this Project. Cal. Gov. Code § 65009(b); Cal. Pub. Res. Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

Commenter incorporates by reference all comments raising issues regarding the environmental impact report (“**EIR**”) submitted prior to certification of the EIR for the Project. *Citizens for Clean Energy v City of Woodland* (2014) 225 Cal. App. 4th 173, 191 (finding that any party who has objected to the Project’s environmental documentation may assert any issue timely raised by other parties).

Moreover, Commenter requests that the Lead Agency provide notice for any and all notices referring or related to the Project issued under the California Environmental Quality Act (“**CEQA**”), Cal Public Resources Code (“**PRC**”) § 21000 *et seq*, and the California Planning and Zoning Law (“**Planning and Zoning Law**”), Cal. Gov’t Code §§ 65000–65010. California Public Resources Code Sections 21092.2, and 21167(f) and Government Code Section 65092 require 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.

The County should require the Applicant to provide additional community benefits such as requiring local hire and use of a skilled and trained workforce to build the Project. The County should require the use of workers who have graduated from a Joint Labor Management apprenticeship training program approved by the State of California, or have at least as many hours of on-the-job experience in the applicable craft which would be required to graduate from such a state approved apprenticeship training program or who are registered apprentices in an apprenticeship training program approved by the State of California.

Community benefits such as local hire and skilled and trained workforce requirements can also be helpful to reduce environmental impacts and improve the positive economic impact of the Project. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project Site can reduce the length of vendor trips, reduce greenhouse gas emissions and providing localized economic benefits. As environmental consultants Matt Hagemann and Paul E. Rosenfeld note:

[A]ny local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling.

Skilled and trained workforce requirements promote the development of skilled trades that yield sustainable economic development. As the California Workforce Development Board and the UC Berkeley Center for Labor Research and Education concluded:

. . . labor should be considered an investment rather than a cost – and investments in growing, diversifying, and upskilling California’s workforce can positively affect returns on climate mitigation efforts. In other words, well trained workers are key to delivering emissions reductions and moving California closer to its climate targets.¹

Also, the County should require the Project to be built to standards exceeding the current 2019 California Green Building Code and 2020 County of Los Angeles Green Building Standards Code to mitigate the Project’s environmental impacts and to advance progress towards the State of California’s environmental goals.

I. **THE PROJECT WOULD BE APPROVED IN VIOLATION OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

A. Background Concerning the California Environmental Quality Act

CEQA has two basic purposes. First, CEQA is designed to inform decision makers and the public about the potential, significant environmental effects of a project. 14 California Code of Regulations (“**CCR**” or “**CEQA Guidelines**”) § 15002(a)(1).² “Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions *before* they are made. Thus, the EIR ‘protects not only the environment but also informed self-government.’ [Citation.]” *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553, 564. The EIR has been described as

¹ California Workforce Development Board (2020) Putting California on the High Road: A Jobs and Climate Action Plan for 2030 at p. ii, *available at* <https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf>

² The CEQA Guidelines, codified in Title 14 of the California Code of Regulations, section 150000 et seq, are regulatory guidelines promulgated by the state Natural Resources Agency for the implementation of CEQA. (Cal. Pub. Res. Code § 21083.) The CEQA Guidelines are given “great weight in interpreting CEQA except when . . . clearly unauthorized or erroneous.” *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204, 217.

“an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.” *Berkeley Keep Jets Over the Bay v. Bd. of Port Comm’rs.* (2001) 91 Cal. App. 4th 1344, 1354 (“*Berkeley Jets*”); *County of Inyo v. Yorty* (1973) 32 Cal. App. 3d 795, 810.

Second, CEQA directs public agencies to avoid or reduce environmental damage when possible by requiring alternatives or mitigation measures. CEQA Guidelines § 15002(a)(2) and (3). *See also, Berkeley Jets*, 91 Cal. App. 4th 1344, 1354; *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal. 3d 553; *Laurel Heights Improvement Ass’n v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400. The EIR serves to provide public agencies and the public in general with information about the effect that a proposed project is likely to have on the environment and to “identify ways that environmental damage can be avoided or significantly reduced.” CEQA Guidelines § 15002(a)(2). If the project has a significant effect on the environment, the agency may approve the project only upon finding that it has “eliminated or substantially lessened all significant effects on the environment where feasible” and that any unavoidable significant effects on the environment are “acceptable due to overriding concerns” specified in CEQA section 21081. CEQA Guidelines § 15092(b)(2)(A–B).

While the courts review an EIR using an “abuse of discretion” standard, “the reviewing court is not 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.’” *Berkeley Jets*, 91 Cal. App. 4th 1344, 1355 (emphasis added) (quoting *Laurel Heights*, 47 Cal. 3d at 391, 409 fn. 12). Drawing this line and determining whether the EIR complies with CEQA’s information disclosure requirements presents a question of law subject to independent review by the courts. (*Sierra Club v. Cnty. of Fresno* (2018) 6 Cal. 5th 502, 515; *Madera Oversight Coalition, Inc. v. County of Madera* (2011) 199 Cal. App. 4th 48, 102, 131.) As the court stated in *Berkeley Jets*, 91 Cal. App. 4th at 1355:

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.

The preparation and circulation of an EIR is more than a set of technical hurdles for agencies and developers to overcome. The EIR’s function is to ensure that government officials who decide to build or approve a project do so with a full

understanding of the environmental consequences and, equally important, that the public is assured those consequences have been considered. For the EIR to serve these goals it must present information so that the foreseeable impacts of pursuing the project can be understood and weighed, and the public must be given an adequate opportunity to comment on that presentation before the decision to go forward is made. *Communities for a Better Environment v. Richmond* (2010) 184 Cal. App. 4th 70, 80 (quoting *Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 449–450).

