

BEAUMONT POINTE SPECIFIC PLAN

FINAL ENVIRONMENTAL IMPACT REPORT SCH NO. 2020099007



CITY OF BEAUMONT

NOVEMBER 2023

**Final Environmental Impact Report
SCH No. 2020099007**

**Beaumont Pointe Specific
Plan**
City of Beaumont, California

Lead Agency

City of Beaumont
550 East 6th Street
Beaumont, CA 92223

CEQA Consultant

T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Project Applicant

JRT BP1, LLC
18032 Lemon Drive, Suite 367
Yorba Linda, CA 9288

Lead Agency Discretionary Permits

General Plan Amendment PLAN2019-0284
Pre-Zone PLAN2019-0283
Beaumont Pointe Specific Plan SP2019-0003
Beaumont Pointe Sign Program PLAN2022-0856
Vesting Tentative Parcel Map No. 38161 PM2022-0012
Development Agreement PLAN2023-0906
Minor Amendment to the Western Riverside County Multiple Species Habitat Conservation
Plan

November 16, 2023



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Attachments (Provided on USB)

- A Preliminary Hydrology and Hydraulic Study for Beaumont Pointe Specific Plan
- B Project Specific Water Quality Management Plan for Beaumont Pointe
- C Traffic Analysis
- D Fire Protection Plan



SECTION 1.0 INTRODUCTION

In accordance with Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, the City of Beaumont, as the Lead Agency, has evaluated the comments received on the Draft Environmental Impact Report (Draft EIR) for the Beaumont Pointe Specific Plan Project (Project) (SCH No. 2020099007) and has prepared written responses to these comments. This document has been prepared in accordance with CEQA and represents the independent judgment of the lead agency.

According to State CEQA Guidelines Section 15132, the Final EIR shall consist of:

- (a) The Draft EIR or a revision of the draft;*
- (b) Comments and recommendations received on the Draft EIR either verbatim or in summary;*
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR;*
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and*
- (e) Any other information added by the Lead Agency.*

The Planning Commission will consider certification of the EIR, adoption of a Mitigation Monitoring and Reporting Program, Findings and Facts, and a Statement of Overriding Considerations as part of the approval process for the Project.

This Final EIR document is organized as follows:

Section 1 provides a brief introduction to this document, a summary of the public review process, and a list of commenters.

Section 2 provides responses to the public comments received on the Draft EIR during the public review period. Responses are provided in the form of individual responses to comment letters received. Comment letters are followed immediately by the responses to each letter.

Section 3 contains revisions and clarifications to the Draft EIR as a result of the comments received from agencies and interested persons as well as errata identified in the EIR. This information does not constitute significant new information and recirculation of the EIR for further review pursuant to CEQA Guidelines Section 15088.5 is not required.



1.1 PUBLIC REVIEW PROCESS

In compliance with Section 15201 of the State CEQA Guidelines, the City of Beaumont (City) has taken steps to provide opportunities for public participation in the environmental review process. A Notice of Preparation (NOP) was distributed on September 2, 2020 to responsible agencies, local government agencies, and interested parties for a 30-day public review period (from September 7, 2020 to October 6, 2020) in order to solicit comments and inform agencies and the public of the Project. The NOP was also distributed to the State of California Office of Planning and Research, State Clearinghouse (SCH) for distribution to State agencies. The NOP was posted on the City’s website, Press-Enterprise Newspaper, and at the Riverside County Clerk’s office on September 2, 2020. The Project was described; potential environmental effects associated with Project implementation were identified; and agencies and the public were invited to review and comment on the NOP. Additionally, the City held a Public Scoping Meeting on September 17, 2020 via live streaming to provide an overview of the Project, explain the CEQA process, and accept public comment. A copy of the NOP and comments received during the 30-day public review period are included in Appendix A of the Draft EIR. The City received 8 comment letters in response to the NOP. Table 2-2 of the Draft EIR provides a brief summary of the NOP comments received that address environmental and related issues.

CEQA requires that a Draft EIR have a review period lasting at least 45 days for projects that have been submitted to the SCH for review (State CEQA Guidelines, Section 15105(a)). The Draft EIR was distributed to various public agencies, organizations, and individuals on December 22, 2022; the EIR was available for public review and comment for a period of 48 days. The review period ended on February 8, 2023. The City used several methods to elicit comments on the Draft EIR. A Notice of Availability (NOA) and the Draft EIR was distributed to the SCH for distribution to State agencies and was posted on the City’s website. The NOA was posted also at the Riverside County Clerk’s office on December 21, 2022. The NOA was mailed to responsible agencies, local government agencies, and interested parties that received the NOP, to individuals who had previously requested the NOA or EIR, and to individuals who provided NOP comments on December 21, 2022. The NOA was also published in the Press-Enterprise Newspaper on December 22, 2022; the NOA and Draft EIR were made available for review on the City’s website at: <https://www.beaumontca.gov/1143/Beaumont-Pointe-Specific-Plan>.

The Planning Commission, as a recommending body, will consider its recommendation to approve the proposed Project, associated actions, and certification of the Final EIR for the Project.

The City Council, as the final approval body, will hold a public hearing following the Planning Commission hearing to consider approving the proposed Project, associated actions, and certification of the Final EIR for the Project.

1.2 LIST OF EIR COMMENTERS

In accordance with Section 15132 of the State CEQA Guidelines, the following is a list of the agencies, organizations, and individuals that submitted comments on the Draft EIR. The City received a total of 13 comment letters, including 4 from agencies and organizations and 9 individuals.



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Responses to each comment are in Section 2.0. The comment letter has been assigned a letter (i.e., A, B, C) and each comment within the transmittal is divided into sequential numbered comments (i.e., A-1, A-2, A-3).

