



John Hildebrand
Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

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

DATE: January 23, 2023

TO: Dawson Canyon, LLC
18831 Bardeen Avenue, Suite 201
Irvine, CA 92612

PROJECT CASE NO./TITLE: Temescal Valley Commerce Center (General Plan Amendment 200007, Change of Zone 2000028, Tentative Parcel Map 38551, and Plot Plan 220039)

PROJECT LOCATION: East of Temescal Canyon Road and Interstate 15 (I-15), southeast of Dawson Canyon Road (North), and north and southwest of Dawson Canyon Road (South).

PROJECT DESCRIPTION: The Project as consists of applications for a General Plan Amendment (GPA 200007), Change of Zone (CZ 2000028), Tentative Parcel Map (TPM 38551), and Plot Plan (PP 220039) to allow for future development of a 46.13-acre property located east of Temescal Canyon Road and Interstate 15 (I-15), and southeast and southwest of Dawson Canyon Road. Approximately 33.73 acres of the Project site are proposed for development with seven (7) light industrial warehouse buildings ranging in size from 33,820 square feet (s.f.) 183,090 s.f. together providing a total building area of 637,718 s.f. Other features in the development area include vehicular drive aisles, parking areas, truck courts, landscaping, lighting, and signage. Approximately 1.82 acres in the northern corner of the Project site would be dedicated to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Reserve System for long-term conservation. Additionally, as part of the Project the Coldwater Canyon Wash drainage channel would be realigned from the western Project site boundary to the southeastern Project site boundary on approximately 6.87 acres of the Project site. Approximately 3.10 acres would be dedicated for both the interim and ultimate realignment of Temescal Canyon Road along the southwestern boundary of the Project site. Approximately 0.61-acre in the northern portion of the site would be dedicated as right-of-way for the northwest/southeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road South"). Access to the site is proposed via two driveways along the realigned Temescal Canyon Road, one driveway along the southwest/ northeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road North"), and four driveways along Dawson Canyon Road South. 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 (GPA 200007)
2. Adoption by ordinance of a Change of Zone (CZ 2000028)
3. Approval by resolution of Tentative Parcel Map No. 38551 (TPM 38551)
4. Approval by resolution of Plot Plan No. 220039 (PPT 220039)

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.

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

Desert Office · 77588 El Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

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).

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

DATE OF SCOPING SESSION: February 6, 2023

Information on how to participate in the Scoping Session will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this Project please contact Principal Planner Jose Merlan at (951) 955-0314 or email at jmerlan@rivco.org, or go to the County Planning Department's agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

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: Jose Merlan, Principal Planner
P.O. Box 1409, Riverside, CA 92502-1409

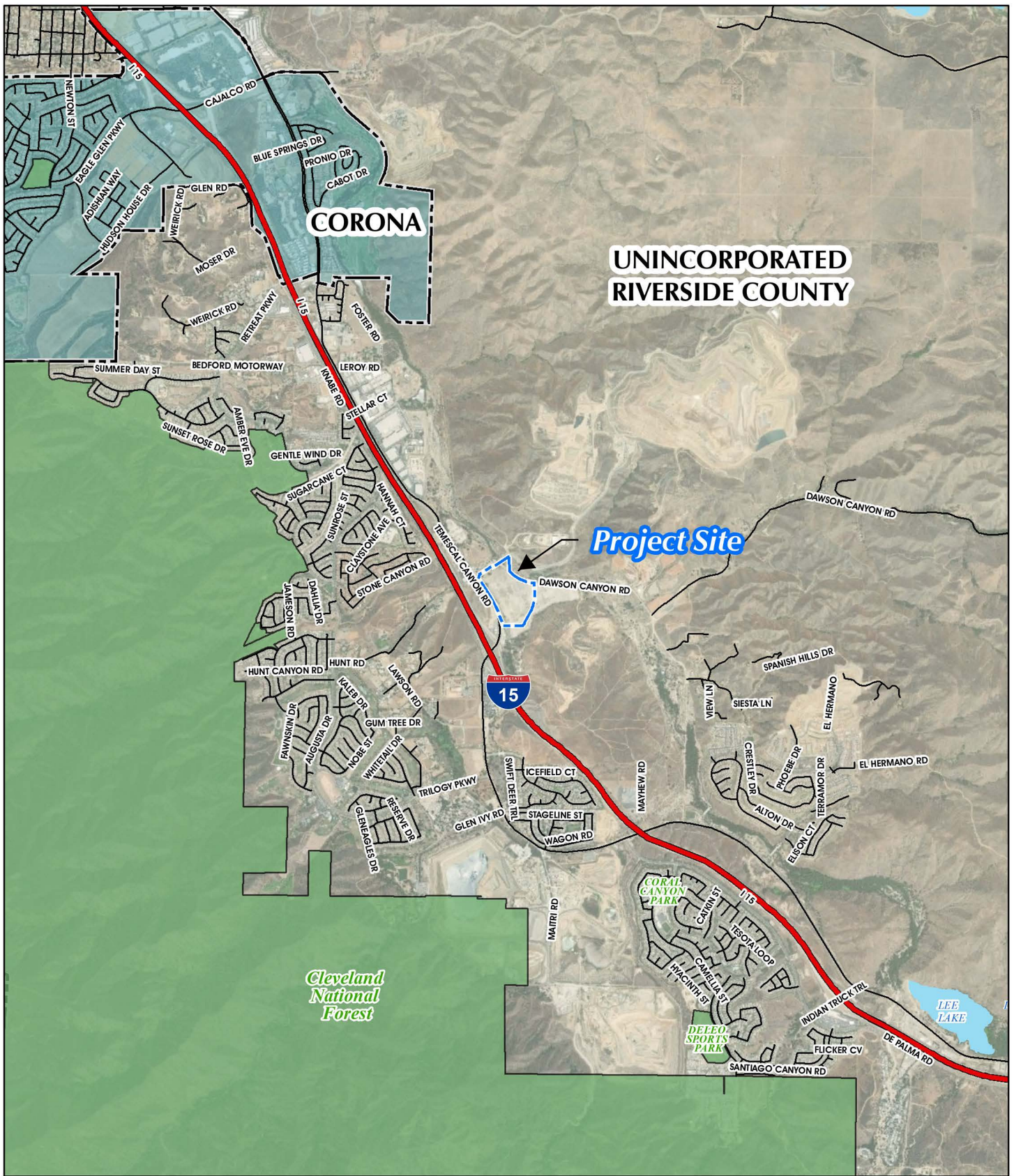
If you have any questions please contact Jose Merlan, Principal Planner at (951) 955-0314.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

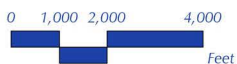
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Jose Merlan, Principal Planner for John Hildebrand, Planning Director



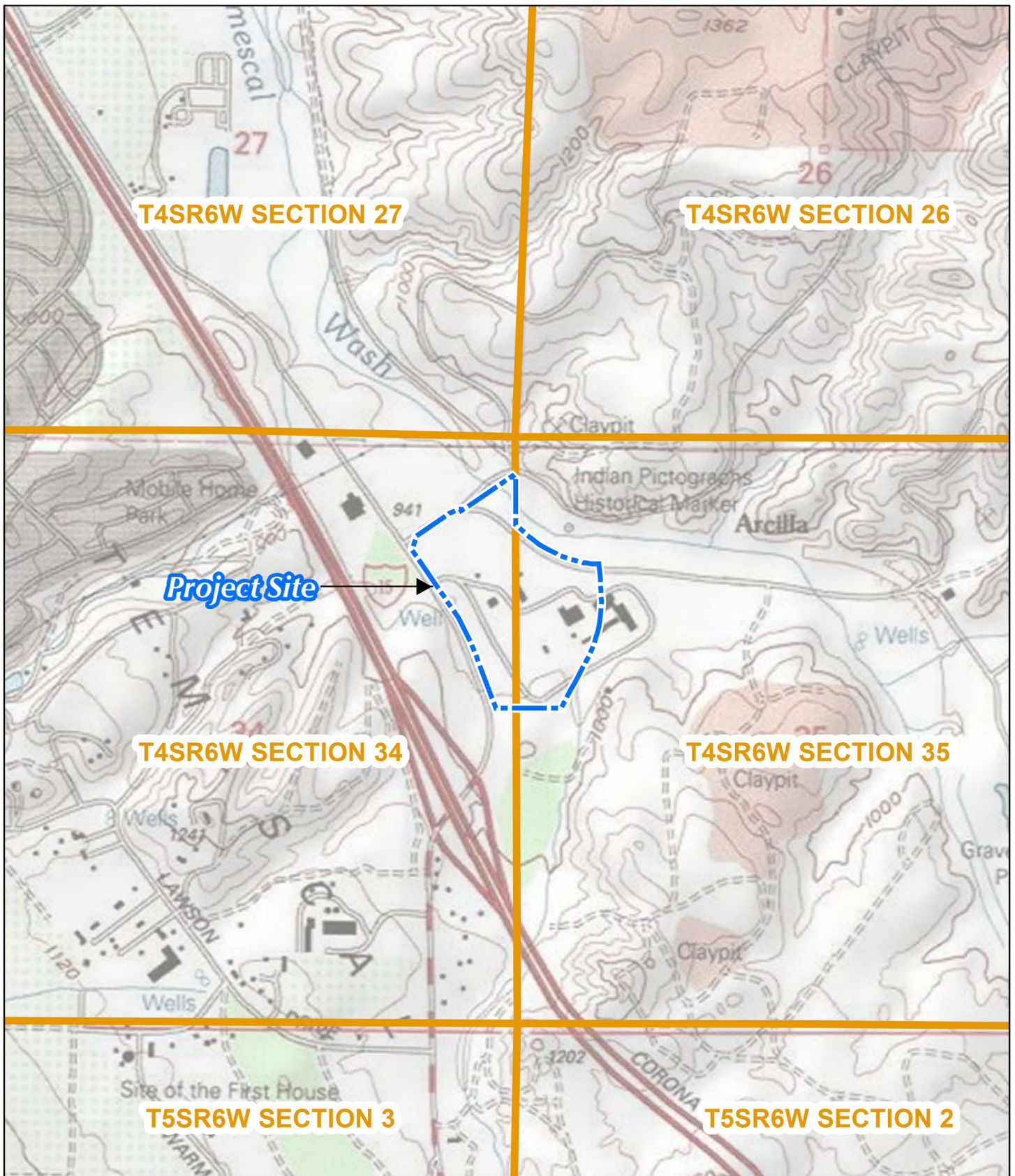
Source(s): ESRI, RCTLMA (2020), Nemap (2021)

Figure 1



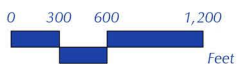
Temescal Valley Commerce Center

Vicinity Map



Source(s): ESRI, USGS (2013)