B. Due to the COVID-19 Crisis, the County Must Adopt a Mandatory Finding of Significance that the Project May Cause a Substantial Adverse Effect on Human Beings and Mitigate COVID-19 Impacts

CEQA requires that an agency make a finding of significance when a Project may cause a significant adverse effect on human beings. PRC § 21083(b)(3); CEQA Guidelines § 15065(a)(4).

Public health risks related to construction work requires a mandatory finding of significance under CEQA. Construction work has been defined as a Lower to High-risk activity for COVID-19 spread by the Occupational Safety and Health Administration. Recently, several construction sites have been identified as sources of community spread of COVID-19.³

SWRCC recommends that the Lead Agency adopt additional CEQA mitigation measures to mitigate public health risks from the Project's construction activities. SWRCC requests that the Lead Agency require safe on-site construction work practices as well as training and certification for any construction workers on the Project Site.

In particular, based upon SWRCC's experience with safe construction site work practices, SWRCC recommends that the Lead Agency require that while construction activities are being conducted at the Project Site:

³ Santa Clara County Public Health (June 12, 2020) COVID-19 CASES AT CONSTRUCTION SITES HIGHLIGHT NEED FOR CONTINUED VIGILANCE IN SECTORS THAT HAVE REOPENED, available at <https://www.sccgov.org/sites/covid19/Pages/press-release-06-12-2020-cases-at-construction-sites.aspx>.

Construction Site Design:

- The Project Site will be limited to two controlled entry points.
- Entry points will have temperature screening technicians taking temperature readings when the entry point is open.
- The Temperature Screening Site Plan shows details regarding access to the Project Site and Project Site logistics for conducting temperature screening.
- A 48-hour advance notice will be provided to all trades prior to the first day of temperature screening.
- The perimeter fence directly adjacent to the entry points will be clearly marked indicating the appropriate 6-foot social distancing position for when you approach the screening area. Please reference the Apex temperature screening site map for additional details.
- There will be clear signage posted at the project site directing you through temperature screening.
- Provide hand washing stations throughout the construction site.

Testing Procedures:

- The temperature screening being used are non-contact devices.
- Temperature readings will not be recorded.
- Personnel will be screened upon entering the testing center and should only take 1-2 seconds per individual.
- Hard hats, head coverings, sweat, dirt, sunscreen or any other cosmetics must be removed on the forehead before temperature screening.
- Anyone who refuses to submit to a temperature screening or does not answer the health screening questions will be refused access to the Project Site.

- Screening will be performed at both entrances from 5:30 am to 7:30 am.; main gate [ZONE 1] and personnel gate [ZONE 2]
- After 7:30 am only the main gate entrance [ZONE 1] will continue to be used for temperature testing for anybody gaining entry to the project site such as returning personnel, deliveries, and visitors.
- If the digital thermometer displays a temperature reading above 100.0 degrees Fahrenheit, a second reading will be taken to verify an accurate reading.
- If the second reading confirms an elevated temperature, DHS will instruct the individual that he/she will not be allowed to enter the Project Site. DHS will also instruct the individual to promptly notify his/her supervisor and his/her human resources (HR) representative and provide them with a copy of Annex A.

Planning


- Require the development of an Infectious Disease Preparedness and Response Plan that will include basic infection prevention measures (requiring the use of personal protection equipment), policies and procedures for prompt identification and isolation of sick individuals, social distancing (prohibiting gatherings of no more than 10 people including all-hands meetings and all-hands lunches) communication and training and workplace controls that meet standards that may be promulgated by the Center for Disease Control, Occupational Safety and Health Administration, Cal/OSHA, California Department of Public Health or applicable local public health agencies.⁴

⁴ See also The Center for Construction Research and Training, North America's Building Trades Unions (April 27 2020) NABTU and CPWR COVID-19 Standards for U.S. Construction Sites, available at https://www.cpwr.com/sites/default/files/NABTU_CPWR_Standards_COVID-19.pdf; Los Angeles County Department of Public Works (2020) Guidelines for Construction Sites During COVID-19 Pandemic, available at https://dpw.lacounty.gov/building-and-safety/docs/pw_guidelines-construction-sites.pdf.

The United Brotherhood of Carpenters and Carpenters International Training Fund has developed COVID-19 Training and Certification to ensure that Carpenter union members and apprentices conduct safe work practices. The Agency should require that all construction workers undergo COVID-19 Training and Certification before being allowed to conduct construction activities at the Project Site.

If the County has any questions or concerns, feel free to contact my Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitchell M. Tsai", is written over a horizontal line.

Mitchell M. Tsai

Attorneys for Southwest Regional
Council of Carpenters

Attached:

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling (Exhibit A);

Air Quality and GHG Expert Paul Rosenfeld CV (Exhibit B); and

Air Quality and GHG Expert Matt Hagemann CV (Exhibit C).

..

EXHIBIT A



Technical Consultation, Data Analysis and
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March 8, 2021

Mitchell M. Tsai
155 South El Molino, Suite 104
Pasadena, CA 91101

Subject: Local Hire Requirements and Considerations for Greenhouse Gas Modeling

Dear Mr. Tsai,

Soil Water Air Protection Enterprise ("SWAPE") is pleased to provide the following draft technical report explaining the significance of worker trips required for construction of land use development projects with respect to the estimation of greenhouse gas ("GHG") emissions. The report will also discuss the potential for local hire requirements to reduce the length of worker trips, and consequently, reduced or mitigate the potential GHG impacts.