<u>Comment</u>	<u>Date of Letter</u>
<i>Agencies and Organizations</i>	
A. Agua Caliente Band of Cahuilla Indians	January 30, 2023
B. Blum Collins & Ho, LLP on behalf of Golden State Environmental Justice Alliance	February 8, 2023
C. Rincon Band of Luiseño Indians	January 11, 2023
D. South Coast Air Quality Management District	February 8, 2023
<i>Individuals</i>	
1. Geiser, Sharon	February 6, 2023
2. Jones, Tiya	February 7, 2023
3. McGee, Norma	February 7, 2023
4. Rizzo, Richard	February 7, 2023
5. Roy, Ron	February 8, 2023
6. Tinker, Bob	February 8, 2023
7. Walsh, Susan	February 6, 2023
8. Wayne, Pat	February 5, 2023
9. Wilson, Geoffrey	February 6, 2023



SECTION 2.0 RESPONSES TO COMMENTS RECEIVED DURING THE PUBLIC REVIEW PERIOD

All of the comment letters received by the City within the comment period described in Section 1.0 above have been included and responded to in this Final Environmental Impact Report (Final EIR). Comments that address environmental concerns have been thoroughly addressed. No comments were received outside of the 45-day comment period. Comments that do not require a response are indicated below and include those that are outside the scope of CEQA requirements because they (1) do not address the adequacy or completeness of the Draft EIR; (2) do not raise environmental issues; (3) do not address the Project; or (4) request the incorporation of additional information not relevant to environmental issues.

CEQA Guidelines Section 15204(a) outlines the parameters for public agencies and interested parties to submit comments and the Lead Agency’s responsibility for responding to specific comments. Per CEQA Guidelines Section 15204(a), comments should be related to:

[T]he sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible.... CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

CEQA Guidelines Section 15204(c) further advises that, “[r]eviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to [CEQA Guidelines] Section 15064, an effect shall not be considered significant in the absence of substantial evidence.” Additionally, CEQA Guidelines Section 15204(d) notes that, “[e]ach responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility;” but, pursuant to CEQA Guidelines Section 15204(e), “[t]his section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

Section 15088 of the California Environmental Quality Act (CEQA) Guidelines, Evaluation of and Response to Comments, states:

(a) The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments raising significant environmental issues received during the noticed comment period and any extensions and may respond to late comments.



- (b) The lead agency shall provide a written proposed response, either in a printed copy or in an electronic format, to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report.*
- (c) The written response shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the lead agency's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice. The level of detail contained in the response, however, may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment.*
- (d) The response to comments may take the form of a revision to the draft EIR or may be a separate section in the final EIR. Where the response to comments makes important changes in the information contained in the text of the draft EIR, the lead agency should either:
 - (1) Revise the text in the body of the EIR; or*
 - (2) Include marginal notes showing that the information is revised in the response to comments.**

This section includes responses to substantive Draft EIR comments received by the City. With respect to comment letters received, aside from certain courtesy statements, introductions, and closings, individual comments within the body of each letter have been identified and numbered. A copy of each comment letter and the City's responses to each applicable comment are included in this section. Brackets delineating the individual comments and a numeric identifier have been added to the right margin of the letter. Responses to each comment identified are included on the page(s) following each comment letter.

In accordance with Public Resources Code Section 21092.5, written responses to public agency comments shall be provided to the public agency at least 10 days prior to certifying an EIR.

As described in Section 3.0, *Draft EIR Clarifications and Revisions*, of this document the Draft EIR, revisions and information presented in response to comments received do not result in any of the conditions set forth in Section 15088.5 of the State CEQA Guidelines requiring recirculation; therefore, the EIR does not need to be recirculated prior to its certification.



COMMENT LETTER A

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-036-2020-006

January 30, 2023

[VIA EMAIL TO:ckendrick@beaumontca.gov]
City of Beaumont
Ms. Carole L. Kendrick
550 E. 6th Street
Beaumont, CA 92223

Re: Beaumont Pointe Specific Plan

Dear Ms. Carole L. Kendrick,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Beaumont Pointe Specific Plan project. We have reviewed the documents and have the following comments:

*Continued consultation on this project.

*The presence of an approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys). Should buried cultural deposits be encountered, the Monitor may request that destructive construction halt and the Monitor shall notify a Qualified Archaeologist (Secretary of the Interior’s Standards and Guidelines) to investigate and, if necessary, prepare a mitigation plan for submission to the State Historic Preservation Officer and the Agua Caliente Tribal Historic Preservation Office.

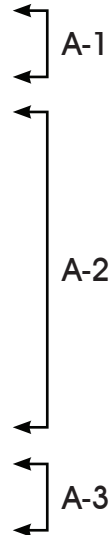
*The presence of an archaeologist that meets the Secretary of Interior's standards during any ground disturbing activities.

*Treatment plan shall be developed prior to any ground-disturbing activities

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760) 423-3485. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Xitlaly Madrigal
Cultural Resources Analyst
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS



5401 DINAH SHORE DRIVE, PALM SPRINGS, CA 92264
T 760/699/6800 F 760/699/6924 WWW.AGUACALIENTE-NSN.GOV



Responses to Comment A

Agua Caliente Band of Cahuilla Indians, Xitlaly Madrigal, Cultural Resources Analyst, dated January 30, 2023.

- A-1 The commenter appreciates the City’s efforts to include the Aqua Caliente Band of Cahuilla Indians Tribal Historic Preservation Office input in the Project. The commenter provides comments which are responded to below. No further response is required.
- A-2 The commenter requests continued consultation on the Project. The commenter requests approved Agua Caliente Native American Cultural Resource Monitor(s) during any ground disturbing activities (including archaeological testing and surveys) and investigation and preparation of a mitigation plan if requested by that Monitor should buried cultural deposits be encountered. The commenter requests the presence of an archaeologist that meets the Secretary of Interior’s standards during ground disturbing-activities. The commenter also requests that a treatment plan be developed prior to any ground-disturbing activities.