Figure 2



Temescal Valley Commerce Center

USGS Quadrangle Map

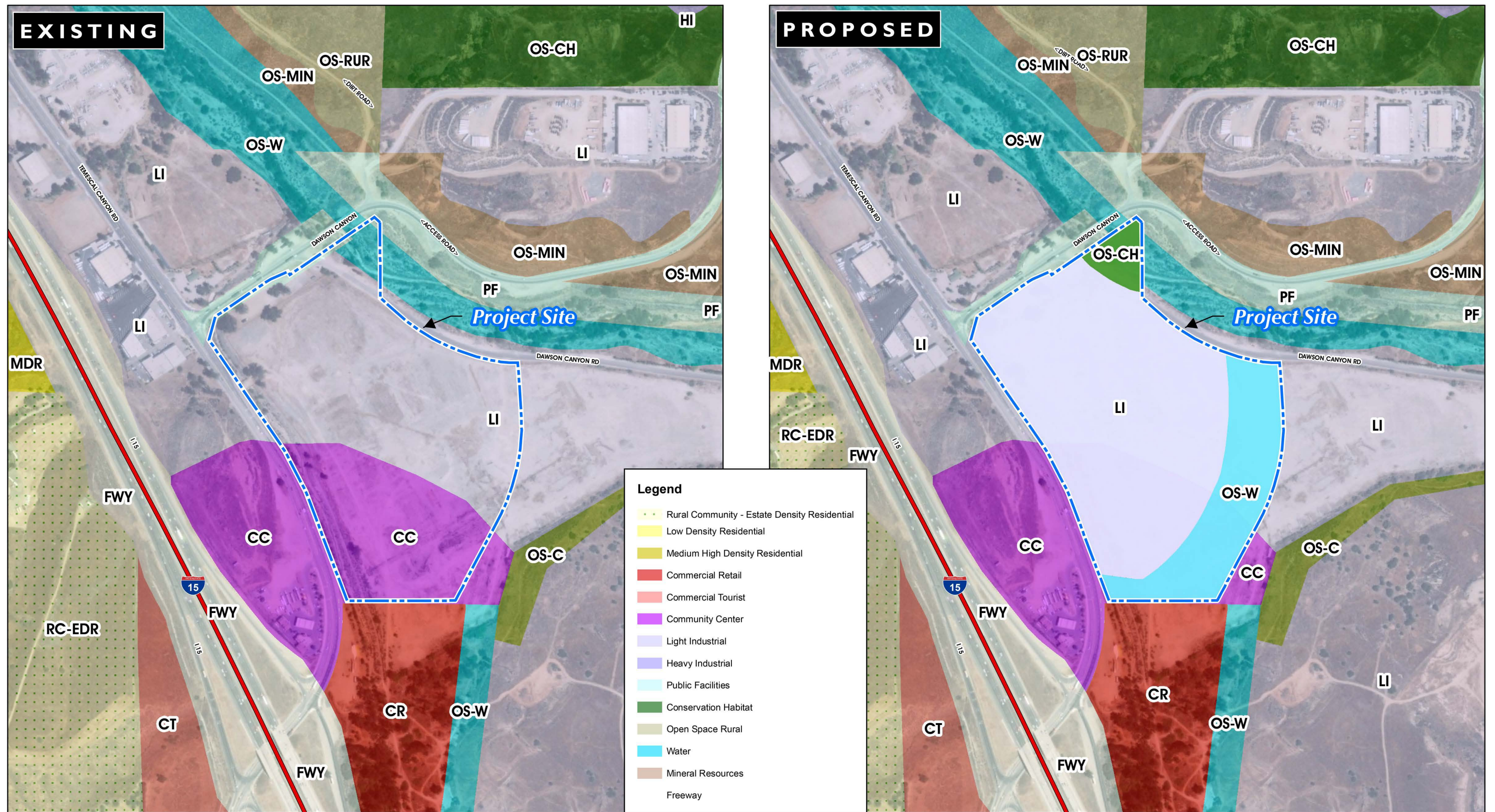
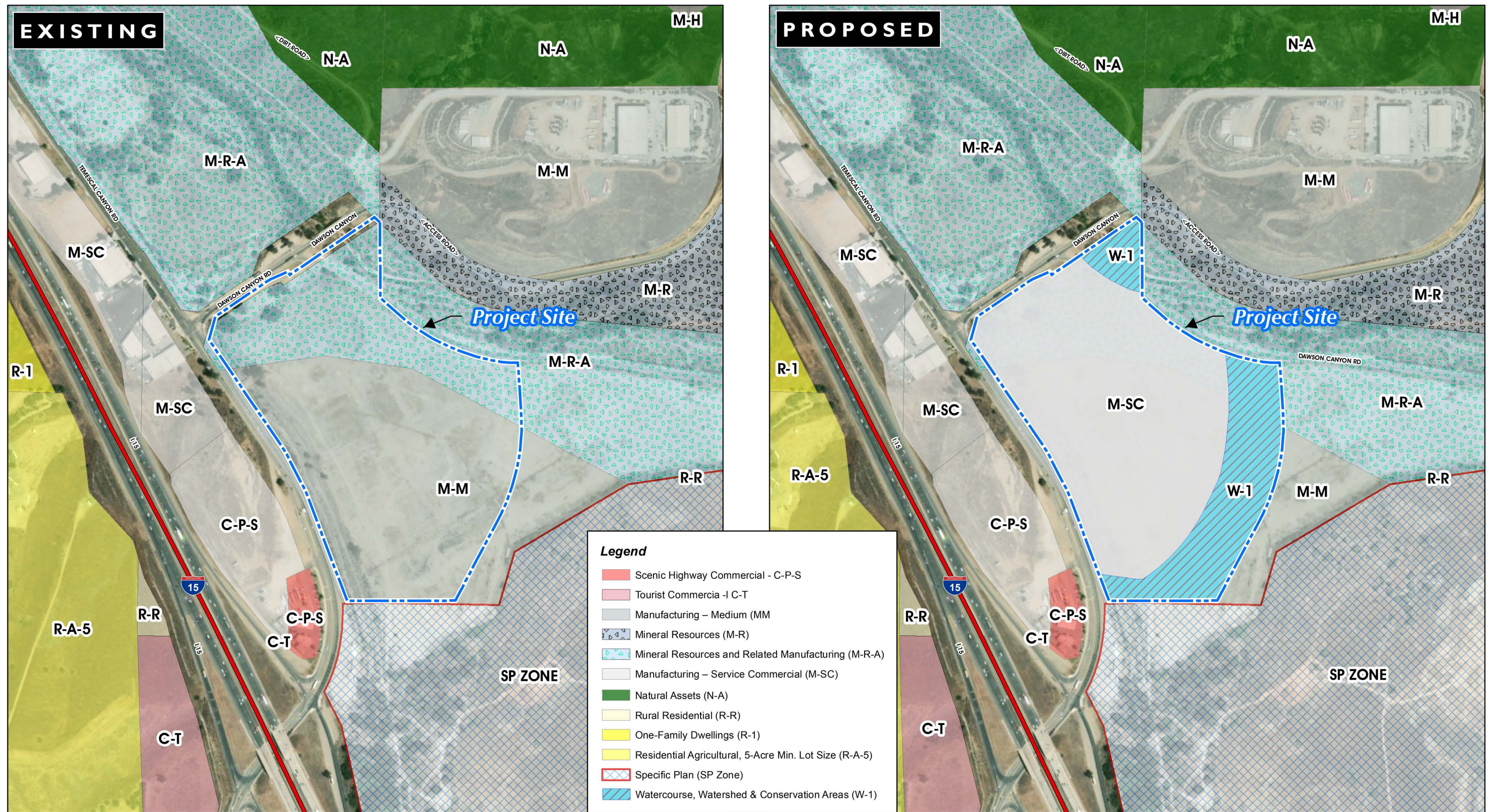
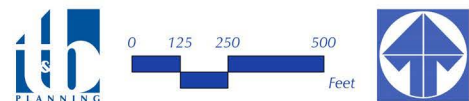


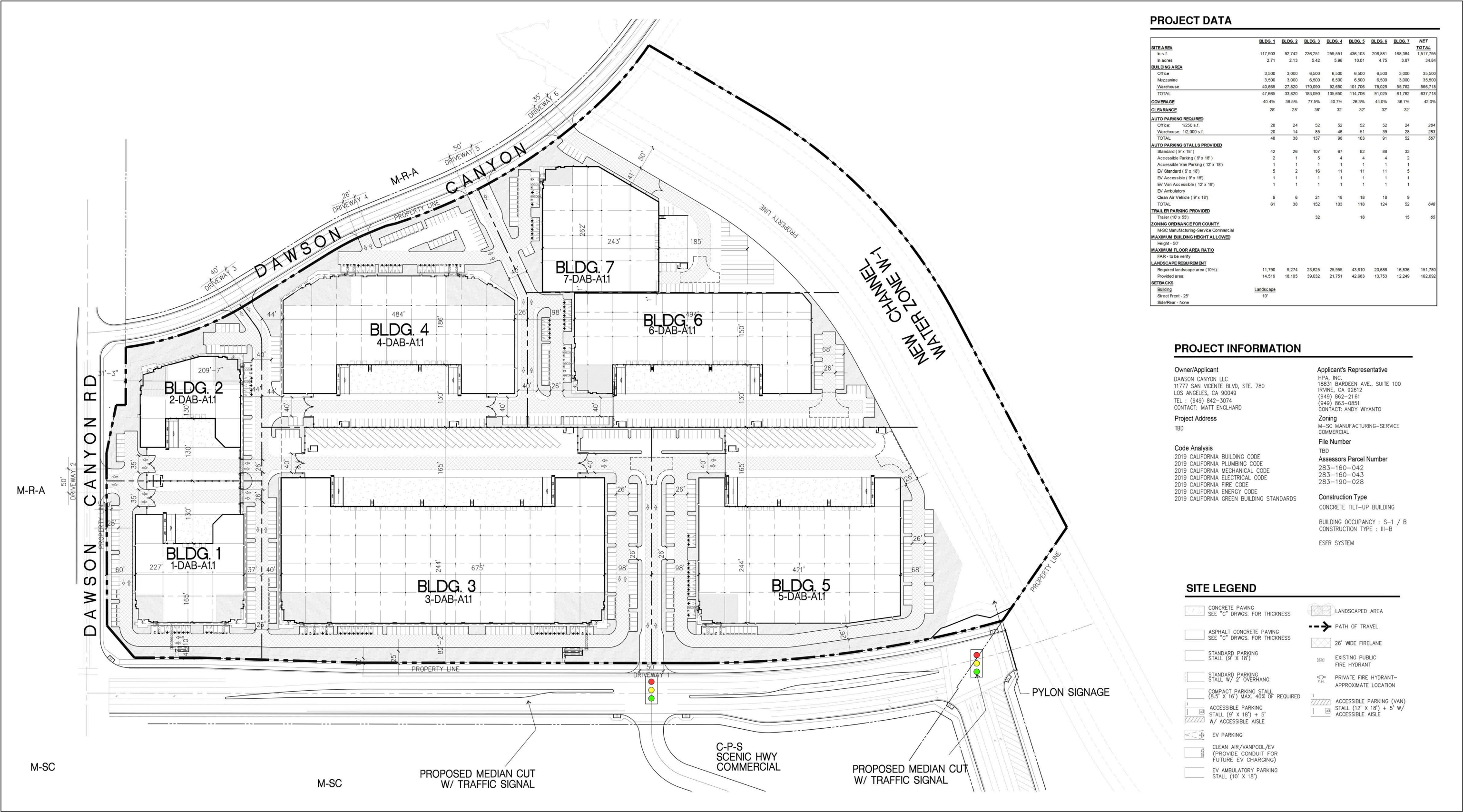
Figure 3



Source(s): ESRI, RCTLMA (2020)

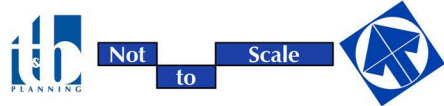
Figure 4

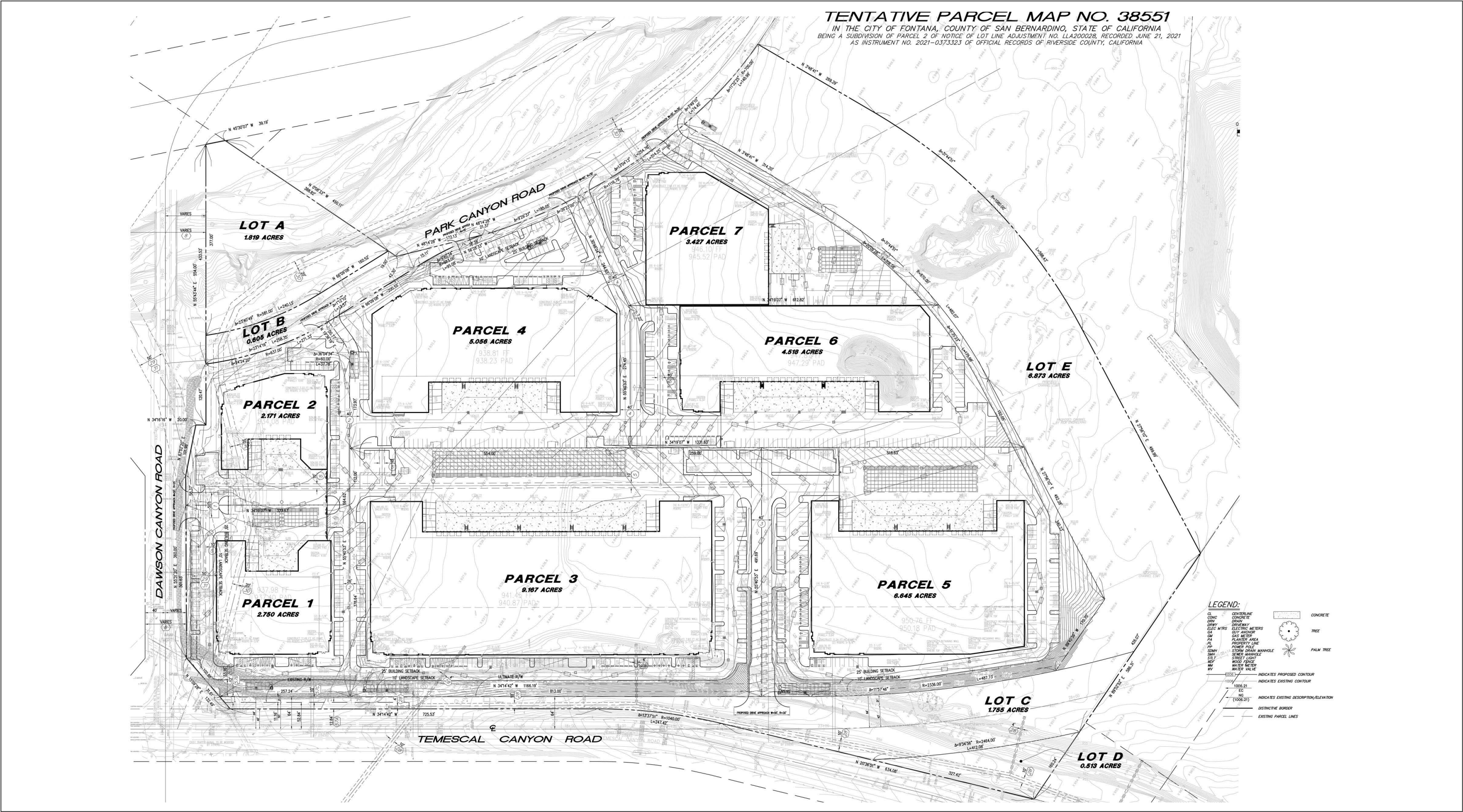




Source(s): HPA (08-23-2022)

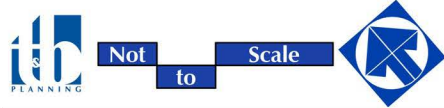
Figure 5





Source(s): Thienes Engineering, Inc. (08-24-2022)

Figure 6



Notice of Preparation

Notice of Preparation

To: State Clearinghouse From: Riverside County Planning Department
1400 Tenth Street P.O. Box 1409
Sacramento, CA 95814 Riverside, CA 92502-1409

Subject: Notice of Preparation of a Draft Environmental Impact Report

Riverside County 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 Jose L. Merlan, Principal Planner at the address shown above. We will need the name for a contact person in your agency.