Worker Trips and Greenhouse Gas Calculations

The California Emissions Estimator Model ("CalEEMod") is 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 greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects."¹ CalEEMod quantifies construction-related emissions associated with land use projects resulting from off-road construction equipment; on-road mobile equipment associated with workers, vendors, and hauling; fugitive dust associated with grading, demolition, truck loading, and on-road vehicles traveling along paved and unpaved roads; and architectural coating activities; and paving.²

The number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.³

¹ "California Emissions Estimator Model." CAPCOA, 2017, available at: <http://www.aqmd.gov/caleemod/home>.

² "California Emissions Estimator Model." CAPCOA, 2017, available at: <http://www.aqmd.gov/caleemod/home>.

³ "CalEEMod User's Guide." CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

Specifically, the number and length of vehicle trips is utilized to estimate the vehicle miles travelled (“VMT”) associated with construction. Then, utilizing vehicle-class specific EMFAC 2014 emission factors, CalEEMod calculates the vehicle exhaust, evaporative, and dust emissions resulting from construction-related VMT, including personal vehicles for worker commuting.⁴

Specifically, in order to calculate VMT, CalEEMod multiplies the average daily trip rate by the average overall trip length (see excerpt below):

$$\text{“VMT}_d = \Sigma(\text{Average Daily Trip Rate}_i * \text{Average Overall Trip Length}_i) _n$$

Where:

n = Number of land uses being modeled.”⁵

Furthermore, to calculate the on-road emissions associated with worker trips, CalEEMod utilizes the following equation (see excerpt below):

$$\text{“Emissions}_{\text{pollutant}} = \text{VMT} * \text{EF}_{\text{running,pollutant}}$$

Where:

$\text{Emissions}_{\text{pollutant}}$ = emissions from vehicle running for each pollutant

VMT = vehicle miles traveled

$\text{EF}_{\text{running,pollutant}}$ = emission factor for running emissions.”⁶

Thus, there is a direct relationship between trip length and VMT, as well as a direct relationship between VMT and vehicle running emissions. In other words, when the trip length is increased, the VMT and vehicle running emissions increase as a result. Thus, vehicle running emissions can be reduced by decreasing the average overall trip length, by way of a local hire requirement or otherwise.

Default Worker Trip Parameters and Potential Local Hire Requirements

As previously discussed, the number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.⁷ In order to understand how local hire requirements and associated worker trip length reductions impact GHG emissions calculations, it is important to consider the CalEEMod default worker trip parameters. CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act (“CEQA”) requires that such changes be justified by substantial evidence.⁸ The default number of construction-related worker trips is calculated by multiplying the

⁴ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14-15.

⁵ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 23.

⁶ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.

⁷ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

⁸ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 1, 9.

number of pieces of equipment for all phases by 1.25, with the exception of worker trips required for the building construction and architectural coating phases.⁹ Furthermore, the worker trip vehicle class is a 50/25/25 percent mix of light duty autos, light duty truck class 1 and light duty truck class 2, respectively.”¹⁰ Finally, the default worker trip length is consistent with the length of the operational home-to-work vehicle trips.¹¹ The operational home-to-work vehicle trip lengths are:

“[B]ased on the location and urbanization selected on the project characteristic screen. These values were supplied by the air districts or use a default average for the state. Each district (or county) also assigns trip lengths for urban and rural settings” (emphasis added).¹²

Thus, the default worker trip length is based on the location and urbanization level selected by the User when modeling emissions. The below table shows the CalEEMod default rural and urban worker trip lengths by air basin (see excerpt below and Attachment A).¹³

Worker Trip Length by Air Basin		
Air Basin	Rural (miles)	Urban (miles)
Great Basin Valleys	16.8	10.8
Lake County	16.8	10.8
Lake Tahoe	16.8	10.8
Mojave Desert	16.8	10.8
Mountain Counties	16.8	10.8
North Central Coast	17.1	12.3
North Coast	16.8	10.8
Northeast Plateau	16.8	10.8
Sacramento Valley	16.8	10.8
Salton Sea	14.6	11
San Diego	16.8	10.8
San Francisco Bay Area	10.8	10.8
San Joaquin Valley	16.8	10.8
South Central Coast	16.8	10.8
South Coast	19.8	14.7
Average	16.47	11.17
Minimum	10.80	10.80
Maximum	19.80	14.70
Range	9.00	3.90

⁹ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

¹⁰ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.

¹¹ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14.

¹² “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 21.

¹³ “Appendix D Default Data Tables.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-84 – D-86.

As demonstrated above, default rural worker trip lengths for air basins in California vary from 10.8- to 19.8- miles, with an average of 16.47 miles. Furthermore, default urban worker trip lengths vary from 10.8- to 14.7- miles, with an average of 11.17 miles. Thus, while default worker trip lengths vary by location, default urban worker trip lengths tend to be shorter in length. Based on these trends evident in the CalEEMod default worker trip lengths, we can reasonably assume that the efficacy of a local hire requirement is especially dependent upon the urbanization of the project site, as well as the project location.