As part of the SB 18/AB 52 consultation process required by CEQA for the Project, the City of Beaumont sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project site. Of the 10 tribes that were sent notification letters, three tribes requested government-to-government consultation: Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, and Soboba Band of Mission Indians. The City submitted the Phase I and Phase II Cultural Resources Assessment to the three tribes. The Agua Caliente Band of Cahuilla Indians and Morongo Band of Mission Indians requested revisions to the cultural resources assessment and mitigation, which were incorporated into the Phase I and Phase II Cultural Resources Assessment.

Mitigation Measure MM 4.5-1 (refer to Page 4.5-18 of the Draft EIR) has been incorporated into the Project to ensure that a qualified archaeologist that meets the Secretary of Interior’s standards is retained to implement the monitoring program, be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources and to conduct Cultural Resource Sensitivity Training in conjunction with the consulting Native American tribes’ Tribal Historic Preservation Officer and/or designated Tribal Representative. Mitigation Measure MM 4.5-2 (refer to Pages 4.5-18 to 4.5-20 of the Draft EIR) requires preparation of a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) written in consultation with the consulting tribe(s) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the Project site, requires that during all ground-disturbing activities the qualified archaeologist and the Native American monitor shall be on-site full-time and addresses treatment and disposition methods in the event that previously unidentified cultural resources are discovered. With implementation of the required mitigation measures, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Sections 21074 and 21084.2 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and potential Project and cumulative impacts would be reduced to less than



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significant levels. Mitigation Measures MM 4.5-1 and 4.5-2 address the commenter's request and no further response is required.

- A-3 The commenter concludes the letter and provides contact information. No further response is required.



COMMENT LETTER B

BLUM, COLLINS & HO, LLP
ATTORNEYS AT LAW
AON CENTER
707 WILSHIRE BOULEVARD
SUITE 4880
LOS ANGELES, CALIFORNIA 90017
(213) 572-0400

February 6, 2023

Carole Kendrick,
Planning Manager
City of Beaumont
550 E. 6th Street
Beaumont, CA 92223

VIA EMAIL TO:
ckendrick@beaumontca.gov

SUBJECT: COMMENTS ON BEAUMONT POINTE SPECIFIC PLAN EIR (SCH NO. 2020099007)

Ms. Kendrick:

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Beaumont Pointe Specific Plan. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

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1.0 Summary

The project proposes to construct and operate a mixed industrial and commercial project totaling 5,331,000 square feet (sf). The industrial component of the project is the primary land use and proposes 4,995,000 sf of floor area across five buildings ranging in size between approximately 600,000 and 1,379,000 sf and one building with 35,000 sf of self-storage space. The ancillary commercial uses total up to 246,000 sf in addition to a 125-room hotel (approximately 90,000 sf). Planning Areas (PAs) 1 and 2 are proposed to change the existing land use designations from Rural Residential to General Commercial and establish “The Experience at Beaumont Pointe.” PAs 1 and 2 will include a 125-room limited-service hotel (approximately 90,000 sf) and a maximum of 246,000 sf of retail and commercial recreation businesses, including approximately 30,000 sf of restaurants and 216,000 sf of retail and commercial recreation businesses.

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PAs 3 through 8 are proposed to change the existing land use designations from Rural Residential to Industrial. Buildings in PAs 3-8 are envisioned to range in size from approximately 35,000 sf (self-storage) up to 1,379,000 sf and accommodate users such as industrial incubators, light manufacturing, parcel hub, warehouse/storage, fulfillment center, high cube warehouse, cold storage warehouse (up to 100,000 sf), and e-commerce operations and includes self-storage uses permitted only on PA 3. The maximum square footage for all industrial uses is 4,995,000 sf.

PA 9 is proposed to change the existing land use designations from Rural Residential to Open Space. PA 10 is proposed to change the existing land use designations from Rural Residential to Open Space - Conservation.

The following discretionary actions are required for project approval:

1. General Plan Amendment (PLAN2019-0284): The Project site is currently outside of the City's boundaries and is regulated by the County of Riverside. The City has provided initial land use designations in its General Plan for properties in its sphere of influence (SOI), including the Project site, and the Project site is currently designated "Rural Residential." The Project will include a General Plan Amendment (GPA) that would amend the City of Beaumont's General Plan Land Use Map to change the land use designations for the Project site from "Rural Residential" to "Industrial (I)," "General Commercial (GC)," "Open Space (OS)," and "Open Space-Conservation (OS-C)."
2. Pre-Zone (PLAN2019-0283): The Project site is identified within the City of Beaumont Zoning Map as located in the City of Beaumont SOI; no pre-zoning is identified, and the site is currently regulated by the County of Riverside. The Project proposes to pre-zone the Project site within the City's Zoning Map as "Specific Plan". This pre-zoning would become effective upon annexation of the Project site into the City (see Government Code Section 65859[a]). The proposed Pre-Zone would require future development on the Project site to comply with the applicable development standards and design guidelines from the Beaumont Pointe Specific Plan and, where applicable, the Beaumont Municipal Code.
3. Specific Plan SP2019-0003: Adoption of the proposed Specific Plan is a discretionary action subject to City Council approval. Adopted by Ordinance, the Specific Plan document will serve both planning and regulatory functions. The Specific Plan establishes the necessary land use plan, development standards, design guidelines, infrastructure systems, and implementation strategies on which subsequent, Project-related development activities would be founded.
4. Sign Program: A Sign Program is being processed concurrently with the Specific Plan. The Sign Program provides adequate and appropriate street, building, tenant identification, pedestrian path, and wayfinding signage for the Project's anticipated variety of building sizes, designs, and use.
5. Tentative Parcel Map: The Project would include a Tentative Parcel Map. Additional, subdivision maps (parcel and/or tract maps, including vesting maps) could be processed in

B-2
(CONT.)



conjunction with this Specific Plan to subdivide the site into smaller parcels and to regulate development of the physical components of the Project.

6. Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Minor Amendment: The City will prepare and submit to the Wildlife Agencies (U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife) a Minor Amendment request for any annexation associated with the Project. The Minor Amendment would be documented in MSHCP (Sections 11.5 and 20.4.1(E) of the MSHCP Implementation Agreement and Section 6.10.2 of the MSHCP). The Project would conserve a total of 230.82 acres of lands that would support the function of Proposed Core 3 consistent with the MSHCP goals of providing live-in habitat and facilitating movement, including 152.42 acres on-site and 78.40 acres off-site.
7. Approval by the City and Riverside County Local Agency Formation Commission (LAFCO) of annexation to the City of Beaumont and approval by Beaumont-Cherry Valley Water District (BCVWD) and LAFCO of annexation to the Beaumont-Cherry Valley Water District.

B-2
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3.0 Project Description

The EIR does not include the proposed Beaumont Pointe Specific Plan document as an attachment for public review. The Beaumont Pointe SP would include permitted uses and development standards such as maximum height, floor area ratio, parking requirements, and other items that contribute directly to the analysis of environmental impacts. Incorporation by reference (CEQA § 15150 (f)) is not appropriate as the Beaumont Pointe SP contributes directly to analysis of the problem at hand. The EIR must be revised and recirculated to include the Beaumont Pointe SP document for public review in order to comply with CEQA’s requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)).

B-3

4.3 Air Quality, 4.6 Energy, and 4.8 Greenhouse Gas Emissions

Please refer to attachments from SWAPE for a complete technical commentary and analysis.

B-4

The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. This is especially significant as the surrounding community is highly burdened by pollution. According to CalEnviroScreen 4.0¹, CalEPA’s screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability. The proposed project’s census tract (6065043822) and surrounding community, including residences to the north, bears the impact of multiple sources of pollution and is more polluted than average on several pollution indicators measured by CalEnviroScreen. For example, the project census tract ranks in the 99th percentile for ozone burden, which is attributed to heavy

B-5

¹ CalEnviroScreen 4.0 <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>



truck traffic activity in the area. Ozone can cause lung irritation, inflammation, and worsening of existing chronic health conditions, even at low levels of exposure².

The census tract also ranks in the 97th percentile for solid waste facility impacts, which can expose people to hazardous chemicals, release toxic gases into the air (even after these facilities are closed), and chemicals can leach into soil around the facility and pose a health risk to nearby populations³.

The census tract also bears more impacts from cleanup sites than 70% of the state. Chemicals in the buildings, soil, or water at cleanup sites can move into nearby communities through the air or movement of water⁴.

Further, the census tract is a diverse community including 52% Hispanic and 4% Asian-American residents, whom are especially vulnerable to the impacts of pollution. The community is also economically disadvantaged. The community experiences high rates of unemployment (68th percentile), and poverty (42nd percentile) meaning 79% of the households in the census tract have a total income before taxes that is less than the poverty level. Income can affect health when people cannot afford healthy living and working conditions, nutritious food and necessary medical care⁵. Poor communities are often located in areas with high levels of pollution⁶. Poverty can cause stress that weakens the immune system and causes people to become ill from pollution⁷. Living in poverty is also an indication that residents may lack health insurance or access to medical care. Medical care is vital for this census tract as it ranks in the 87th percentile for incidence of cardiovascular disease and 60th percentile for incidence of asthma.

California’s Building Energy Code Compliance Software (CBECC) is the State’s only approved energy compliance modeling software for non-residential buildings in compliance with Title 24⁸. CalEEMod is not listed as an approved software. The CalEEMod-based modeling in the EIR and appendices does not comply with the 2022 Building Energy Efficiency Standards and underreports the project’s significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using the

² OEHHA Ozone <https://oehha.ca.gov/calenviroscreen/indicator/air-quality-ozone>

³ OEHHA Solid Waste Facilities <https://oehha.ca.gov/calenviroscreen/indicator/solid-waste-sites-and-facilities>

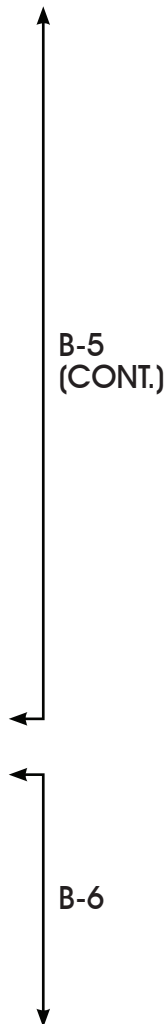
⁴ OEHHA Cleanup Sites <https://oehha.ca.gov/calenviroscreen/indicator/cleanup-sites>

⁵ OEHHA Poverty <https://oehha.ca.gov/calenviroscreen/indicator/poverty>

⁶ Ibid.

⁷ Ibid.

⁸ California Energy Commission 2022 Energy Code Compliance Software <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1>





approved software (CBECC) must be circulated for public review in order to adequately analyze the project’s significant environmental impacts. This is vital as the EIR utilizes CalEEMod as a source in its methodology and analysis, which is clearly not the approved software.

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Further, Table 4.8-7: SCAG Connect SoCal Applicability Analysis finds that the project does not conflict with all goals of Connect SoCal, resulting in less than significant impacts. However, the consistency analysis in the EIR is misleading to the public and decision makers. The project results in several significant and unavoidable cumulatively considerable impacts, including Air Quality (cumulatively considerable), Greenhouse Gas Emissions (cumulatively considerable), Noise (cumulatively considerable), and Transportation/VMT (cumulatively considerable). For example, the EIR finds the project is consistent with Goal 5: “Reduce greenhouse gas emissions and improve air quality,” because “impacts would be reduced to the maximum extent feasible through the implementation of Mitigation Measures and Project Design Features.” However, as determined in the EIR itself, the project will impede the SCAG region’s ability to reduce greenhouse gas emissions and improve air quality because it will result in significant and unavoidable cumulatively considerable impacts to Air Quality and Greenhouse Gas Emissions. This information must be included for analysis with all Connect SoCal Goals and a finding of significance must be made.