Project Title: Temescal Valley Commerce Center

Project Applicant, if any: Dawson Canyon, LLC

Date 1/23/23

Signature



Title

Principal Planner

Telephone

(951) 955-0314

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

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: Temescal Valley Commerce Center

Lead Agency: Riverside County

Contact Person: Jose Merlan

Mailing Address: P.O. Box 1409

Phone: (951) 955-0314

City: Riverside

Zip: 92501

County: Riverside

Project Location: County: Riverside City/Nearest Community: Temescal Canyon Area Plan

Cross Streets: Southeast of the intersection of Temescal Canyon Road and Dawson Canyon Road North Zip Code: 92883

Longitude/Latitude (degrees, minutes and seconds): 33 ° 46 ' 54 " N / 117 ° 29 ' 06 " W Total Acres: 46.13

Assessor's Parcel No.: 283-160-046 and 283-190-044

Section: 34&35 Twp.: 4S Range: 6W Base: San Bern.

Within 2 Miles: State Hwy #: I-15

Waterways: Coldwater Canyon Wash & Temescal Wash

Airports: None

Railways: None

Schools: Temescal Valley Elementary, Todd Academy School

Document Type:

CEQA: ☒ NOP	☐ Draft EIR	NEPA: ☐ NOI	Other: ☐ 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 _____	☐ Transportation: Type _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____	☐ Mining: Mineral _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____	☐ Power: Type _____ MW _____
☒ Industrial: Sq.ft. 637,718 Acres 33.73 Employees 619	☐ Waste Treatment: Type _____ MGD _____
☐ Educational: _____	☐ Hazardous Waste: Type _____
☐ Recreational: _____	☒ Other: Open Space - Conservation Habitat: 1.82 ac.; Open Space - Water: 6.87 ac
☐ Water Facilities: Type _____ MGD _____	

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:

Vacant & Undeveloped/Manufacturing-Medium and Mineral Resources & Related Manufacturing/Light Industrial, Community Center, Open Space - Water

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

The Project consists of applications for a General Plan Amendment (GPA 200007), Change of Zone (CZ 2000028), Tentative Parcel Map (TPM 38551), and Plot Plan (PP 220039). Approximately 33.73 acres of the 46.13-acre Project site are proposed for the development of seven (7) light industrial warehouse buildings ranging in size from 33,820 square feet (s.f.) 183,090 s.f., together totaling 637,718 s.f. Other features in the development area include vehicle drive aisles, parking areas, truck courts, landscaping, lighting, and signage. Approximately 1.82 acres in the northern corner of the Project site would be dedicated to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Reserve System for long-term conservation. Additionally, a segment of the Coldwater Canyon Wash drainage channel would be realigned from the western Project site boundary to the southeastern Project site boundary on approximately 6.87 acres. Approximately 3.10 acres would be dedicated for both the interim and ultimate realignment of Temescal Canyon Road along the southwestern boundary of the Project site. Approximately 0.61-acre in the northern portion of the site would be dedicated as right-of-way for the northwest/ southeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road South"). Access to the site is proposed via two driveways along the realigned Temescal Canyon Road, one driveway along the southwest/northeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road North"), and four driveways along Dawson Canyon Road South.

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.

If you have already sent your document to the agency please denote that with an "S".

_____ Office of Historic Preservation
 _____ Office of Public School Construction
 _____ Parks & Recreation, Department of
 _____ Pesticide Regulation, Department of
 _____ Public Utilities Commission
 _____ S _____ Regional WQCB # _____
 _____ Resources Agency
 _____ Resources Recycling and Recovery, Department of
 _____ S.F. Bay Conservation & Development Comm.
 _____ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
 _____ San Joaquin River Conservancy
 _____ Santa Monica Mtns. Conservancy
 _____ State Lands Commission
 _____ SWRCB: Clean Water Grants
 _____ SWRCB: Water Quality
 _____ SWRCB: Water Rights
 _____ Tahoe Regional Planning Agency
 _____ S _____ Toxic Substances Control, Department of
 _____ Water Resources, Department of

 _____ Other: _____
 _____ Other: _____

Starting Date January 30, 2023 Ending Date March 1, 2023

Consulting Firm: <u>T&B Planning, Inc.</u>	Applicant: <u>Dawson Canyon, LLC</u>
Address: <u>3200 El Camino Real, Suite 100</u>	Address: <u>11777 San Vicente Boulevard, Suite 780</u>
City/State/Zip: <u>Irvine, CA 92602</u>	City/State/Zip: <u>Los Angeles, CA 90049</u>
Contact: <u>Jerrica Harding, AICP</u>	Phone: <u>949-842-3074</u>
Phone: <u>714-505-6360, ext. 101</u>	

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



RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
Director

Public Notice of Preparation of a Draft Environmental Impact Report

DATE: January 23, 2023

TO: Interested Parties

The Riverside County Planning Department is currently reviewing a development application (herein, "Project") in the Temescal Canyon 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: Temescal Valley Commerce Center (General Plan Amendment 200007, Change of Zone 2000028, Tentative Parcel Map 38551, and Plot Plan 220039)

PROJECT LOCATION: East of Temescal Canyon Road and Interstate 15 (I-15), southeast of Dawson Canyon Road (North), and north and southwest of Dawson Canyon Road (South).

PROJECT DESCRIPTION: The Project as consists of applications for a General Plan Amendment (GPA 200007), Change of Zone (CZ 2000028), Tentative Parcel Map (TPM 38551), and Plot Plan (PP 220039) to allow for future development of a 46.13-acre property located east of Temescal Canyon Road and Interstate 15 (I-15), and southeast and southwest of Dawson Canyon Road. Approximately 33.73 acres of the Project site are proposed for development with seven (7) light industrial warehouse buildings ranging in size from 33,820 square feet (s.f.) 183,090 s.f. together providing a total building area of 637,718 s.f. Other features in the development area include vehicular drive aisles, parking areas, truck courts, landscaping, lighting, and signage. Approximately 1.82 acres in the northern corner of the Project site would be dedicated to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Reserve System for long-term conservation. Additionally, as part of the Project the Coldwater Canyon Wash drainage channel would be realigned from the western Project site boundary to the southeastern Project site boundary on approximately 6.87 acres of the Project site. Approximately 3.10 acres would be dedicated for both the interim and ultimate realignment of Temescal Canyon Road along the southwestern boundary of the Project site. Approximately 0.61-acre in the northern portion of the site would be dedicated as right-of-way for the northwest/southeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road South"). Access to the site is proposed via two driveways along the realigned Temescal Canyon Road, one driveway along the southwest/northeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road North"), and four driveways along Dawson Canyon Road South. 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 (GPA 200007)
2. Adoption by ordinance of a Change of Zone (CZ 2000028)
3. Approval by resolution of Tentative Parcel Map No. 38551 (TPM 38551)
4. Approval by resolution of Plot Plan No. 220039 (PPT 220039)

LEAD AGENCY:

Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409
Attn: Jose Merlan, Principal Planner

PROJECT SPONSOR:

Applicant: Dawson Canyon, LLC
Address: 18831 Bardeen Avenue, Suite 201
Irvine, CA 92612

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

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 input from the public 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. All comments shall be submitted to the Planning Department no later than March 1, 2023.

SCOPE OF ANALYSIS

An Initial Study was not prepared for the Project. As such, the required EIR will evaluate the Project's 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
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PUBLIC SCOPING MEETING:

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

DATE OF SCOPING SESSION: February 6, 2023

Information on how to participate in the Scoping Session will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this Project please contact Principal Planner Jose Merlan at (951) 955-0314 or email at jmerlan@rivco.org, or go to the County Planning Department's agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

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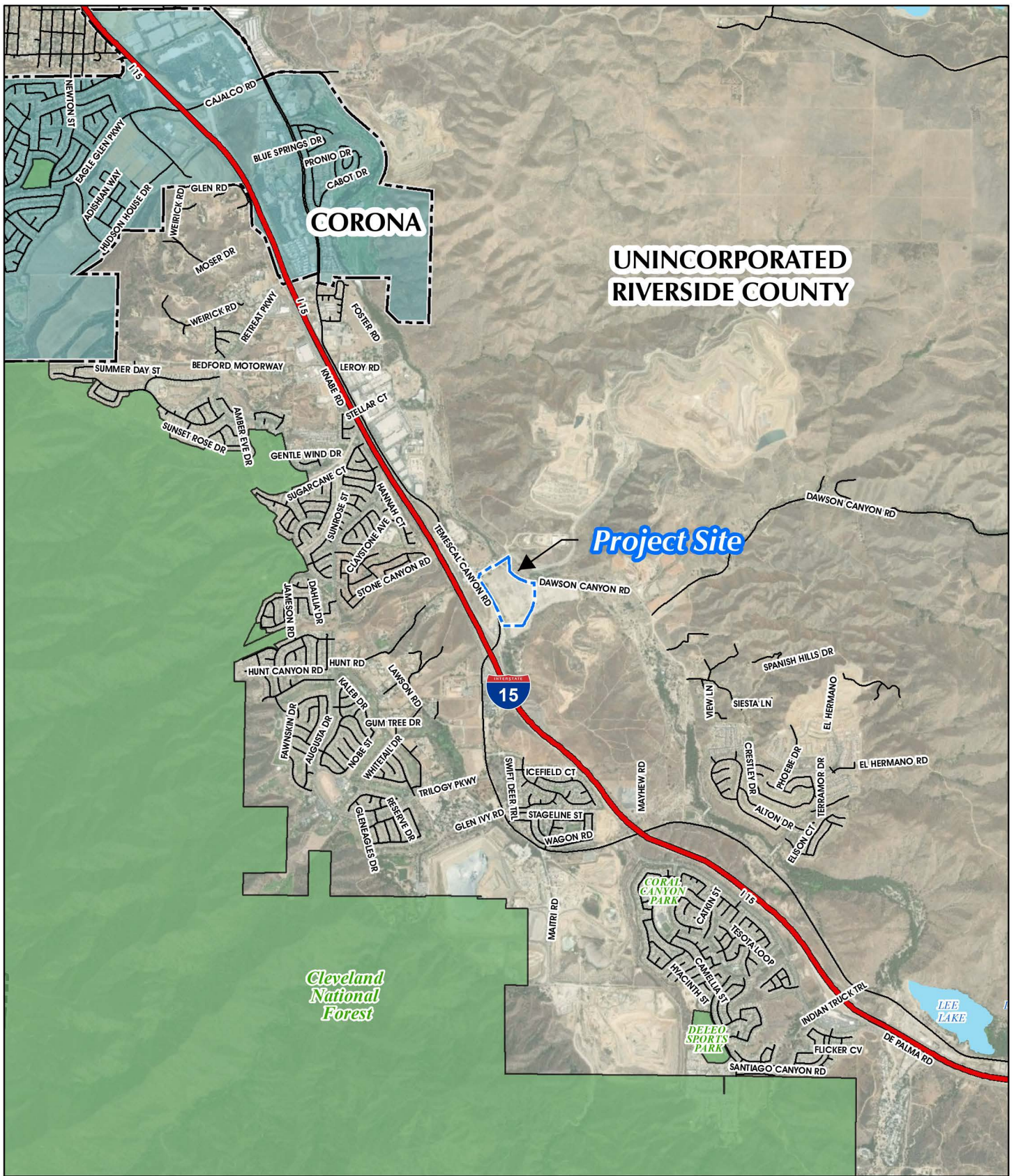
If you have any questions please contact Jose Merlan, Principal Planner at (951) 955-0314.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

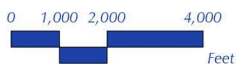
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Jose Merlan, Principal Planner for John Hildebrand, Planning Director