Practical Application of a Local Hire Requirement and Associated Impact

To provide an example of the potential impact of a local hire provision on construction-related GHG emissions, we estimated the significance of a local hire provision for the Village South Specific Plan (“Project”) located in the City of Claremont (“City”). The Project proposed to construct 1,000 residential units, 100,000-SF of retail space, 45,000-SF of office space, as well as a 50-room hotel, on the 24-acre site. The Project location is classified as Urban and lies within the Los Angeles-South Coast County. As a result, the Project has a default worker trip length of 14.7 miles.¹⁴ In an effort to evaluate the potential for a local hire provision to reduce the Project’s construction-related GHG emissions, we prepared an updated model, reducing all worker trip lengths to 10 miles (see Attachment B). Our analysis estimates that if a local hire provision with a 10-mile radius were to be implemented, the GHG emissions associated with Project construction would decrease by approximately 17% (see table below and Attachment C).

Local Hire Provision Net Change	
Without Local Hire Provision	
Total Construction GHG Emissions (MT CO ₂ e)	3,623
Amortized Construction GHG Emissions (MT CO ₂ e/year)	120.77
With Local Hire Provision	
Total Construction GHG Emissions (MT CO ₂ e)	3,024
Amortized Construction GHG Emissions (MT CO ₂ e/year)	100.80
% Decrease in Construction-related GHG Emissions	17%

As demonstrated above, by implementing a local hire provision requiring 10 mile worker trip lengths, the Project could reduce potential GHG emissions associated with construction worker trips. More broadly, any local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

This serves as an example of the potential impacts of local hire requirements on estimated project-level GHG emissions, though it does not indicate that local hire requirements would result in reduced construction-related GHG emission for all projects. As previously described, the significance of a local hire requirement depends on the worker trip length enforced and the default worker trip length for the project’s urbanization level and location.

¹⁴ “Appendix D Default Data Tables.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-85.

Disclaimer

SWAPE has received limited discovery. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,

A handwritten signature in blue ink, appearing to read "M Hagemann".

Matt Hagemann, P.G., C.Hg.

A handwritten signature in blue ink, appearing to read "Paul Rosenfeld".

Paul E. Rosenfeld, Ph.D.

EXHIBIT B



Paul Rosenfeld, Ph.D.

Principal Environmental Chemist

Chemical Fate and Transport & Air Dispersion Modeling

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Thesis on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years' experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from unconventional oil drilling operations, oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, and many other industrial and agricultural sources. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at dozens of sites and has testified as an expert witness on more than ten cases involving exposure to air contaminants from industrial sources.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H₂O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

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Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society*. Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States” Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P.** (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The 23rd Annual International Conferences on Soils Sediment and Water. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting*. Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition*. Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference*. Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference*. Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants..* Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conference*. Lecture conducted from Indianapolis, Maryland.

Rosenfeld. P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation*. Lecture conducted from Anaheim California.

Rosenfeld. P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest*. Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell*. Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest*. Lecture conducted from Lake Chelan, Washington.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. \$41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: \$10,000 grant awarded to San Diego State University. Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. \$100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. \$20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: \$10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: \$15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. \$500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the United States District Court For The District of New Jersey

Duarte et al, *Plaintiffs*, vs. United States Metals Refining Company et. al. *Defendant*.

Case No.: 2:17-cv-01624-ES-SCM

Rosenfeld Deposition. 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division

M/T Carla Maersk, *Plaintiffs*, vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS “Conti Perdido”
Defendant.

Case No.: 3:15-CV-00106 consolidated with 3:15-CV-00237

Rosenfeld Deposition. 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica

Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants

Case No.: No. BC615636

Rosenfeld Deposition, 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica

The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants

Case No.: No. BC646857

Rosenfeld Deposition, 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado

Bells et al. Plaintiff vs. The 3M Company et al., Defendants

Case: No 1:16-cv-02531-RBJ

Rosenfeld Deposition, 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District

Phillip Bales et al., Plaintiff vs. Dow Agrosiences, LLC, et al., Defendants

Cause No 1923

Rosenfeld Deposition, 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa

Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants

Cause No C12-01481

Rosenfeld Deposition, 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois

Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants

Case No.: No. 0i9-L-2295

Rosenfeld Deposition, 8-23-2017

In The Superior Court of the State of California, For The County of Los Angeles

Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC

Case No.: LC102019 (c/w BC582154)

Rosenfeld Deposition, 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division

Brenda J. Cooper, et al., *Plaintiffs*, vs. Meritor Inc., et al., *Defendants*

Case Number: 4:16-cv-52-DMB-JVM

Rosenfeld Deposition: July 2017

In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No.: No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial, March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No.: RG14711115
Rosenfeld Deposition, September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No.: LALA002187
Rosenfeld Deposition, August 2015

In The Iowa District Court For Wapello County
Jerry Dovico, et al., Plaintiffs vs. Valley View Sine LLC, et al., Defendants
Law No.: LALA105144 - Division A
Rosenfeld Deposition, August 2015

In The Iowa District Court For Wapello County
Doug Pauls, et al., et al., Plaintiffs vs. Richard Warren, et al., Defendants
Law No.: LALA105144 - Division A
Rosenfeld Deposition, August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action NO. 14-C-30000
Rosenfeld Deposition, June 2015

In The Third Judicial District County of Dona Ana, New Mexico
Betty Gonzalez, et al. Plaintiffs vs. Del Oro Dairy, Del Oro Real Estate LLC, Jerry Settles and Deward
DeRuyter, Defendants
Rosenfeld Deposition: July 2015

In The Iowa District Court For Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No 4980
Rosenfeld Deposition: May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case Number CACE07030358 (26)
Rosenfeld Deposition: December 2014

In the United States District Court Western District of Oklahoma
Tommy McCarty, et al., Plaintiffs, v. Oklahoma City Landfill, LLC d/b/a Southeast Oklahoma City
Landfill, et al. Defendants.
Case No. 5:12-cv-01152-C
Rosenfeld Deposition: July 2014

In the County Court of Dallas County Texas

Lisa Parr et al, *Plaintiff*, vs. Aruba et al, *Defendant*.