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4.11 Land Use and Planning

The EIR has not provided a complete consistency analysis of the proposed project and General Plan goals and policies. The EIR provides no discussion of the project’s required General Plan Amendment and change in Zoning designation from Rural Residential to Beaumont Pointe SP. This does not comply with CEQA’s requirements for meaningful disclosure and does not present an adequate environmental analysis. A revised EIR must be prepared with a consistency analysis with all General Plan policies goals and policies, including the following items that the project has significant potential for direct inconsistency:

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B-8
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1. Goal 3.3: A City that preserves its existing residential neighborhoods and promotes development of new housing choices.
2. Policy 3.3.1 Support the development of new housing opportunities, as defined by the Land Use Plan contained in this Element.
3. Policy 3.3.9 Ensure new development projects and infill construction are of a compatible scale in existing neighborhoods and provide adequate transitions to adjacent residential properties.
4. Policy 3.4.5 Focus economic development efforts on attracting high paying jobs to the City.

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5. Policy 3.8.4 Prioritize access to health-promoting uses in new development, including neighborhood markets, grocery stores, medical centers, pharmacies, parks, gyms, community space and gardens.
6. Policy 4.1.1 Reduce vehicular congestion on auto-priority streets to the greatest extent possible. Policy 4.1.2 Maintain LOS D on all auto-priority streets in Beaumont. LOS E is considered acceptable on non-auto-priority streets.
7. Goal 4.6: An efficient goods movement system that ensures timely deliveries without compromising quality of life, safety, or smooth traffic flow for Beaumont residents.
8. Policy 5.1.4 Encourage growth and expansion of businesses and employment centers near public transit to increase transportation options for employees and limit traffic congestion.
9. Goal 6.1: A City that improves the overall health and welfare of its residents.
10. Policy 6.4.1 Ensure convenient access to affordable, fresh produce and healthy foods in all neighborhoods, including grocery stores, farmers' markets, and community gardens, particularly in communities with low incomes and low access.
11. Policy 6.4.3 Limit fast food and liquor stores in neighborhoods with a significant concentration of stores (e.g., multiple stores on the same block or intersection) and child-sensitive areas, such as schools, parks, and childcare facilities.
12. Policy 6.5.5 Promote development of a variety of housing types that meet the needs of residents of all income levels. This policy is implemented through the Land Use and Community Design Element.
13. Policy 6.5.8 Encourage health-promoting uses in new development, including neighborhood markets, grocery stores, pharmacies, parks, gyms, and community gardens.

B-9
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Further, the EIR omits discussion and analysis regarding the project's inconsistency with other land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. For example, the project will have a significant and unavoidable cumulatively considerable impact to Air Quality because it will exceed the assumptions in the AQMP and generate operational-source emissions not reflected within the current 2016 AQMP regional emissions inventory for the SCAB. The project will also have a significant and unavoidable cumulatively considerable impact to Greenhouse Gas Emissions because it will conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. The Land Use and Planning analysis omits any discussion regarding inconsistencies with the AQMP and California's statewide GHG reduction goals for 2030 and 2050. The EIR must be revised to include these significant and unavoidable cumulatively considerable impacts for analysis and include a finding of significance.

B-10



Table 4.11-2 SCAG Connect SoCal Consistency Analysis provides a misleading and erroneous consistency analysis with SCAG’s 2020-2045 Connect SoCal RTP/SCS that concludes the project does not conflict with any Connect SoCal Goals. The project requires a change in General Plan land use designation to proceed, which indicates that it is not consistent with the analysis provided in Connect SoCal. Due to errors in modeling, modeling without supporting evidence (as noted throughout this comment letter and attachments), and the EIR’s conclusion the project will result in significant and unavoidable cumulatively considerable impacts to Air Quality, Greenhouse Gas Emissions, Noise, and Transportation, the proposed project is directly inconsistent with Goal 5 to reduce greenhouse gas emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate. The EIR must be revised to include a finding of significance due to these direct inconsistencies with SCAG’s 2020-2045 Connect SoCal RTP/SCS.

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The project is significantly inconsistent with statutory requirements of the Housing Crisis Act/SB 330. The Housing Crisis Act (HCA) of 2019/Senate Bill (SB) 330⁹ require replacement housing sites when land designated for housing development is changed to a non-housing use to ensure no net loss of housing capacity. Government Code Section 66300(b)(1)(A) requires that agencies shall not “change the general plan land use designation, specific plan land use designation, or zoning to a less intensive use below what was allowed under the land use designation and zoning ordinances in effect on January 1, 2018.” Under Government Code Section 66300(b)(1)(A), a “less intensive use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing. Pursuant to SB 330, replacement capacity for any displaced residential units must be provided at the time of project approval.

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Due to the required land use changes to implement the proposed project, the site would not be used for the development of residential units and replacement sites must be proposed and analyzed as part of the project. The EIR does not act in conformance with these laws and has not identified replacement sites for housing. Approval of the EIR and the proposed project will result in a net loss of housing. Specifically, the EIR states that the existing land use designations permit the development of up to 383 residential dwelling units. The lost capacity of 383 dwelling units is a significant environmental impact in violation of the HCA/SB 330. The EIR must be revised to include a finding of significance due to this inconsistency.

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⁹ Housing Crisis Act of 2019/SB 330
https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330



Additionally, deferring the identification of replacement sites to a later date is project piecemealing in violation of CEQA. The EIR does not accurately or adequately describe the project, meaning “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment” (CEQA § 15378). The whole of the action must statutorily and legally include identified replacement sites to accommodate the lost capacity of 383 dwelling units.