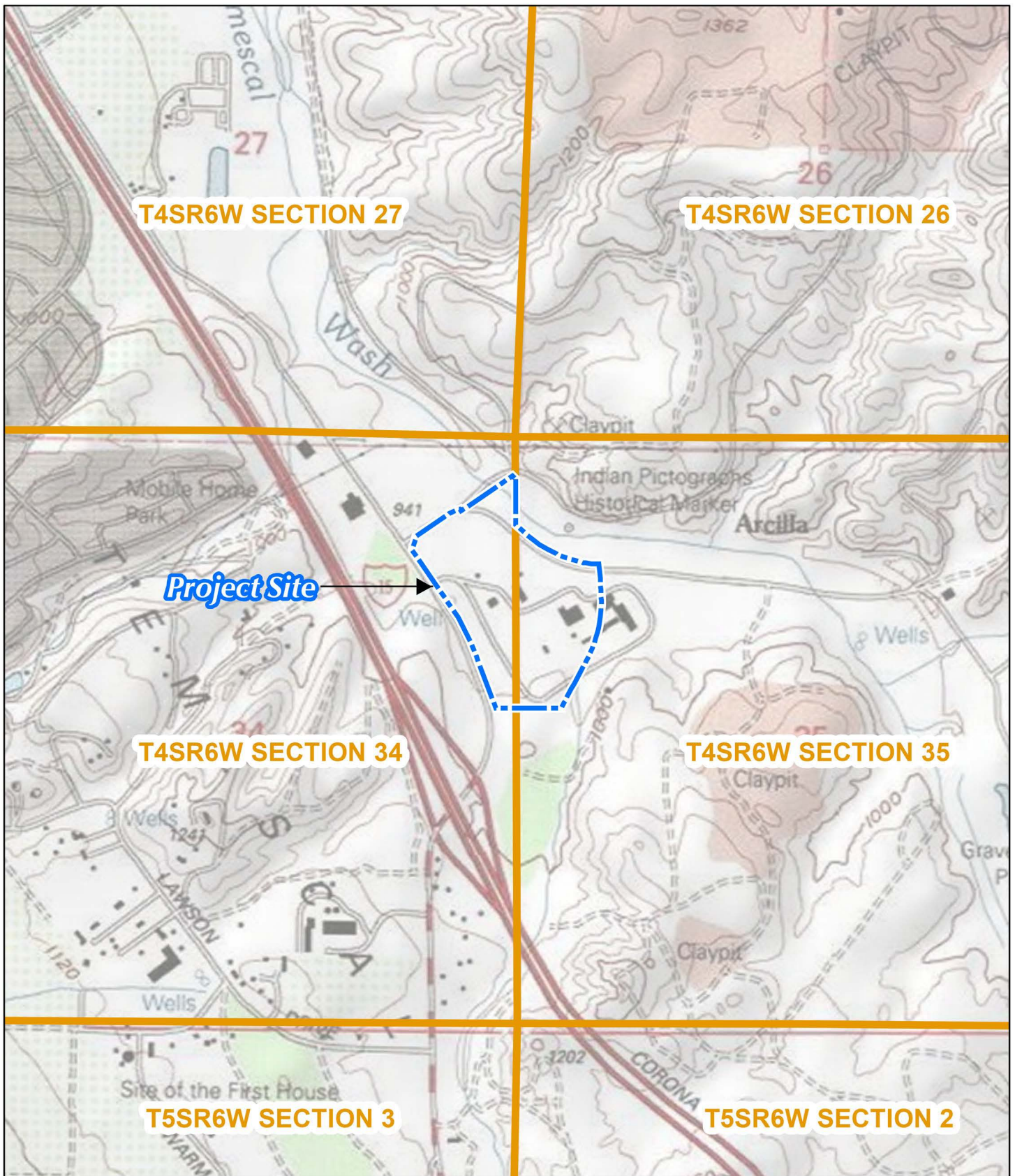
Source(s): ESRI, RCTLMA (2020), Nemap (2021)

Figure 1



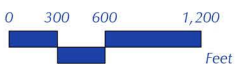
Temescal Valley Commerce Center

Vicinity Map



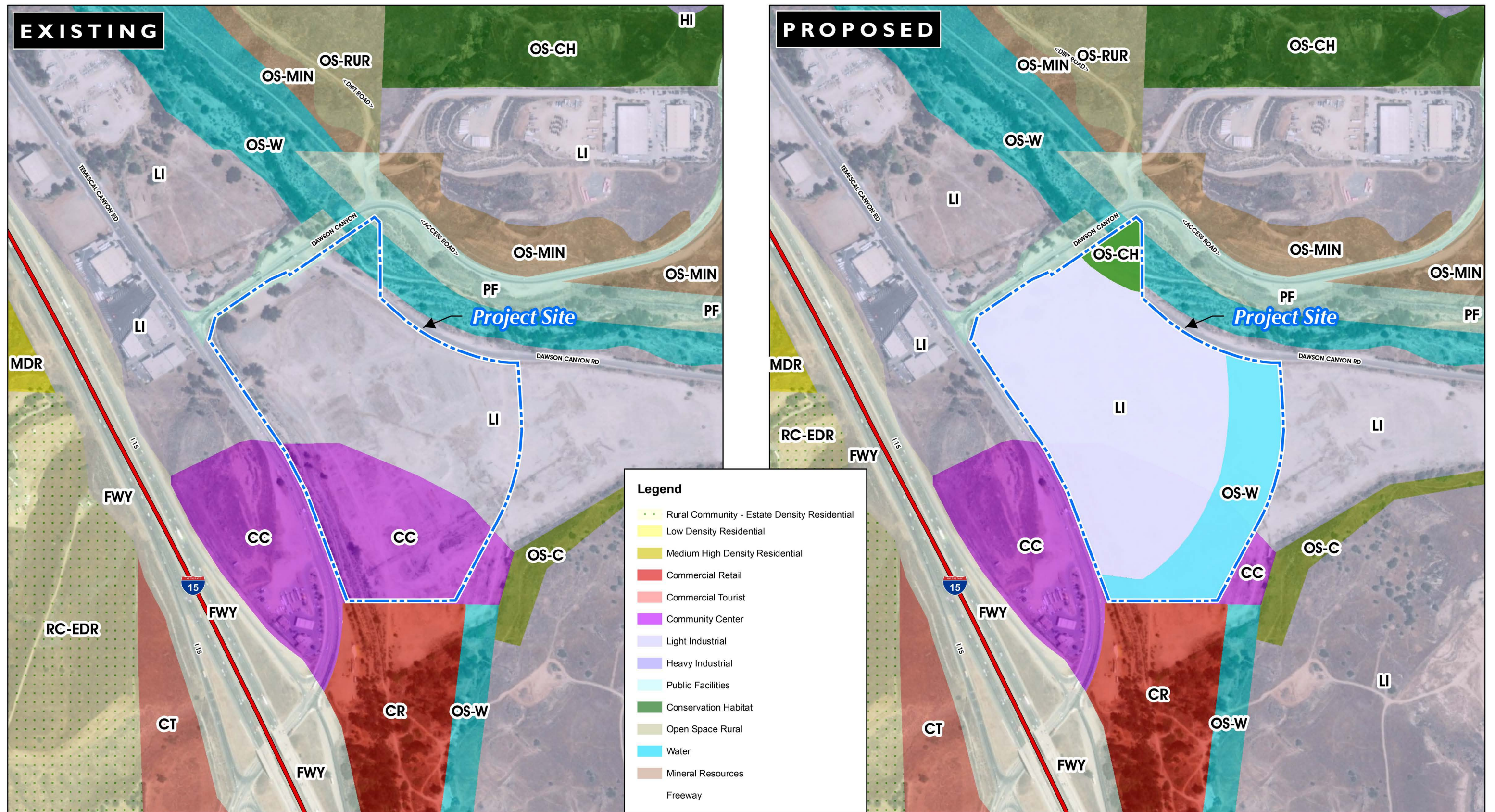
Source(s): ESRI, USGS (2013)

Figure 2



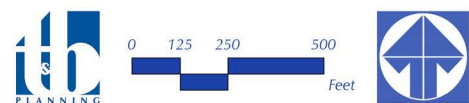
Temescal Valley Commerce Center

USGS Quadrangle Map



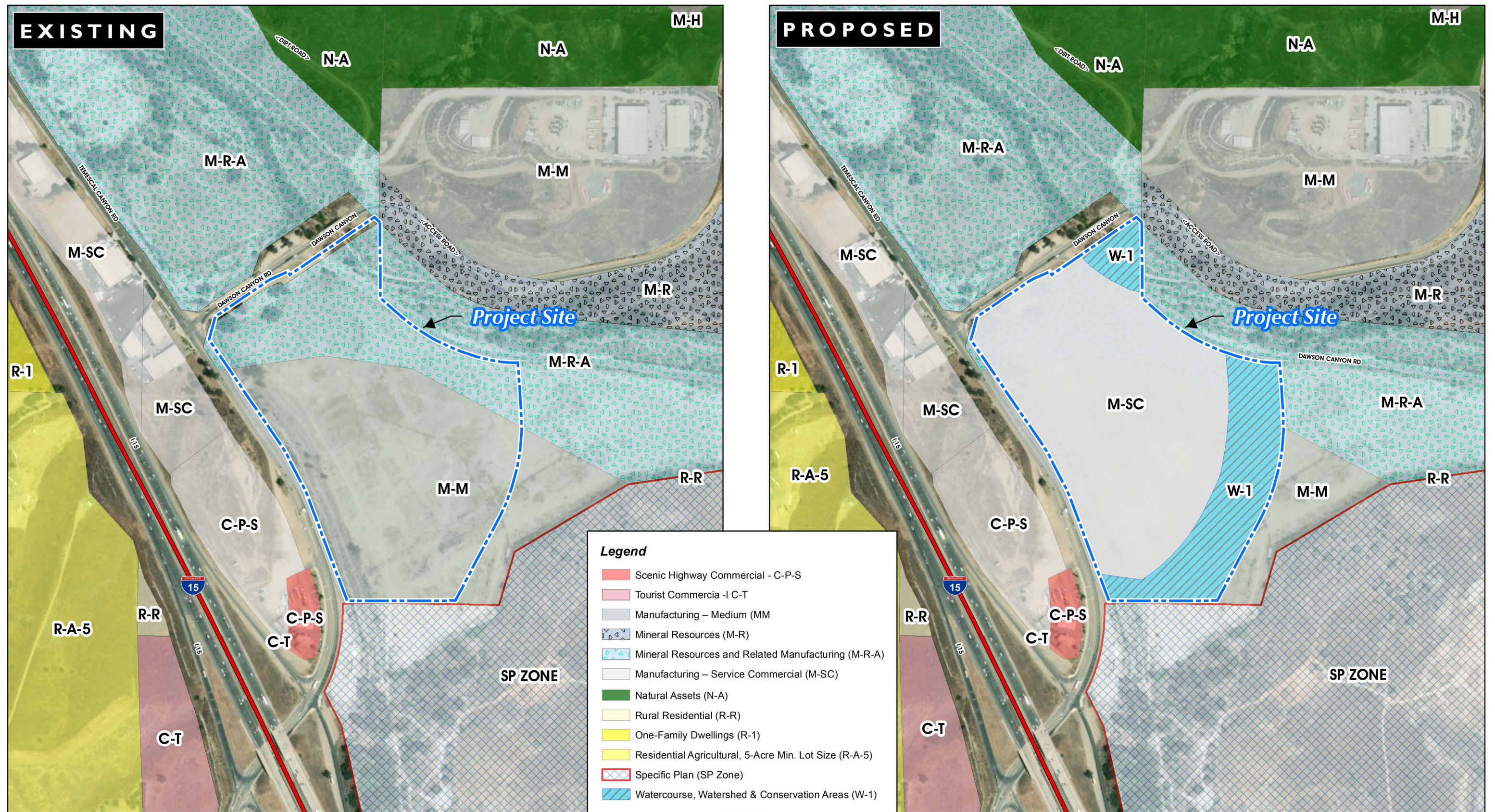
Source(s): ESRI, RCTLMA (2020)

Figure 3



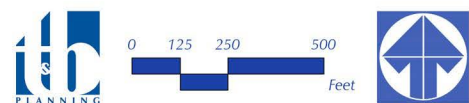
Temescal Valley Commerce Center

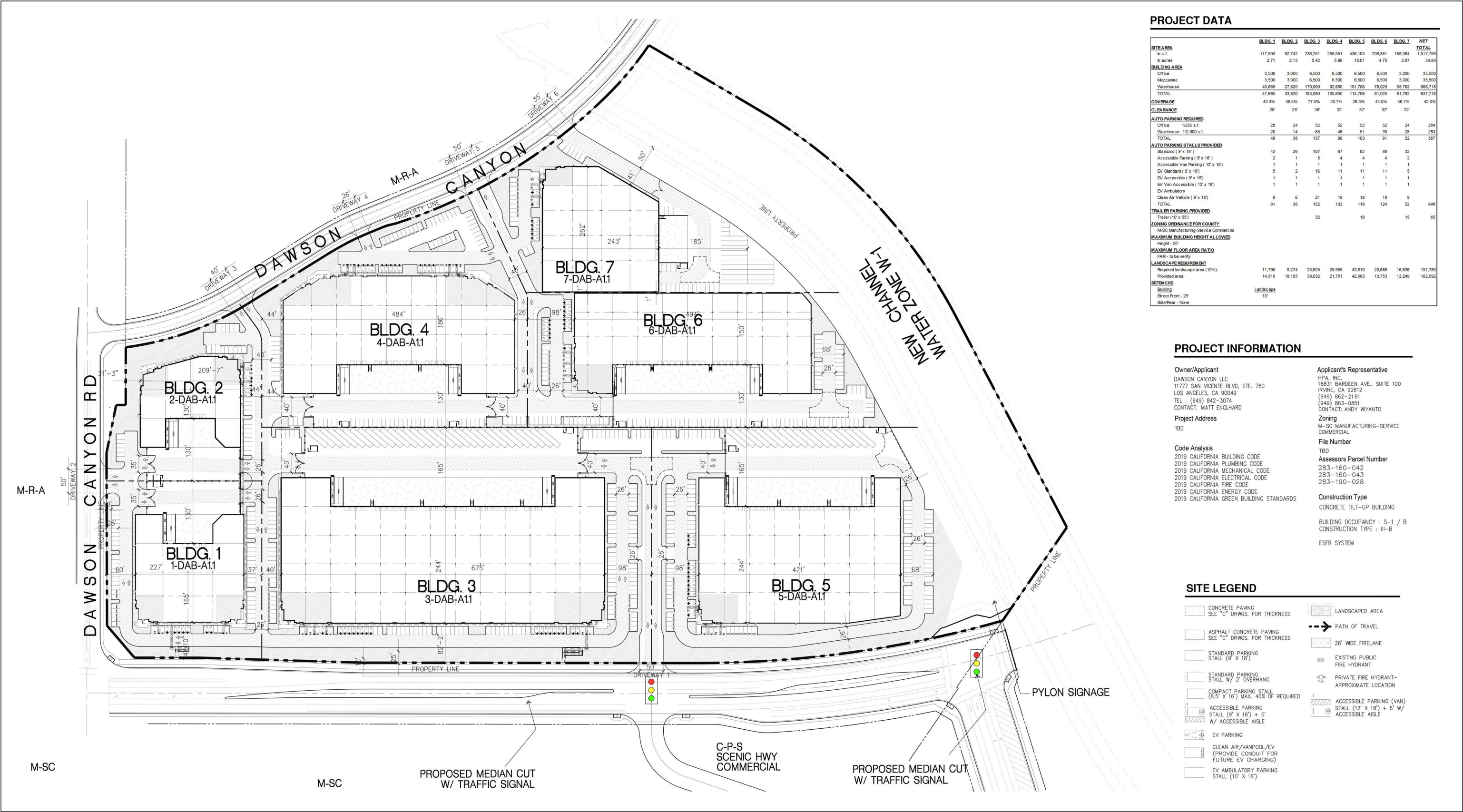
Proposed General Plan Amendment No. 200007