Case Number cc-11-01650-E

Rosenfeld Deposition: March and September 2013

Rosenfeld Trial: April 2014

In the Court of Common Pleas of Tuscarawas County Ohio

John Michael Abicht, et al., *Plaintiffs*, vs. Republic Services, Inc., et al., *Defendants*

Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)

Rosenfeld Deposition: October 2012

In the United States District Court of Southern District of Texas Galveston Division

Kyle Cannon, Eugene Donovan, Genaro Ramirez, Carol Sassler, and Harvey Walton, each Individually and on behalf of those similarly situated, *Plaintiffs*, vs. BP Products North America, Inc., *Defendant*.

Case 3:10-cv-00622

Rosenfeld Deposition: February 2012

Rosenfeld Trial: April 2013

In the Circuit Court of Baltimore County Maryland

Philip E. Cvach, II et al., *Plaintiffs* vs. Two Farms, Inc. d/b/a Royal Farms, Defendants

Case Number: 03-C-12-012487 OT

Rosenfeld Deposition: September 2013

EXHIBIT C



Technical Consultation, Data Analysis and
Litigation Support for the Environment

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Santa Monica, California 90401
Tel: (949) 887-9013
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Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

**Geologic and Hydrogeologic Characterization
Industrial Stormwater Compliance
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
CEQA Review**

Education:

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

B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist

California Certified Hydrogeologist

Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt’s responsibilities have included:

- Lead analyst and testifying expert in the review of over 100 environmental impact reports since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, Valley Fever, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at industrial facilities.
- Manager of a project to provide technical assistance to a community adjacent to a former Naval shipyard under a grant from the U.S. EPA.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.
- Expert witness on two cases involving MTBE litigation.
- Expert witness and litigation support on the impact of air toxins and hazards at a school.
- Expert witness in litigation at a former plywood plant.

With Komex H2O Science Inc., Matt’s duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.

- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, *Oxygenates in Water: Critical Information and Research Needs*.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt taught physical geology (lecture and lab and introductory geology at Golden West College in Huntington Beach, California from 2010 to 2014.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Colorado.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal representatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

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Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

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Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

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Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

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Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

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Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examination, 2009-2011.

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE

"Bringing People Together to Improve Our Social and Natural Environment"

April 6, 2021

Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, Ca 92502-1409
Attn: Russell Brady, Project Planner

Re: Renaissance Ranch Notice of Preparation (SCH #2021030301)

Dear Russell,

I am writing today on behalf of the Center for Community Action and Environmental Justice (CCA EJ) in response to the Notice of Preparation for the Renaissance Ranch. After reviewing the documents, we have a number of concerns. Our communities continue to be subjected to an unrelenting onslaught of warehouse developments that continue to impact the region with many negative externalities that are not adequately monitored or addressed. We continue to focus on these issues to ensure that communities do not continue to get these things dumped on them and that adequate measures are taken to keep it from happening.

Another concern that we have is that based on the information in the documents available, this Project is out of compliance with provisions of the Housing Crisis Act of 2019 which require that any initiatives which would result in "[c]hanging the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018" must provide an increase in zoned residential capacity elsewhere (often called an "upzone site") to compensate for what is being lost. Thus, given the fact that the existing Renaissance Ranch Specific Plan for a housing development was approved in 2005 by Ordinance No. 348.4286 which was well before the January 1, 2018 date specified in the law, the proposal for this Project is required to identify an upzone site to be in compliance with the provisions. However, nowhere in the plans provided with the Notice is an upzone site identified, putting this Project out of compliance with the requirements of the law.

Without an upzone site identified, there is no way for the Environmental Impact Report that will be done for the Project to be complete as it would not cover any of the potential impacts of or to the upzone site. An upzone site needs to be identified so that it can be studied as part of the EIR process. Failure to do so would mean that those impacts are unmitigated.

In summary, we want to reiterate the fact that we are not in favor of seeing this Project move forward as it will exacerbate brewing issues which are impacting our community. Additionally, and more importantly, it is currently out-of-compliance with the provisions of the Housing Crisis Act of 2019 and the requirements to ensure that no zoned housing capacity be lost. This is an issue that needs to be corrected before the Project continues to move forward.