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4.14 Population and Housing

SCAG adopted 2045 growth projections as part of the 2020 RTP/SCS (Connect SoCal) on September 3, 2020. SCAG’s Connect SoCal Demographics and Growth Forecast¹⁰ notes that Beaumont will add 6,600 jobs between 2016 - 2045. Utilizing the EIR’s calculation of 5,456 employees, the project represents 82.6% of Beaumont’s employment growth from 2016 - 2045. SCAG’s Growth Forecast notes that Beaumont’s population will increase by 34,700 residents between 2016 - 2045. Utilizing the EIR’s calculation of 5,456 employees, the project represents 15.7% of Beaumont’s population growth from 2016 - 2045. A single project accounting for 82.6% of the projected employment growth and 15.7% of the projected population growth within Beaumont over 29 years represents a significant amount of growth.

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The EIR must be revised to include this analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects “in the pipeline” to determine if the project will exceed SCAG’s employment and/or population growth forecast. For example, other recent industrial projects such as Portrero Logistics Center (771 employees) and Beaumont Summit Station Specific Plan (4,010 employees) combined with the proposed project will cumulatively generate 10,237 employees, which nearly double the City’s employment growth forecast over 29 years. This total increases exponentially when commercial development activity and other industrial projects are added to the calculation. The EIR must be revised to include this information for analysis and also include a cumulative development analysis of projects approved since 2016 and projects “in the pipeline” to determine if the proposed project exceeds the General Plan growth estimates and/or SCAG’s growth forecasts.

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The EIR utilizes uncertain language by stating that, “91% of Beaumont residents commute outside of the City for work and more housing units are expected to be built within the City over the next 20 years,” without providing specific information regarding the type of employment commuter residents qualify for or the quantity of housing units that are in development. Additionally, the EIR relies upon the entire unemployed workforce of the metropolitan Riverside-San Bernardino-

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¹⁰ SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020
https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579



Ontario region to fill the project's jobs. Relying upon the entire workforce population of the metropolitan Riverside-San Bernardino-Ontario region will increase the VMT per employee reported in the EIR. This will also increase GHG emissions during all phases of construction and operations and the EIR must be revised to account for longer worker trip distances. For example, the project site is approximately 45 miles from Eastvale, 67 miles from Victorville, and 55 miles from Temecula while the VMT analysis only assumed a 39.19 mile trip for employees. The revised EIR must also include information and analysis regarding the number of construction jobs generated by the project, construction worker employment analysis, and their potential to relocate to the City.

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4.17 Transportation

The EIR has not adequately analyzed the project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses; or the project's potential to result in inadequate emergency access. The EIR has not provided any exhibits depicting the available truck/trailer turning radius at the intersection of the project driveways to determine if there is enough space available to accommodate heavy truck maneuvering. There are also no exhibits depicting emergency vehicle access. Deferring this environmental analysis required by CEQA to the construction permitting phase is improper mitigation and does not comply with CEQA's requirement for meaningful disclosure and adequate informational documents. A revised EIR must be prepared for the proposed project with this analysis in order to provide an adequate and accurate environmental analysis.

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Further, the EIR has underreported the quantity VMT generated by the proposed project operations by excluding the project's truck/trailer/delivery van activity. A revised EIR must be prepared to include all truck/trailer/delivery van activity for quantified VMT analysis in accordance with the impact threshold. Appendix K2: VMT Analysis includes Table 3: Project Heavy Truck VMT "for informational purposes" only. The operational nature of industrial/warehouse uses involves high rates of truck/trailer/delivery van VMT due to traveling from large import hubs to regional distribution centers to smaller industrial parks and then to their final delivery destinations. Once employees arrive at the industrial buildings for work, they will conduct their jobs by driving truck/trailer/delivery vans across the region as part of the daily operations as a warehouse/parcel hub facility, which will drastically increase project-generated VMT. The project's truck/trailer and delivery van activity is unable to utilize public transit or active transportation and it is misleading to the public and decision makers to exclude this activity from VMT analysis. A revised EIR must be prepared to reflect a quantified VMT analysis that includes all truck/trailer and delivery van activity.

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5.0 Other CEQA Considerations

5.1 Significant Irreversible Environmental Impacts and 5.2 Significant Irreversible Environmental Changes Which Would be Caused by the Project

The EIR relies upon erroneous Energy modeling to determine that the project will meet sustainability requirements. As noted above, the EIR did not model the project’s energy consumption in compliance with Title 24 modeling software. Further, the EIR states here that “this commitment of resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area.” The EIR does not discuss the project’s significant and unavoidable cumulatively considerable Air Quality (inconsistency with AQMP), Greenhouse Gas Emissions, Noise, and Transportation impacts or the project’s required changes in land use designations (General Plan Amendment, Annexation, Prezone). The EIR must be revised to include a finding of significance due to the project’s significant and unavoidable cumulatively considerable Air Quality, Greenhouse Gas Emissions, Noise, and Transportation impacts and direct contribution to climate change.

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The EIR does not adequately discuss or and analyze the commitment of resources is not consistent with regional and local growth forecasts. As noted throughout this comment letter, the project represents a significant amount of growth in the City and in tandem with only two other recent industrial projects account for a significant amount of the City’s employment growth over 29 years. The EIR must also include a cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting.

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5.3 Growth Inducing Impacts

The EIR does not meaningfully discuss or analyze the project’s required land use designation changes (General Plan Amendment, Annexation, Prezone) from residential to industrial and commercial. This increases the developable nonresidential area of the City without providing any information or analysis on the buildout conditions of the General Plan. The growth generated by the proposed project was not anticipated by the General Plan, RTP/SCS, or AQMP. A revised EIR must be prepared with a finding of significance.