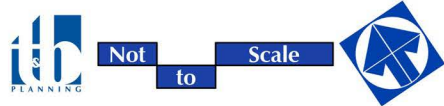
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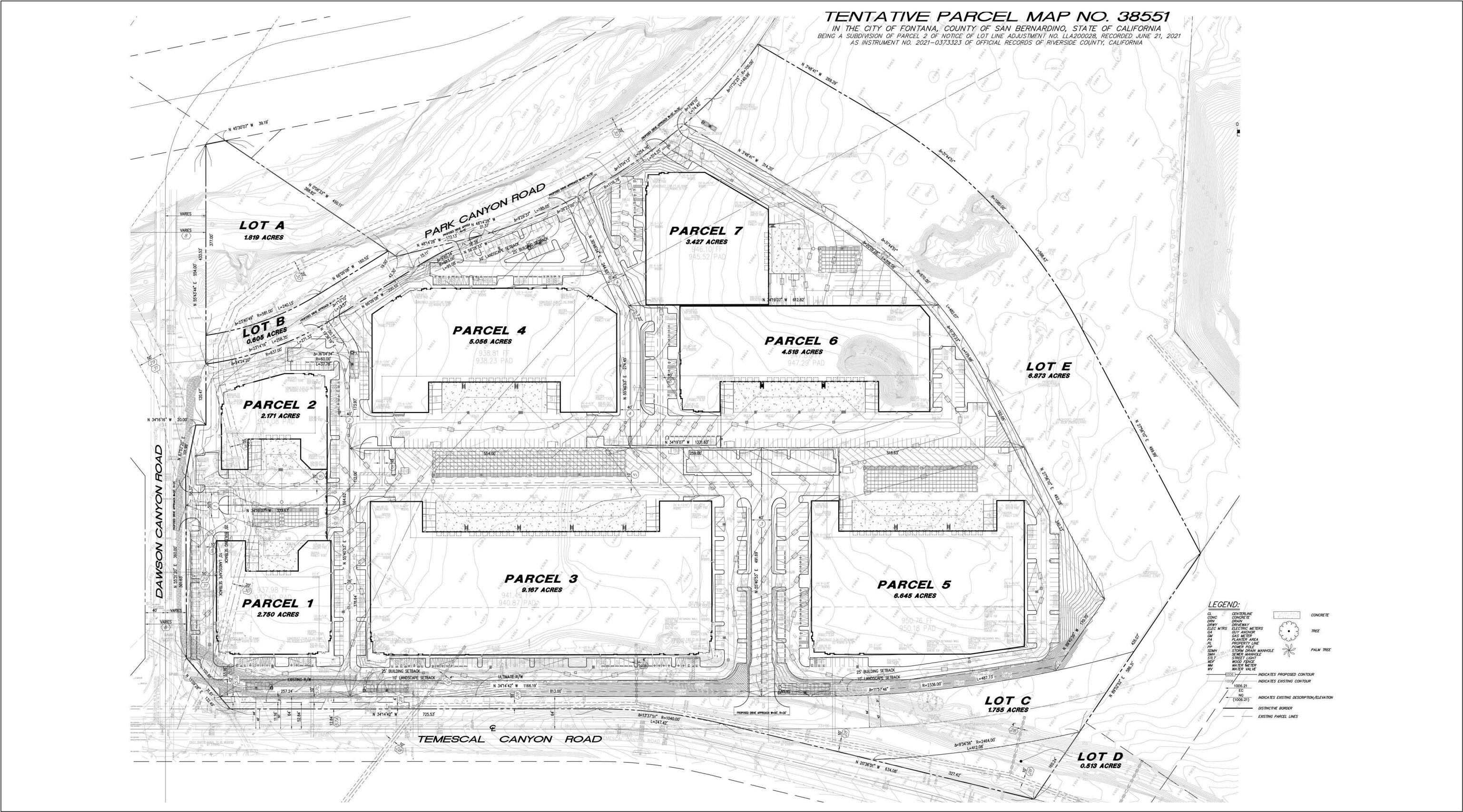
Figure 4





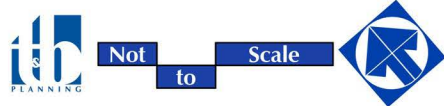
Source(s): HPA (08-23-2022) Figure 5





Source(s): Thienes Engineering, Inc. (08-24-2022)

Figure 6



Temescal Valley Commerce Center

Tentative Parcel Map No. 38551



RIVERSIDE COUNTY PLANNING DEPARTMENT

John Hildebrand
Director

Agency Notice of Preparation of a Draft Environmental Impact Report

DATE: January 23, 2023

TO: Responsible/Trustee Agencies

The Riverside County Planning Department is currently reviewing a development application (herein, "Project") in the Temescal Canyon Area Plan (TCAP) portion 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: Temescal Valley Commerce Center (General Plan Amendment 200007, Change of Zone 2000028, Tentative Parcel Map 38551, and Plot Plan 220039)

PROJECT LOCATION: East of Temescal Canyon Road and Interstate 15 (I-15), southeast of Dawson Canyon Road (North), and north and southwest of Dawson Canyon Road (South).

PROJECT DESCRIPTION: The Project consists of applications for a General Plan Amendment (GPA 200007), Change of Zone (CZ 2000028), Tentative Parcel Map (TPM 38551), and Plot Plan (PP 220039) to allow for future development of a 46.13-acre property located east of Temescal Canyon Road and Interstate 15 (I-15), and southeast and southwest of Dawson Canyon Road. Approximately 33.73 acres of the Project site are proposed for development with seven (7) light industrial warehouse buildings ranging in size from 33,820 square feet (s.f.) 183,090 s.f. together providing a total building area of 637,718 s.f. Other features in the development area include vehicular drive aisles, parking areas, truck courts, landscaping, lighting, and signage. Approximately 1.82 acres in the northern corner of the Project site would be dedicated to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Reserve System for long-term conservation. Additionally, as part of the Project the Coldwater Canyon Wash drainage channel would be realigned from the western Project site boundary to the southeastern Project site boundary on approximately 6.87 acres of the Project site. Approximately 3.10 acres would be dedicated for both the interim and ultimate realignment of Temescal Canyon Road along the southwestern boundary of the Project site. Approximately 0.61-acre in the northern portion of the site would be dedicated as right-of-way for the northwest/southeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road South"). Access to the site is proposed via two driveways along the realigned Temescal Canyon Road, one driveway along the southwest/northeast-aligned portion of Dawson Canyon Road ("Dawson Canyon Road North"), and four driveways along Dawson Canyon Road South. 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 (GPA 200007)
2. Adoption by ordinance of a Change of Zone (CZ 2000028)
3. Approval by resolution of Tentative Parcel Map No. 38551 (TPM 38551)
4. Approval by resolution of Plot Plan No. 220039 (PPT 220039)

LEAD AGENCY:

Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409
Attn: Jose Merlan, Principal Planner

PROJECT SPONSOR:

Applicant: Dawson Canyon, LLC
Address: 18831 Bardeen Avenue, Suite 201
Irvine, CA 92612

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

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. All comments shall be submitted to the Planning Department no later than March 1, 2023.

SCOPE OF ANALYSIS

An Initial Study was not prepared for the Project. As such, the required EIR will evaluate the Project's 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: February 6, 2023

Information on how to participate in the Scoping Session will be available on the Planning Department website at: <https://planning.rctlma.org/>. For further information regarding this Project please contact Principal Planner Jose Merlan at (951) 955-0314 or email at jmerlan@rivco.org, or go to the County Planning Department's agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

Please send all written correspondence to:

RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Jose Merlan, Principal Planner
P.O. Box 1409, Riverside, CA 92502-1409

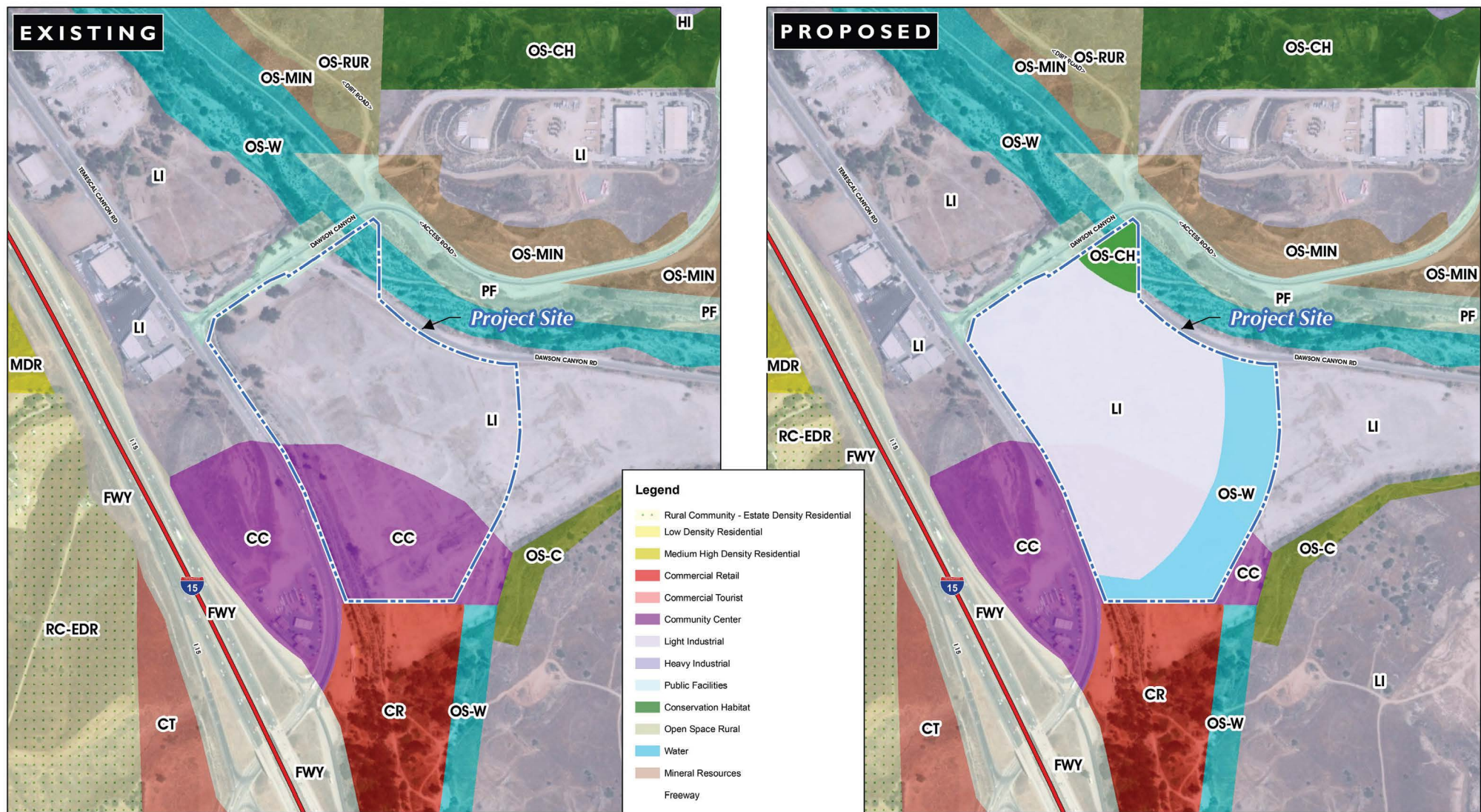
If you have any questions please contact Jose Merlan, Principal Planner at (951) 955-0314.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

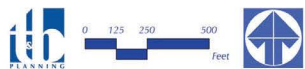
A handwritten signature in dark ink, appearing to read "Jose Merlan", written in a cursive style.