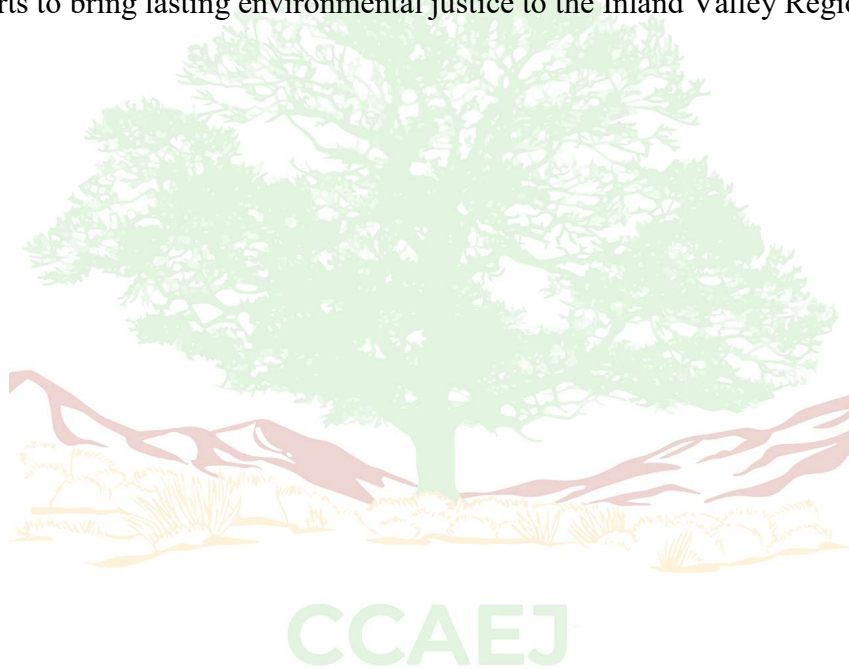
Thank you for your time and the opportunity to provide these comments. If there are any additional questions or clarification that is sought, please do not hesitate to reach out to get more information.

Sincerely,

Alma Marquez

Alma Marquez
Executive Director

CCAIEJ is a long-standing community based organization with over 40 years of experience advocating for stronger regulations through strategic campaigns and building a base of community power. Most notably, CCAIEJ's founder Penny Newman won a landmark federal case against Stringfellow Construction which resulted in the 'Stringfellow Acid Pits' being declared one of the first Superfund sites in the nation. **CCAIEJ** prioritizes community voices as we continue our grassroots efforts to bring lasting environmental justice to the Inland Valley Region.



Ph: (626) 381-9248
Fx: (626) 389-5414
Em: info@mitschtsailaw.com



155 South El Molino Avenue
Suite 104
Pasadena, California 91101

VIA ELECTRONIC & U.S. MAIL

March 19, 2021

Russell Brady
Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
Em: rbrady@rivco.org

**RE: Public Records Act and Mailing List Request Regarding
Renaissance Ranch Specific Plan (SCH #: 2021030301)**

Dear Mr. Brady,

On behalf of Southwest Regional Council of Carpenters (“**SWRCC**”) and its members, this Office requests that the County of Riverside (“**County**”) provide any and all information referring or related to the Renaissance Ranch Specific Plan (“**Project**”) pursuant to the California Public Records Act (“**PRA**”), Cal. Government (“**Gov’t**”) Code §§ 6250–6270 (collectively “**PRA Request**”).

Moreover, the SWRCC requests that County provide notice for any and all notices referring or related to the Project issued under the California Environmental Quality Act (“**CEQA**”), Cal Public Resources Code (“**PRC**”) § 21000 *et seq.*, and the California Planning and Zoning Law (“**Planning and Zoning Law**”), Cal. Gov’t Code §§ 65000–65010. California Public Resources Code Sections 21092.2, and 21167(f) and Government Code Section 65092 require 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.

The Southwest Regional Council of Carpenters is a labor union representing 50,000 union carpenters in six states, including in southern California, and has a strong interest in well-ordered land use planning and addressing the environmental impacts of development projects, such as the Project.

I. PUBLIC RECORDS ACT REQUEST.

SWRCC is requesting any and all information referring or related to the Project.

The Public Records Act defines the term “public record” broadly as “any writing containing information relating to the conduct of the public’s business . . . regardless of physical form and characteristics.” Gov’t Code § 6252(d). “Records” includes all communications relating to public business regardless of physical form or characteristics, including but not limited to any writing, picture, sound, or symbol, whether paper, magnetic, electronic, text, other media, or written verification of any oral communication. Included in this request are any references in any appointment calendars and applications, phone records, or text records. These “records” are to include, but are not limited to correspondences, e-mails, reports, letters, memorandums, and communications by any employee or elected official of County concerning the Project.

Please include in your response to this request the following examples of “records,” as well as any similar physical or electronic forms of communication: any form of writing such as correspondence, electronic mail records (“email”), legal and factual memoranda, facsimiles, photographs, maps, videotapes, film, data, reports, notes, audiotapes, or drawings. Cal. Government Code § 6252(g) (defining a writing to including “any record thereby created, regardless of the manner in which the record has been stored”). Responsive correspondence should include, inter alia, emails, text messages, or any other form of communication regardless of whether they were sent or received on public or privately-owned electronic devices “relating to the conduct of the public’s business.” Cal. Government Code § 6252(e); *Citizens for Ceres v. Super. Ct.* (“Ceres”) (2013) 217 Cal. App. 4th 889, 909; *Citizens for Open Gov’t v. City of Lodi* (“Lodi”) (2012) 205 Cal.App.4th 296, 307, 311; *City of San Jose v. Superior Court* (2017) 2 Cal. 5th 608, 625 (finding that a public employee or officer’s “writings about public business are not excluded” from the California Public Records Act “simply because they have been sent, received, or stored in a personal account.”) .