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The EIR has not provided an adequate or accurate cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting. For example, other recent industrial projects such as Portrero Logistics Center (771 employees) and Beaumont Summit Station Specific Plan (4,010 employees) combined with the proposed project will cumulatively generate 10,237 employees, which nearly double the City’s employment growth forecast over 29 years with only three projects. This total increases exponentially when commercial development activity and other industrial projects are added to the calculation. The EIR must be revised to include this information for analysis and also include a cumulative development analysis of projects approved since 2016 and projects “in the pipeline” to determine if the proposed project

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exceeds the General Plan growth estimates and/or SCAG's growth forecasts.

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Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and a revised EIR must be prepared for the proposed project and circulated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

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Sincerely,

Gary Ho
Blum, Collins & Ho LLP

Attachment: SWAPE Analysis from January 13, 2023



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February 1, 2023

Gary Ho
Blum Collins LLP
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Subject: Comments on the Beaumont Pointe Specific Project (SCH No. 2020099007)

Dear Mr. Ho,

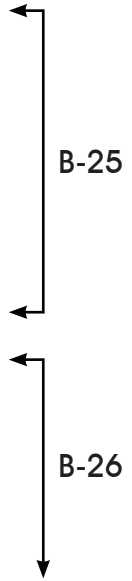
We have reviewed the December 2022 Draft Environmental Impact Report (“DEIR”) for the Beaumont Pointe Specific Plan (“Project”) located in the City of Beaumont (“City”). The Project proposes to construct a 246,000-square-foot (“SF”) commercial building, a 125-room hotel, a 4,995,000-SF industrial building, and 124.7-acres of open space on the 539.9-acre site.

Our review concludes that the DEIR fails to adequately evaluate the Project’s air quality, health risk, and greenhouse gas impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. A revised EIR should be prepared to adequately assess and mitigate the potential air quality, health risk, and greenhouse gas impacts that the Project may have on the environment.

Air Quality

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The DEIR concludes that the Project’s construction-related and operational air quality emissions would be significant-and-unavoidable. Specifically, the DEIR estimates that the Project’s construction-related VOC and NO_x emissions, as well as operational VOC, NO_x, CO, PM₁₀, and PM_{2.5} emissions would exceed the applicable South Coast Air Quality Management District thresholds (see excerpts below) (p. 4.3-38 – 4.3-39, Table 4.3-6; p. 4.3-39 – 4.3-41, Table 4.3-7).





Construction Emissions:

Year	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
2022	83.42	333.70	350.44	11.79	111.06	34.56
2023	68.37	338.50	362.45	2.53	110.93	35.61
2024	119.56	321.22	393.54	2.61	114.65	36.36
2025	64.96	99.97	132.05	0.44	31.30	10.66
2026	64.63	60.90	69.09	0.20	11.28	4.56
Maximum Daily Emissions	120.39	338.50	416.97	11.79	114.65	36.36
South Coast AQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	YES	YES	NO	NO	NO	NO

Source: (Urban Crossroads, 2022a, Table 3-6)

Operational Emissions:

Phase	Source	Emissions (lbs/day)					
		VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Total Maximum Daily Emissions (Phase 2)		155.69	485.80	462.53	3.27	195.00	57.71
South Coast AQMD Regional Threshold		55	55	550	150	150	55
Threshold Exceeded?		YES	YES	NO	NO	YES	YES
Phase 3 (2027)	Area Source	123.16	0.02	1.73	1.30E-04	6.15E-03	6.15E-03
	Energy Source	1.61	14.65	12.31	0.09	1.11	1.11
	Mobile Source	52.49	455.28	551.67	3.36	234.68	67.53
	TRUs	0.88	9.97	13.03	0.00	0.08	0.07
	On-Site Equipment	1.81	14.50	13.46	0.06	0.56	0.51
Total Maximum Daily Emissions (Phase 3)		179.96	494.43	592.19	3.51	236.44	69.23
South Coast AQMD Regional Threshold		55	55	550	150	150	55
Threshold Exceeded?		YES	YES	YES	NO	YES	YES

Source: (Urban Crossroads, 2022a, Table 3-10)

As such, the DEIR concludes that the Project's construction and operation would be significant-and-unavoidable (p. 4.3-54 – 4.3-55). Specially, regarding the DEIR's construction-related air quality impact, the DEIR states:

"The Project construction-source emissions have the potential to exceed South Coast AQMD regional thresholds for VOC and NO_x emissions prior to mitigation. After application of regulatory controls such as Rule 403, only VOCs and NO_x are anticipated to exceed South Coast AQMD regional thresholds. As shown in Table 4.3-11, Maximum Daily Peak Construction Emission Summary with Mitigation, with the implementation of Mitigation Measure MM 4.3-1,

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Project construction-source emissions of VOCs would be reduced to less than significant levels. However, even after implementation of Mitigation Measure MM 4.3-2, NO_x emissions would still exceed applicable South Coast AQMD thresholds" (p. 4.3-54).

Furthermore, regarding the DEIR's operational air quality impact, the DEIR states:

"The Project would exceed regional thresholds of significance established by the South Coast AQMD for emissions of VOC, NO_x, PM₁₀, and PM_{2.5}. During Phase 1, the Project would exceed the numerical thresholds of significance established by the South Coast AQMD for emissions of NO_x. During Phase 2, the Project will exceed the thresholds of significance for emissions of VOC, NO_x, PM₁₀, and PM_{2.5}. During Phase 3, the Project would exceed the numerical thresholds of significance for emissions of VOC, NO_x, CO, PM₁₀, and PM_{2.5}

Even with the Project's compliance with applicable rules, and the imposition of all feasible mitigation measures identified above (see MM 4.3-3 through MM 4.3-12), the Project's operational NO_x, CO, PM₁₀, and PM_{2.5} emissions would exceed the applicable regional thresholds of significance. As such, Project operational-source NO_x, CO, PM₁₀, and PM_{2.5} emissions are considered significant and unavoidable" (p. 4.3-56).