Jose Merlan, Principal Planner for John Hildebrand, Planning Director



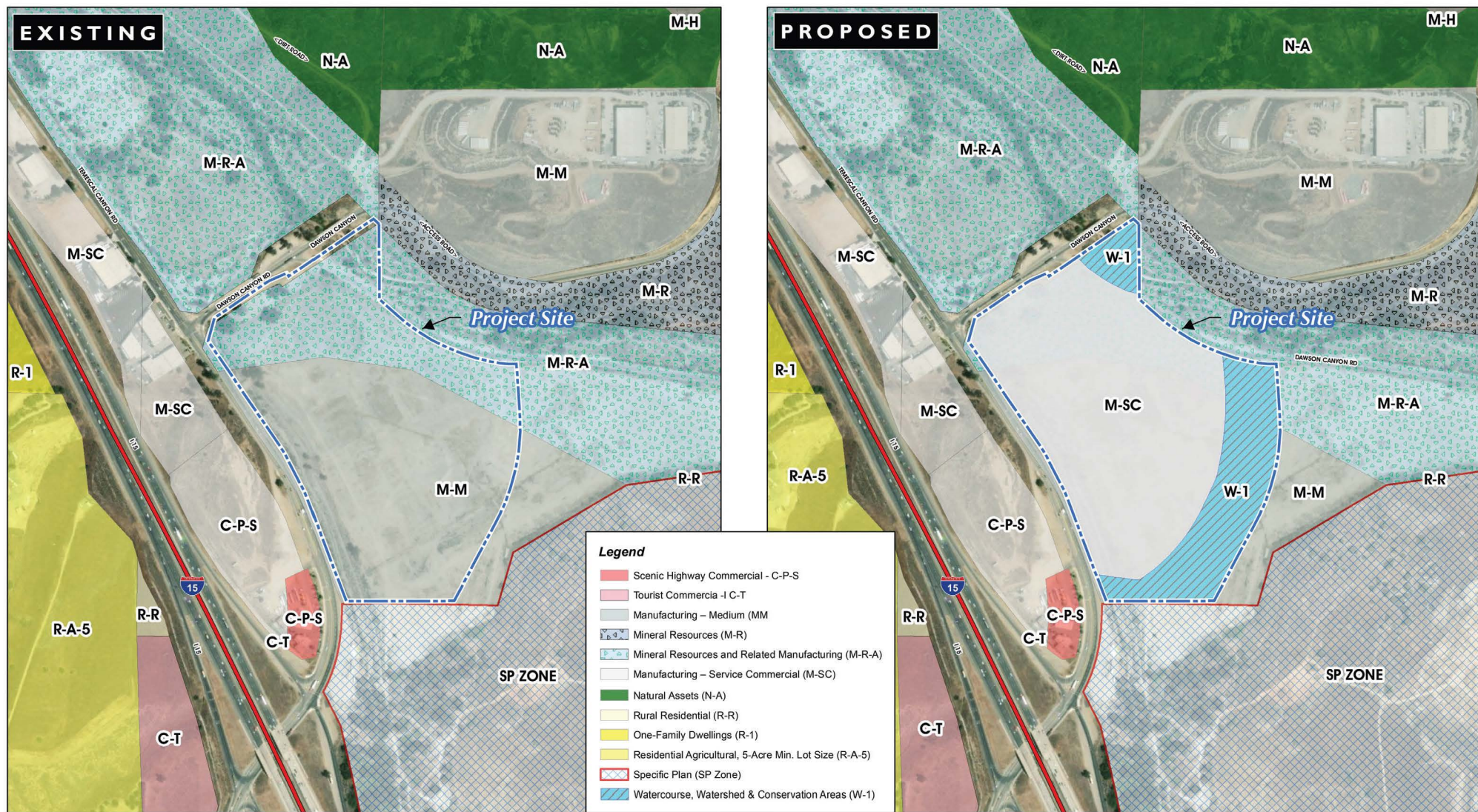
Sources: ESRI, RCTLMA (2020)

Figure 3

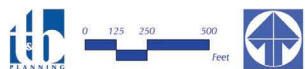


Temescal Valley Commerce Center

Proposed General Plan Amendment No. 200007

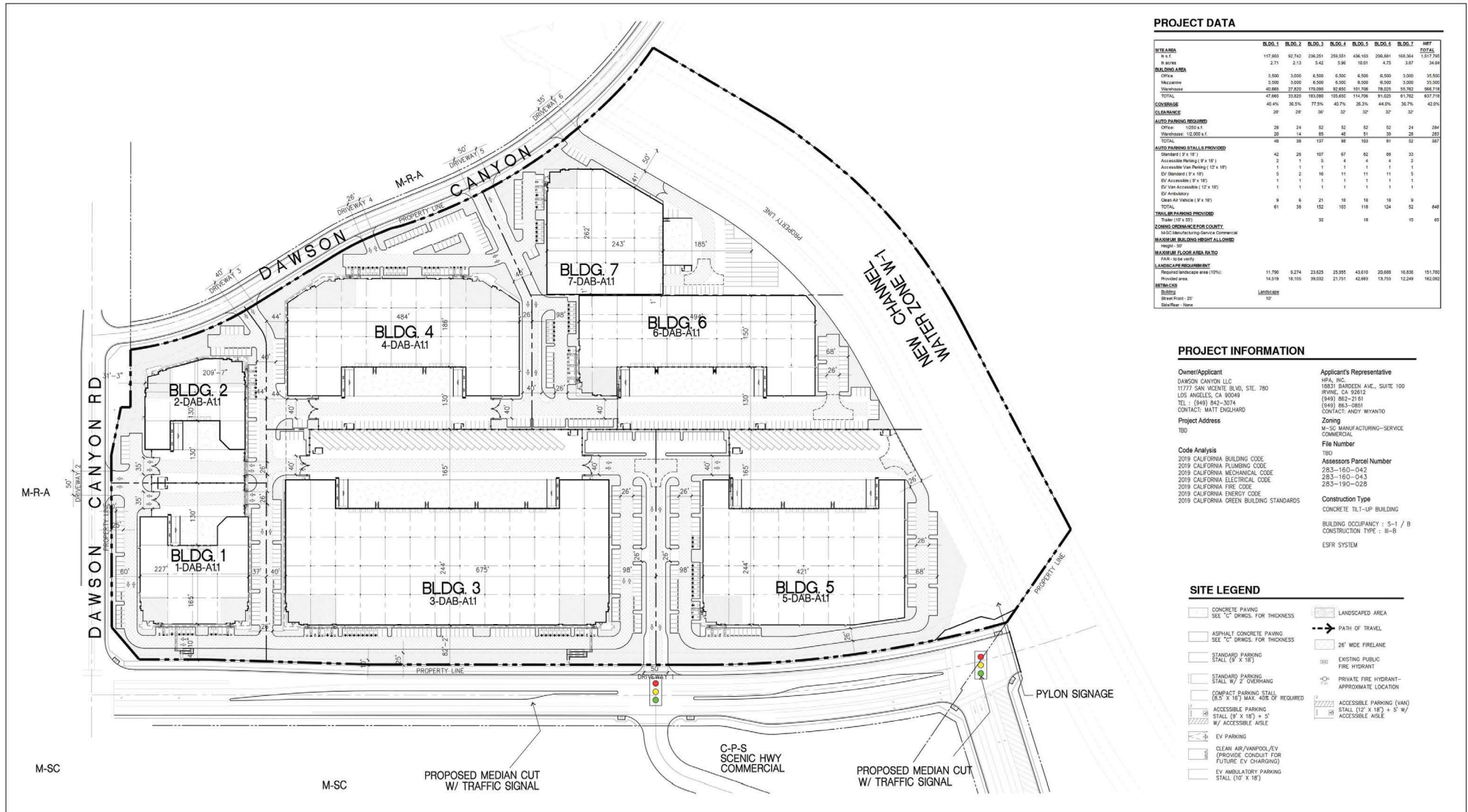


Sources: ESRI, RCTLMA (2020)



Temescal Valley Commerce Center

Proposed Change of Zone No. 2000028



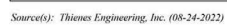
Sources: HPA (08-23-2022)



Temescal Valley Commerce Center

Figure 5

Plot Plan No. 220039



Temescal Valley Commerce Center

Tentative Parcel Map No. 38551

Jer Harding

To: Merlan, Jose
Subject: RE: Temescal Valley Commerce Center

From: Al Estrada <al.estrada5015@gmail.com>
Sent: Monday, February 27, 2023 10:48 AM
To: Merlan, Jose <jmerlan@RIVCO.ORG>
Subject: Temescal Valley Commerce Center

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.

Hello County Planner:

My wife and I are residents and homeowners at Trilogy here in Temescal Valley and would simply like to express our deep concern over the negative impact that more trucks from 7 Warehouses will create on Highway 15. The current traffic jams, and potential danger from trucks, are already at unacceptable levels. This does not include the additional traffic that will be generated from the new housing developments going up along the Highway 15 corridor stretching from Corona south to Murrieta, with no meaningful plans to augment or expand Hwy 15. This will turn Hwy 15 into a 24X7 traffic jam.

This project would further **deteriorate the quality of life** here in this portion of Riverside county and also discourage people from traveling on Hwy 15. This would have an economic impact in that people will travel less to restaurants or other attractions, thus hurting those businesses financially. The increased traffic density would also discourage new home buyers from buying in this area.

I strongly encourage the county to find alternative (ie., non warehouse) means to further build the tax base in this area without compromising what little quality of life still remains here.

Respectfully

Al & Katherine Estrada

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[County of Riverside California](#)



03/01/2023

VIA EMAIL ONLY

Jose Merlan, Principal Planner
Riverside County Planning Department,
4080 Lemon Street, 12th Floor,
Riverside, CA 92501
jmerlan@rivco.org

RE: NOP Comments for Temescal Valley Commerce Center Project

Dear Mr. Merlan,

Thank you for providing Californians Allied for a Responsible Economy ("CARE CA") with the opportunity to comment on the Notice of Preparation ("NOP") for the Temescal Valley Commerce Center Project (the "Project") Draft Environmental Impact Report (DEIR). The proposed Project would include the construction and operation of seven light industrial warehouse buildings with a combined building area of 637,718 square feet. The Project requires approval for General Plan Amendment No. 200007, Change of Zone No. 2000028, Tentative Parcel Map No. 38551, and Plot Plan No. 220039.

The NOP identifies the Project's potentially significant impacts under CEQA to include all environmental considerations. CARE CA respectfully requests, under CEQA complete analysis of these impacts, imposition of all feasible mitigation and study of a reasonable range of alternatives, including at least two environmentally superior alternatives to the Project. In addition, we request that the County take into consideration the following comments:

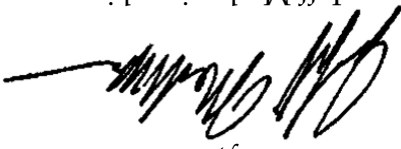
) Project Description: The Project description contains a statement of the project objectives, that the lead agency uses to determine a reasonable range of alternatives. (CEQA Guidelines, § 15124.) The County should avoid developing objectives that are so narrow as to exclude any meaningful alternative other than the Project. Such a narrow approach for describing project objectives ensures that the alternatives analysis is essentially useless and foregone conclusion.

ii) Unspecified Warehouse Uses: The DEIR should clearly articulate assumptions regarding the type and mix of warehouse uses¹ that would likely occupy the massive warehouse space to ensure that the unique impacts of each use (i.e., both truck and vehicular trips, air quality, GHG emissions, public health risk and other environmental effects) are comprehensively evaluated and disclosed to the public and County decision makers throughout the CEQA process. If the Project will not include cold storage, then the County must include California Air Resources Board (CARB) recommended design measures in the DEIR. CARB recommends requiring contractual language in tenant lease agreements or restrictive covenant over parcel to prohibit use of transport refrigeration units (TRU).

iii) Public Health: We all know that the proposed uses will bring in hundreds and hundreds of diesel emitting trucks into the neighborhood. No doubt, this will affect the public's health and we must not ignore the unjust consequences of toxic pollution on surrounding communities and workers. The County must ensure that the DEIR is not deficient in its informational discussion of air quality impacts as they connect to adverse human health effects. Therefore, estimates of the significance of air quality impacts must be consistent with current epidemiological studies regarding the effects of pollution and various kinds of environmental stress on public health. In addition, the DEIR must include a mobile source Health Risk Assessment that includes both construction and operational diesel PM emissions and cancer risk assessment.

iv) Full Disclosure: Provide all sources and referenced materials when the DEIR is made available.

Thank you for the opportunity to submit NOP comments. CARB CA respectfully urges the County to take this opportunity to protect the environment and the community to the maximum extent feasible. We look forward to reviewing and commenting on subsequent environmental review documents when these documents are released for public review.