This Office requests any and all information referring or related to the Project, including but not limited to:

- (1) All Project application materials;
- (2) All staff reports and related documents prepared by the County

with respect to its compliance with the substantive and procedural requirements of the California Environmental Quality Act, Public Resources Code § 21000 et seq., and the CEQA Guidelines, title 14, California Code of Regulations, § 15000 et seq. (collectively “**CEQA**”) and with respect to the action on the Project;

- (3) All staff reports and related documents prepared by the County and written testimony or documents submitted by any person relevant to any findings or statement of overriding considerations adopted by the agency pursuant to CEQA;
- (4) Any transcript or minutes of the proceedings at which the decisionmaking body of the County heard testimony on, or considered any environmental document on, the Project, and any transcript or minutes of proceedings before any advisory body to the public agency that were presented to the decisionmaking body prior to action on the environmental documents or on the Project;
- (5) All notices issued by the County to comply with CEQA or with any other law governing the processing and approval of the Project;
- (6) All written comments received in response to, or in connection with, environmental documents prepared for the Project, including responses to the notice of preparation;
- (7) All written evidence or correspondence submitted to, or transferred from, the County with respect to compliance with CEQA or with respect to the Project;
- (8) Any proposed decisions or findings submitted to the decisionmaking body of the County by its staff, or the Project proponent, Project opponents, or other persons;
- (9) The documentation of the final County decision and approvals, including the final environmental impact report, mitigated negative declaration, negative declaration, or notice of exemption, and all documents, in addition to those referenced in paragraph (3), cited or relied on in the findings or in a statement of overriding

considerations adopted pursuant to CEQA;

- (10) Any other written materials relevant to the public agency's compliance with CEQA or to its decision on the merits of the Project, including the initial study, any drafts of any environmental document, or portions thereof, that have been released for public review, and copies of studies or other documents relied upon in any environmental document prepared for the Project and either made available to the public during the public review period or included in the County's files on the Project, and all internal agency communications, including staff notes and memoranda related to the Project or to compliance with CEQA; and
- (11) The full written record before any inferior administrative decisionmaking body whose decision was appealed to a superior administrative decisionmaking body prior to the filing of any litigation.

Please respond within 10 days from the date you receive this request as to whether this request specifies identifiable records not exempt from disclosure under the PRA or otherwise privileged or confidential, and are therefore subject to disclosure. This Office understands that this time may be extended up to 14 days for unusual circumstances as provided by Cal. Government Code § 6253(c), and that we will be notified of any extension and the reasons justifying it.

We request that you provide all documents in electronic format and waive any and all fees associated with this Request. SWRCC is a community-based organization. Please notify and obtain express approval from this Office before incurring any duplication costs.

If any of the above requested documents are available online, please provide us with the URL web address at which the documents may be downloaded. If any of the requested documents are retained by the County in electronic computer-readable format such as PDF (portable document format), please provide us with pdf copies of the documents via email, or inform us of the location at which we can copy these documents electronically.

In preparing your response, please bear in mind that you have an obligation under Government Code section 6253.1 to (1) identify all records and information responsive to our request or the purpose of our request; (2) describe the information technology and physical location in which the records exist; and (3) provide suggestions for overcoming any practical basis for denying access to the records or information sought.

In responding to this request, please bear in mind that any exemptions from disclosure you may believe to be applicable are to be narrowly construed. *Marken v. Santa Monica-Malibu Unif. Sch. Dist.* (2012) 202 Cal. App. 4th 1250,1262; and may be further narrowed or eliminated by the adoption of Proposition 59, which amended article I, section 3(b)(2) of the California Constitution to direct that any “statute ... or other authority ... [that] limits the right of access” to “information concerning the conduct of the people’s business” must be “narrowly construed.”

As for any records that you nonetheless decline to produce on the grounds of an exemption, please bear in mind that the case law under the Public Records Act imposes a duty on you to distinguish between the exempt and the non-exempt portion of any such records, and to attempt in good faith to redact the exempt portion and to disclose the balance of such documents.

Please bear in mind further that should you choose to withhold any document from disclosure, you have a duty under Government Code section 6255, subd. (a) to “justify withholding any record by demonstrating that the record in question is exempt under express provisions” of the Public Records Act or that “the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.”

Finally, please note that you must retain and not destroy any and all records, notwithstanding any local record retention or document destruction policies. As the Court noted in *Golden Door Properties, LLC v. Superior Court of San Diego County* (2020) 53 Cal.App.5th 733 that a public agency “must retain ‘[a]ll written evidence or correspondence submitted to, or transferred from’ . . . with respect to” CEQA compliance or “with respect to the project.”

II. NOTICE LIST REQUEST.

We also ask that you put this Office on its notice list for any and all notices issued under the CEQA and the Planning and Zoning Law.

In particular, we request that County send by mail or electronic mail notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the County and any of its subdivision for the Project, or supported, in whole or in part, through permits, contracts, grants, subsidies, loans, or other forms of approvals, actions or assistance, including but not limited to the following:

- Notices of any public hearing held in connection with the Project; as well as
- Any and all notices prepared pursuant to CEQA, including but not limited to:
- Notices of determination that an Environmental Impact Report (“EIR”) or supplemental EIR is required for a project, prepared pursuant to Public Resources Code Section 21080.4;
- Notices of availability of an EIR or a negative declaration for a project prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations;
- Notices of approval or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law;
- Notice of approval or certification of any EIR or negative declaration prepared pursuant to Public Resources Code Section 21152 or any other provision of law;
- Notice of exemption from CEQA prepared pursuant to Public Resources Code section 21152 or any other provision of law; and
- Notice of any Final EIR prepared pursuant to CEQA.

This Office is requesting notices of any approvals or public hearings under CEQA and the California Planning and Zoning Law. This request is filed pursuant to California

Public Resources Code Sections 21092.2, and 21167(f) and Government Code Section 65092 requiring 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 regular and electronic mail to:

Mitchell M. Tsai, Attorney At Law
155 South El Molino Avenue
Suite 104
Pasadena, California 91101
Em: mitch@mitchtsailaw.com
Em: greg@mitchtsailaw.com
Em: leon@mitchtsailaw.com

We look forward to working with you. If you have any questions or concerns, please do not hesitate to contact our Office.

Sincerely,

Mitchell M. Tsai
Attorneys for Southwest Regional Council
of Carpenters

Jer Harding

To: Theresa Rettinghouse
Subject: RE: Renaissance Ranch NOP Mailing (471-018)

From: Theresa Rettinghouse <trettinghouse@biologicaldiversity.org>
Sent: Friday, March 12, 2021 10:04 AM
To: Deborah Bryant <dbryant@tbplanning.com>
Cc: rbrady@rivco.org; Jer Harding <jharding@tbplanning.com>
Subject: RE: Renaissance Ranch NOP Mailing (471-018)

Ms. Bryant,

Please continue to include my email on future document releases for the Renaissance Ranch Specific Plan (SP00333A01) project.

Best regards,
Theresa

Brady, Russell

From: capdelco1@aol.com
Sent: Monday, March 29, 2021 5:10 PM
To: Brady, Russell
Subject: Renaissance Ranch Plan

CAUTION: This email originated externally from the **Riverside County** email system.
DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Dear Sir,

I am writing to register my opposition to the proposed zoning change for this property. It is unconscionable that you would approve a zoning change to allow a business park and light industry in this area. It is partially surround by houses that have been here for over 20 years. Any kind of industry in this location would be detrimental to the surrounding homes and their owners. There is a good chance it would run double shifts or 24/7. We would suffer from noise pollution, light pollution, and air pollution. The increase in truck traffic would be intolerable. All of the roads surrounding the area are narrow and only two lanes. The purposed entry on Bolo street is a residential street accessed off of Hostettler street which is a narrow two lane road winding up a steep incline. The other entrance on Horsethief Canyon Rd. is the main entrance to our development. The two roads that lead to our development are DePalma and Temescal Canyon Road, which are also only two lanes and already congested.

Another concern is the destroyed habitat that is home to numerous animals. Coyotes, owls, hawks, rabbits, and numerous reptiles make this area there home.

I hope you will take these issues into consideration when making your decision. This is a residential area, not an industrial area.

Do the right thing for the people who make this area their home.

Thank you,

Guy Brossard
13744 Palomino Creek Dr.
Temescal Valley

Tuesday March 16, 2021

Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside County CA 92502-1409

Attn: Russell Brady Project Planner
Project: **Renaissance Ranch SP333,A1**

Mr. Brady,

As a 7 year resident of Horsethief Canyon Ranch, I have many concerns about the proposed building of the "Renaissance Ranch" area ...

That can only be built, if this area is " Re-Zoned" from that of a Residential Neighborhood to that of a proposed "Light Duty Industrial Complex"

(See original letter dated March 11,2021)

1-The fact that there is only two (2) roads, In and Out of Horsethief Canyon Ranch... That being Horsethief Canyon Rd or Hostettler Rd ... Because of this "lack of infrastructure." This will force Industrial Traffic up on to Palomino Creek Drive which is a major (now quiet) thoroughfare for the Residence of Horsethief Canyon Ranch.

2-Then there's the Noise that the businesses and extra vehicles will make... These Vehicles should be of great concern... Especially the Large Industrial Vehicles that will arise out of the Light Duty Industrial Complex... The area "may" echo like a Natural Amphitheater would? The noise would be a major factor for the Residence of HorseThief Canyon Ranch, especially for those who's homes would directly face the buildings of the proposed building of the Light Duty Industrial Complex..

3-The Major Flooding that occurs on Hostettler Road is a big problem... The County seems NOT be able to solve this constant flooding problem.. There's even a City Road Sign posted there that reads, "Dont Drown, When Flooded, Turn Around"...

4-There's no Freeway Off/On Ramp at Horsethief Canyon Ranch. This major lack of infrastructure will force drivers either four (4) miles to "Indian Truck Trail" on/off ramp or one (1) mile in the opposite direction to "Lake Street" on/off ramp... This added traffic, may overwhelm either of these existing intersections.

5- Two (2) Nesting Eagles have been spotted "above Horsethief Canyon Ranch" ... There needs to be a Environmental Study to see how a Light Duty Industrial Complex would impact these Federally Protected Birds, within the area of their Natural Habitat...Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c).(668-d)

6- A Light Duty Complex needs to be clearly spelled out for the Residence of Horsethief Canyon Ranch. What constitutes a Light Duty Complex? What businesses would be allowed and what businesses would not be allowed? For example, will Large Air Compressors (which make very loud noises) be allowed? Will Paint and Body Shops (which even though filtered, still cause paint odors within the area) be allowed...What exactly constitutes a "Light Duty Industrial Complex?"

7-With the Housing Shortage in California, I am surprised that the County of Riverside is considering to allow a Developer to build a Light Duty Industrial Complex on an area that has been Zoned to build 355 Residential Homes.... and this proposed complex is to be built directly next to an existing 26 year old Residential Neighborhood? Which will surely impact the Residence of this well established Neighborhood?

These are some of the concerns that I have of the Light Industrial Complex known as **Renaissance Ranch SP333,A1**



Harrison Shelton. (951-858-2585)
13489 Palomino Creek Drive
Corona CA 92883

cc: to be sent to
Multiple Neighbors of Horsethief Canyon Ranch,
Local News Agencies
US Fish and Wildlife Services