Sincerely,

Jeff Modzejewski
Executive Director

Jer Harding

To: Merlan, Jose
Subject: RE: Please add to CEQA notice list for Temescal Valley Commerce Center SCH2023010612

From: Theresa Rettinghouse <trettinghouse@biologicaldiversity.org>
Sent: Tuesday, February 14, 2023 8:31 AM
To: Merlan, Jose <jmerlan@RIVCO.ORG>
Cc: Aruna Prabhala <APrabhala@biologicaldiversity.org>
Subject: Please add to CEQA notice list for Temescal Valley Commerce Center SCH2023010612

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.

Good morning Mr. Merlan,

Please add me and Aruna Prabhala, ccd above, to the notice list for the **Temescal Valley Commerce Center aka SCH2023010612**

consisting of applications for a General Plan Amendment (GPA 200007), Change of Zone (CZ 2000028), Tentative Parcel Map (TPM 38551), and Plot Plan (PP 220039) and proposed development of seven (7) light industrial warehouse buildings ranging in size from 33,820 square feet (s.f.) 183,090 s.f., together totaling 637,718 s.f.

Thank you,
Theresa

Theresa Rettinghouse
(she/her/hers)
Urban Wildlands Paralegal
Center for Biological Diversity
trettinghouse@biologicaldiversity.org
Ph: 510-844-7100 ext 320
1212 Broadway St., Suite 800
Oakland, CA 94612

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[County of Riverside California](#)



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 1, 2023
Sent via email

Jose Merlan
Riverside County
P.O. Box 1409
Riverside, CA 92501

Subject: Notice of Preparation of a Draft Environmental Impact Report
Temescal Valley Commerce Center
State Clearinghouse No. 2023010612

Dear Jose Merlan:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the County of Riverside (County) for the Temescal Valley Commerce Center (Project) pursuant 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 agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

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.

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 LOCATION

The proposed Project is located East of Temescal Canyon Road and Interstate 15 (I-15), southeast of Dawson Canyon Road (North), and north and southwest of Dawson Canyon Road (South). The proposed Project is located within Assessor's Parcel Numbers 283-160-046 and 283-190-044. The site is located within the U.S. Geological Survey (USGS) 7.5- Alberhill quadrangle; Township 4 South, Range 6 West, Sections 34 and 35 of the San Bernardino Base and Meridian (SBBM).

PROJECT DESCRIPTION SUMMARY

The Project would consist of a General Plan Amendment (GPA 200007), Change of Zone (CZ 2000028), Tentative Parcel Map (TPM 38551), and Plot Plan (PP 220039) to allow for future development of a 46.13-acre property. Approximately 33.73 acres of the Project site are proposed for development with seven (7) light industrial warehouse buildings ranging in size from 33,820 square feet to 183,090 square feet. The Project would also include the realignment of the Coldwater Canyon Wash and moving the confluence with Temescal Wash from the western Project site boundary to the southeastern Project site boundary on approximately 6.87 acres of the Project site. Approximately 3.10 acres would be dedicated for both the interim and ultimate realignment of Temescal Canyon Road along the southwestern boundary of the Project site. Approximately 0.61-acre in the northern portion of the site would be dedicated as right-of-way for the northwest/southeast-aligned portion of Dawson Canyon Road. The Project is in Cells 3035 and 3036, Cell Group F, in the Subunit 3 (Temescal Wash West) of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

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 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 at (916) 322-2493 or CNDDDB@wildlife.ca.gov or <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data> 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.

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

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/>

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/MSHCP 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.

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), 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

³ CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

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).
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. The DEIR should analyze the cumulative effects of the plan's land use designations, policies, and programs on the environment. 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]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]).

Objectives

Section 15124(b) of the CEQA Guidelines requires that the project description contain a clear statement of the project objectives. CDFW recommends that the DEIR should include an objective to demonstrate consistency with the MSHCP, including the biological issues and considerations for Subunit 3 (Temescal Wash; page 3-456 of the MSHCP). These objectives include, but are not limited to, conservation of existing wetlands and upland habitat adjacent to Temescal Wash as well as maintaining a continuous linkage along Temescal Wash.

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 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, including, but not limited to: burrowing owl, coast horned lizard, coastal California gnatcatcher, California glossy snake, red-diamond rattlesnake, western mastiff bat, and western spadefoot toad.
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. County 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 advance of Project impacts 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.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the Project. It is the policy of CESA to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

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: <https://www.wrc-rca.org/>.

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, as part of the CEQA review, the County shall ensure the Project implements the following:

1. Pays Local Development Mitigation Fees and other relevant fees as set forth in Section 8.5 of the MSHCP.
2. Demonstrates compliance with the HANS process (MSHCP Section 6.1.1) or equivalent process to ensure application of the Criteria and thus, satisfaction of the local acquisition obligation.
3. Demonstrates compliance with the policies for 1) the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; 2) the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; 3) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; 4) the policies set forth in Section 6.3.2 and associated vegetation survey requirements identified in Section 6.3.1; and 5) 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.

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.

The Project is located within the MSHCP Criteria Area and therefore, 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 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: 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 (JPR) 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.

The County is also obligated to notify the Western Riverside County Regional Conservation Authority (RCA), through the Joint Project/Acquisition Review Process (JPR) 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, further discussed below. The DEIR should also discuss the specific Criteria for Cells within which the Project is located and identify the associated Core(s) and/or Linkage(s) (i.e., Proposed Constrained Linkage 19). 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 within Criteria Cells 3035 and 3036.

Covered Activities

CDFW also recommends that the County demonstrate how the Project is consistent with Covered Activities/Allowable Uses (Section 7.0) of the MSHCP.

Roads

For projects proposed inside the MSHCP Criteria Area, the DEIR should include a discussion of the Project and its consistency with Covered Activities (Section 7.3 of the MSHCP) and specifically Existing Roads Within the Criteria Area (Section 7.3.4) and Planned Roads Within the Criteria Area (7.3.5). 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.

Allowable Uses in MSHCP Conservation Areas - Trails

CDFW recommends that the DEIR also include a discussion of the Project and MSHCP Allowable Uses (Section 7.4) and Conditionally Compatible Uses (Section 7.4.2) in MSHCP Conservation Area such as trails. 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.

Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools.

The procedures described in Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools section (MSHCP Section 6.1.2) are to ensure that the biological functions and values of these areas are maintained throughout the MSHCP area. Additionally, this process helps identify areas to consider for priority acquisition, as well as those functions that may affect downstream values related to Conservation of Covered Species within the MSHCP Conservation Area. The assessment of riparian/riverine and vernal pool resources may be completed as part of the CEQA review process as set forth in Article V of the State CEQA Guidelines. However, the MSHCP identifies that the U.S. Fish and Wildlife Service and CDFW shall be notified in advance of approval of public or private projects of draft determinations for the biologically equivalent or superior determination findings associated with the Protection of Wetland Habitats and Species policies presented in Section 6.1.2 of the MSHCP (MSHCP Section 6.11). As required by MSHCP, completion of the DBESP process prior to adoption of the environmental document ensures that the project is consistent with the MSHCP and provides public disclosure and transparency during the CEQA process by identifying the project impacts and mitigation for wetland habitat, a requirement of CEQA Guidelines, §§ 15071, subds.(a)-(e).

The MSHCP identifies that assessment of these areas include identification and mapping of riparian/riverine areas and vernal pools. The assessment shall consider species composition, topography/ hydrology, and soil analysis, where appropriate. 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 identified in Section 6.1.2 of the MSHCP. 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 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 (DBESP). The County is required to ensure the Applicant completes the DBESP process prior to completion of the DEIR to demonstrate implementation of MSHCP requirements in the CEQA documentation.

Within the Project site, the following MSHCP requirements apply for the Narrow Endemic Plant Species Survey Area (MSHCP Section 6.1.3) and Additional Survey Needs and Procedures (MSHCP Section 6.3.2):

Narrow Endemic Plant Species and Criteria Area Species

Portions of the Project site fall within the MSHCP Section 6.1.3 survey area and have the potential to support the following Narrow Endemic Plant Species: Munz's onion (*Allium munzii*), San Diego ambrosia (*Ambrosia pumila*), many-stemmed dudleya (*Dudleya multicaulis*), spreading navarretia (*Navarretia fossalis*), California Orcutt grass (*Orcuttia californica*), San Miguel savory (*Clinopodium chandleri*), Hammitt's clay-cress (*Sibaropsis hammittii*) and Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*). In addition, the project is also located with the Criteria Area Species Survey area with potential to support thread-leaved brodiaea (*Brodiaea filifolia*), Davidson's saltscale (*Atriplex serenana*), Parish's brittlescale (*Atriplex parishii*), smooth tarplant (*Centromadia pungens*), round-leaved filaree (*California macrophylla*), Coulter's goldfields (*Lasthenia glabrata*), and little mousetail (*Myosurus minimus*). Therefore, the DEIR should address any potential impacts to these species.

More specifically the DEIR should include surveys for these species done within the appropriate time of years. Based on rainfall in a given year, surveys for San Diego ambrosia, California Orcutt grass, and spreading navarretia are typically done at peak blooming which can be from April through the end of July. Surveys for Munz's onion should be completed between March to May. In addition, surveys for many-stemmed dudleya should be completed between February and June while surveys for Wright's trichocoronis should be completed between May to September. The survey results and discussion of the findings should be included in the DBESP, pursuant to MSHCP Section 6.1.3. Additionally, the DBESP should be submitted prior to completion/adoption of the DEIR. Site specific surveys for Narrow Endemic Plant Species are required for all public and private projects where appropriate habitat is present.

CDFW recommends that the County follow the recommendations and guidance provided through MSHCP Section 6.1.3 to ensure Narrow Endemic Plant Species requirements are fulfilled.

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 follow the survey instructions in the “Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area”⁴. The Survey Instructions specify that first a habitat assessment is conducted. If suitable habitat is not found on site, simply reporting the site is disturbed or under agricultural/dairy use is not acceptable. A written report must be provided detailing results of the habitat assessment with photographs and indicating whether or not the project site contains suitable burrowing owl habitat. If suitable habitat is found, then focused surveys at the appropriate time of year (March 1 to August 31), time of day, and weather conditions must be completed. Surveys will not be accepted if they are conducted during rain, high winds (> 20 mph), dense fog, or temperatures over 90 °F. The surveys must include focused burrow surveys and burrowing owl surveys. For the focused burrow surveys, the location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed should be recorded and mapped, including GPS coordinates in the report. The focused burrowing owl surveys include site visits on four separate days. CDFW recommends that the site visits are conducted at least a week apart to avoid missing owls that may be using the site. Finally, CDFW recommends the report also include an impact assessment evaluating the extent to which burrowing owls and their habitat may be impacted, directly or indirectly by Project activities. A final report discussing the survey methodology, transect width, duration, conditions, and results of the Survey shall be submitted to the RCA and the County.

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

4 https://www.wrc-rca.org/species/survey_protocols/burrowing_owl_survey_instructions.pdf

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 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.

Urban/ Wildlands Interface Guidelines, MSHCP Section 6.1.4:

As the MSHCP Conservation Area is assembled, boundaries are established between development and MSHCP Conservation Areas. Development near the MSHCP Conservation Area may result in edge effects that will adversely affect biological resources within the MSHCP Conservation Area. To minimize edge effects and maintain conservation values within the Conservation Areas, the County is required to implement the Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4) to minimize harmful effects from drainage, toxics, lighting, noise, invasives, barriers, and grading/land development. The MSHCP identifies that Project review and impact mitigation be provided through the CEQA process to address the Urban/Wildland Interface guidelines.

CDFW recommends that the DEIR include an analysis of edge effects related to project construction and operation, such as noise, lighting, trespass, and toxics and that Project specific mitigation measures to avoid and minimize any effects be included in the DEIR. Avoidance and minimization measures can include, but are not limited to:

1. *Lighting Plan*: A Lighting Plan that identifies existing ambient lighting conditions, analyzes the Project lighting impacts on the adjacent Conservation Area, and demonstrates that the proposed lighting plan will not significantly increase the lighting on the Conservation Area. The Lighting Plan should identify measures that address light and glare from interior and exterior building lighting, safety and security lighting, and vehicular traffic accessing the site at a minimum.
2. *Noise Plan*: A Noise Plan to avoid and minimize noise impacts based on an assessment of Project noise impacts on adjacent conservation areas during construction and post development. The MSHCP identifies that Project noise impacts do not exceed the residential standards within the Conservation Areas.
3. *Landscaping Plan*: A Landscaping plan that includes the use of native plant material on the Project site and avoids the use of invasive plant species identified in Table 6-2 of the MSHCP.
4. *Fencing Plan*: A Barrier and Fencing plan that provides specific details designed to minimize unauthorized public access, domestic animal predation, illegal trespass,

and dumping in the MSHCP Conservation Area (such as block walls along areas directly adjacent to potential conservation areas) and

5. *Best Management Practices*: The DEIR should incorporate the guidance in MSHCP Section 7.0 and Appendix C of the MSHCP for addressing Best Management Practices.

Stephens' Kangaroo Rat Habitat Conservation Plan

The Project occurs within the Stephens' kangaroo rat (*Dipodomys stephensi*) Habitat Conservation Plan (SKR HCP) fee area boundary, SKR HCP plan area map available here: <https://rchca.us/DocumentCenter/View/200/SKR-Plan-Area>. 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, drainage features may traverse some of the parcels within the Project's scope. 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.

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 submit a Lake or Streambed Alteration notification, please go to <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

Native Landscaping

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). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. 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: <https://saveourwater.com/>.

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 types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT 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,

Jose Merlan, Associate Planner
County of Riverside
March 1, 2023
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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 Temescal Valley Commerce Center Project (SCH No.2023010612) and recommends that the County of Riverside address the CDFW's comments and concerns in the forthcoming DEIR. Questions regarding this letter or further coordination should be directed to Carly Beck, Senior Environmental Scientist (Specialist), at Carly.Beck@wildlife.ca.gov.

Sincerely,

DocuSigned by:

84F92FFEEFD24C8...

Kim Freeburn
Environmental Program Manager

ec:

Heather Pert, Senior Environmental Scientist Supervisor
Inland Deserts Region
Heather.Pert@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

Jer Harding

To: Merlan, Jose
Subject: RE: Proposed storage buildings

-----Original Message-----

From: Delfina Riley <delfinariley@yahoo.com>
Sent: Friday, February 10, 2023 12:22 PM
To: Merlan, Jose <jmerlan@RIVCO.ORG>
Subject: Re: Proposed storage buildings

Jose
I replied to the notice about the planned project across from Tom's Farms, so, figured location was obvious. However, anyone traveling anywhere in the vicinity of the 15/91/60/10 fwys can understand the impact storage facilities have on local commutes and quality of life. ENOUGH!
Delfina Riley
Sent from my iPad

> On Feb 10, 2023, at 7:41 AM, Merlan, Jose <jmerlan@rivco.org> wrote:
> Thank you for your comment Delfina. Can you provide the reference number (project number) to the project you are referring to?

>
>
> Jose L. Merlan
> Principal Planner
> COUNTY OF RIVERSIDE
> TLMA | Planning Department
> Office: (951) 955-3200
> Direct: (951) 955-0314
> jmerlan@rivco.org

>
>
>
>
> -----Original Message-----

> From: Delfina Riley <delfinariley@yahoo.com>
> Sent: Thursday, February 9, 2023 7:22 PM
> To: Merlan, Jose <jmerlan@RIVCO.ORG>
> Subject: Proposed storage buildings

>
> 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.

>
> NO MORE SUCH BUILDINGS! Traffic congestion, air pollution, & traffic delays are already affecting our commutes and quality of life. They bring low paying jobs & obscure storage facilities.

>
> Delfina Riley
>
> Sent from my iPhone
> Confidentiality Disclaimer

>

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>

> County of Riverside California

<[https://urldefense.com/v3/__http://www.countyofriverside.us/__;!!JTyGX330HN5x6Ko!HLTbZbURNaP9H8qbiKP0zhOKLjpDYme1rvl1TJeVUeUSDxefi33Ln6FiSiuPeOe-WM8vLiWZ7NzAFIPuWf-N\\$](https://urldefense.com/v3/__http://www.countyofriverside.us/__;!!JTyGX330HN5x6Ko!HLTbZbURNaP9H8qbiKP0zhOKLjpDYme1rvl1TJeVUeUSDxefi33Ln6FiSiuPeOe-WM8vLiWZ7NzAFIPuWf-N$) >

February 28, 2023

Jose Merlan, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501

RE: Notice of Preparation (NOP) for DEIR for Temescal Valley Commerce Center (GPA200007, CZ2000028, TTM38551 and PPT220039)

As a resident of the Temescal Valley, I am in support of the Temescal Valley Commerce Center project. This project is expected to: 1) improve the Interstate 15/Temescal Canyon Road interchange; 2) improve the traffic flow along Temescal Canyon Road; 3) improve employment opportunities in the Temescal Valley; 4) improve the Dawson Canyon Road South; 5) improve the project site previously utilized to manufacture concrete pipe; 6) improve the Coldwater Canyon Wash drainage channel; 7) improve the ingress and egress of Dawson Canyon and Spanish Hills resident to their properties.

Sincerely,

Jerry Sincich
Temescal Valley Resident



NATIVE AMERICAN HERITAGE COMMISSION

February 1, 2023

Jose Merlan
Riverside County
P.O. Box 1409
Riverside, CA 92501

Re: 2023010612, Temescal Valley Commerce Center Project, Riverside County

Dear Mr. Merlan:

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.

AB 52

CHAIRPERSON
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COMMISSIONER
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[Vacant]

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Miwok/Nisenan

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(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

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:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - 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:**
- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - 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:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
 - 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.
 - Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - 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)).
 - 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:
- 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.
 - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - 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 (https://ohp.parks.ca.gov/?page_id=30331) 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

RECEIVED
FEB 14 2023

ADMINISTRATION
RIVERSIDE COUNTY
PLANNING DEPARTMENT



Hans W. Kernkamp, General Manager-Chief Engineer

SENT VIA EMAIL ONLY

jmerlan@rivco.org

February 16, 2023

Jose Merlan, Principal Planner
Riverside County Planning Department (County)
4080 Lemon St.
Riverside, CA 92502

RE: Notice of Preparation (NOP) for DEIR for Temescal Valley Commerce Center (GPA200007, CZ2000028, TTM38551 and PPT220039)

Dear Mr. Merlan:

The Riverside County Department of Waste Resources (RCDWR) has reviewed the NOP addressing a DEIR for the proposed Temescal Valley Commerce Center Project (Project). The Project includes various applications for the development of seven (7) light industrial warehouse buildings. The Project site is within proximity of the El Sobrante Landfill. RCDWR recommends that the applicant consult with the landfill owner, Waste Management, Inc. (WMI), about the proposed Project.

The RCDWR offers the following comments for your consideration while preparing the Project's DEIR.

1. Construction of the Project may generate a substantial quantity of construction and demolition (C&D) waste. Should a large quantity of C&D waste, that is unable to be recycled, be brought to a County landfill for disposal, it could exceed the landfill's daily permitted capacity, thus a violation of state regulations.¹ To assess waste impacts, the DEIR should consider quantitatively analyzing this potential solid waste impact and discuss feasible mitigation programs/regulatory compliance.

Note: CalRecycle's website may be helpful to determine the Project's waste generation:

<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>

2. The following information can be useful in the analysis of the solid waste impacts:
 - a) Solid waste generated within the Project area is collected by WMI, with the bulk of recyclable waste and green waste delivered to the Moreno Valley Solid Waste Recycling and Transfer Station (MVRTS) for processing. The facility is located at 17700 Indian Street in Moreno Valley. It is permitted for a 2,500 tons per day (tpd) operation.
 - b) The waste hauler may utilize the El Sobrante, Lamb Canyon, and/or the Badlands Landfill for disposal. Descriptions of the local landfills are provided below:

¹ Title 40, Vol. 41 C.F.R § 243.203 *et seq.* (1976).

El Sobrante Landfill:

The El Sobrante Landfill is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. The El Sobrante Landfill has a total disposal capacity of approximately 209.9 million cubic yards and can receive up to 70,000 tons per week (tpw) of refuse. USA Waste must allot at least 28,000 tpw for County refuse. The landfill's permit allows a maximum of 16,054 tons per day (tpd) of waste to be accepted into the landfill, due to the limits on vehicle trips. If needed, 5,000 tpd must be reserved for County waste, leaving the maximum commitment of Non-County waste at 11,054 tpd. Per the 2021 Annual Report, the landfill had a remaining in-County disposal capacity of approximately 50.1 million tons.² In 2022, the El Sobrante Landfill accepted a daily average of 10,646 tons with a period total of approximately 3,278,846 tons. The landfill is expected to reach capacity in approximately 2057.

Lamb Canyon Landfill:

The Lamb Canyon Landfill is located between the City of Beaumont and City of San Jacinto at 16411 Lamb Canyon Road (State Route 79), south of Interstate 10 and north of Highway 74. The landfill is owned and operated by Riverside County. The landfill property encompasses approximately 1,189 acres, of which 703.4 acres encompass the current landfill permit area. Of the 703.4-acre landfill permit area, approximately 144.6 acres are permitted for waste disposal. The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 500 tpd for beneficial reuse. The site has an estimated total disposal capacity of approximately 21.1 million tons.³ As of January 1, 2023 (beginning of day), the landfill has a total remaining capacity of approximately 7.3 million tons.⁴ The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2032.⁵ From January 2022 to December 2022, the Lamb Canyon Landfill accepted a daily average of 1,969 tons with a period total of approximately 606,481 tons. Landfill expansion potential exists at the Lamb Canyon Landfill site.

Badlands Landfill:

The Badlands Landfill is located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State Highway 60 at Theodore Avenue. The landfill is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, with a total permitted disturbance area of 278 acres, of which 150 acres are permitted for refuse disposal. The landfill is currently permitted to receive 4,500 tpd of MSW for disposal and 300 tpd for beneficial reuse. The site has an estimated total capacity of approximately 21.4 million tons.⁶ As of January 1, 2023 (beginning of day), the landfill had a total remaining disposal capacity of approximately 3.5 million

² 2021 El Sobrante Landfill Annual Report- Based on 125,193,774 tons remaining capacity (40% for in-county waste).

³ GASB 18_2022 – Engineering Estimate for total landfill capacity

⁴ GASB 18_2022 & SiteInfo

⁵ SWFP # 33-AA-0007

⁶ GASB_18_2022 – Engineering Estimate for total landfill capacity

tons.⁷ The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2026.⁸ From January 2022 to December 2022, the Badlands Landfill accepted a daily average of 2,660 tons with a period total of approximately 819,166 tons. Landfill expansion potential exists at the Badlands Landfill site.

3. Additionally, the following measures may help to reduce the Project's anticipated solid waste impacts and enhance efforts to comply with the State's mandate (AB 75) of 50% solid waste diversion from landfilling⁹:

- The use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries is recommended. Recycle green waste through either onsite composting of grass, i.e., leaving the grass clippings on the lawn, or sending separated green waste to a composting facility.
- Consider xeriscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.
- Hazardous materials are not accepted at the Riverside County landfills. Any hazardous wastes, including paint, used during construction must be properly disposed of at a licensed facility in accordance with local, state and federal regulations. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Health, Environmental Protection and Oversight Division, at 1.888.722.4234.
- AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions.¹⁰ The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
 - Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
 - Subscribe to a recycling service with waste hauler.
 - Provide recycling service to tenants (if commercial or multi-family complex).
 - Demonstrate compliance with requirements of California Code of Regulations Title 14.

For more information, please visit:

<http://www.rcwaste.org/business/recycling/mcr>

⁷ GASB_18_2022 & SiteInfo

⁸ SWFP # 33-AA-0006

⁹ A.B. 75, Chapter 764, 1999-2000 Strom-Martin, (Cal. 1999).

¹⁰ A.B. 341, Chapter 476, 2011-2012 Chesbro, (Cal. 2011).

- AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services.¹¹ Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
 - Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
 - Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.
- Demonstrate compliance with SB 1383 which establishes regulations to reduce organics waste disposal and went into effect on January 1, 2022.¹² This law establishes methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants caused by organics waste disposal.

Thank you for allowing us the opportunity to comment on the NOP. Please continue to provide us with Project updates and any CEQA documentation, as the Project progresses. Please email me at Kaavila@rivco.org if you have any questions regarding the above comments.

Sincerely,



Katherine Avila
Urban/Regional Planner I

Cc: Kinika Hesterly, RCDWR

DM# 310064

¹¹ A.B. 1826, Chapter 727, 2013-2014 Chesbro, (Cal. 2014).

¹² A.B. 1383, Chapter 395, 2015-2016 Lara, (Cal. 2016).



South Coast Air Quality Management District

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

SENT VIA E-MAIL:

March 1, 2023

jmerlan@rivco.org

Jose Merlan, Principal Planner
Riverside County
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, California 92502-1409

Notice of Preparation of a Draft Environmental Impact Report for the Temescal Valley Commerce Center (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

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>.

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 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 South Coast AQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*⁶ includes suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. It is recommended that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES V), completed in August 2021, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions⁷. According to the MATES V Carcinogenic Risk interactive Map, the area surrounding the Proposed Project has an estimated cancer risk over 330 in one million⁸. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

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 Handbook,⁹ South Coast AQMD's Mitigation Monitoring and

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 South Coast AQMD. 2005. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*. Available at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

⁷ South Coast AQMD. August 2021. *Multiple Air Toxics Exposure Study in the South Coast Air Basin V*. Available at: <http://www.aqmd.gov/home/air-quality-studies/health-studies/mates-v>.

⁸ South Coast AQMD. MATES V Data Visualization Tool. Accessed at: [MATES Data Visualization \(arcgis.com\)](https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook).

⁹ <https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>

Reporting Plan for the 2022 Air Quality Management Plan,¹⁰ and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.¹¹

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule¹² and the Heavy-Duty Low NOx Omnibus Regulation¹³, ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year¹⁴ that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

¹⁰ South Coast AQMD's 2022 Air Quality Management Plan can be found at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan> (Chapter 4 - Control Strategy and Implementation).

¹¹ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

¹² CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹³ CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

¹⁴ CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. 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. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of seven warehouse buildings totaling 637,718 square feet, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation¹⁵. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage¹⁶.

¹⁵ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>.

¹⁶ South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

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 swang1@aqmd.gov.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

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