However, while we agree that the Project would result in significant air quality impacts, the DEIR's assertion that this impact is significant-and-unavoidable is incorrect. According to CEQA Guidelines § 15096(g)(2):

"When an updated EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment."¹

As such, the DEIR is required under CEQA to implement all feasible mitigation to reduce impacts to a less-than-significant level. However, the DEIR's claim that are "no additional feasible mitigation measures" is incorrect. While the DEIR implements MM Air 4.3-1 through MM 4.3-12, the DEIR fails to implement *all* feasible mitigation (p. 1-7 – 1-15). Therefore, the DEIR's conclusion that Project's air quality emissions would be significant-and-unavoidable is unsubstantiated. To reduce the Project's air quality impacts to the maximum extent possible, additional feasible mitigation measures should be incorporated, such as those suggested in the section of this letter titled "Feasible Mitigation Measures Available to Reduce Emissions." Thus, the Project should not be approved until a revised EIR is prepared, incorporating all feasible mitigation to reduce emissions to less-than-significant levels.

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¹ "Cal. Code Regs. tit. 14 § 15096." California Legislature, available at: <https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-7-eir-process/section-15096-process-for-a-responsible-agency>.



Diesel Particulate Matter Emissions Inadequately Evaluated

The DEIR concludes that the proposed Project would result in a less-than-significant health risk impact based on a quantified construction and mobile-source operational HRA, which is detailed in the Mobile Source Health Risk Assessment (“HRA Report”) as Appendix B2 to the DEIR. Specifically, the HRA Report estimates that the maximum cancer risk posed to nearby, existing residential sensitive receptors associated with construction and operation would be 1.33 in one million, which would not exceed the SCAQMD significance threshold of 10 in one million (see excerpt below) (p. 3, Table ES-3).

TABLE ES-3: SUMMARY OF COMBINED CONSTRUCTION AND OPERATIONAL CANCER AND NON-CANCER HEALTH RISKS

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk per Million)	Exceeds Significance Threshold
30 Year Exposure	Maximum Exposed Sensitive Receptor	1.33	10	NO
Time Period	Location	Maximum Hazard Index	Significance Threshold	Exceeds Significance Threshold
Annual Average	Maximum Exposed Sensitive Receptor	≤0.01	1.0	NO

However, the DEIR’s evaluation of the Project’s potential health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect for two reasons.

First, the DEIR’s construction and operational HRAs underestimate the Fraction of Time At Home (“FAH”) values. Specifically, the HRAs utilize a FAH value of 0.85 for the third trimester (age -0.25 to 0) and infant (age 0 to 2) receptors, and an FAH value of 0.72 for the child receptors (age 2 to 16) (see excerpts below) (Appendix B2, p. 21, Table 2-4, Table 2-5).

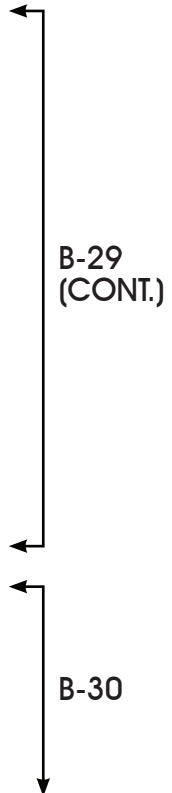




TABLE 2-4: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (CONSTRUCTION ACTIVITY)

Age ²	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	8
0 to 2	1,090	10	2	0.85	350	8
2 to 16	572	3	2.5	0.72	350	8

TABLE 2-5: EXPOSURE ASSUMPTIONS FOR INDIVIDUAL CANCER RISK (30 YEAR RESIDENTIAL)

Age ³	Daily Breathing Rate (L/kg-day)	Age Specific Factor	Exposure Duration (years)	Fraction of Time at Home	Exposure Frequency (days/year)	Exposure Time (hours/day)
-0.25 to 0	361	10	0.25	0.85	350	24
0 to 2	1,090	10	2	0.85	350	24
2 to 16	572	3	14	0.72	350	24
16 to 30	261	1	14	0.73	350	24

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However, the FAH values used for the third trimester, infant, and childhood receptors are incorrect, as SCAQMD guidance clearly states:

“For Tiers 1, 2, and 3 screening purposes, the FAH is assumed to be 1 for ages third trimester to 16. As a default, children are assumed to attend a daycare or school in close proximity to their home and no discount should be taken for time spent outside of the area affected by the facility’s emissions. People older than age 16 are assumed to spend only 73 percent of their time at home.”²

As stated above, per SCAQMD guidance, the HRAs should have relied on an FAH value of 1 for the third trimester, infant, and child receptors. Thus, by utilizing incorrect FAH values, the DEIR underestimates the cancer risk posed to nearby, existing sensitive receptors as a result of Project construction and operation.

Second, further review of the HRA Report demonstrates that the HRAs may fail to include Age Sensitivity Factors (“ASFs”). Regarding ASFs, OEHHA guidance states:

“Studies have shown that young animals are more sensitive than adult animals to exposure to many carcinogens (OEHHA, 2009). Therefore, OEHHA developed age sensitivity factors (ASFs) to take into account the increased sensitivity to carcinogens during early-in-life exposure (Table 8.3). These factors were developed and described in detail in OEHHA (2009). In the absence of chemical-specific data, OEHHA recommends a default ASF of 10 for the third trimester to age 2

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² “Risk Assessment Procedures.” SCAQMD, August 2017, available at: http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1401/riskassessmentprocedures_2017_080717.pdf, p. 7.



years, and an ASF of 3 for ages 2 through 15 years to account for potential increased sensitivity to carcinogens during childhood.”

However, while the HRA Report includes ASFs in their exposure assumption tables, the equation to produce carcinogenic risk estimates, as shown below, is incorrect and underestimated (p. 22).

$$RISK_{air} = DOSE_{air} \times CPF \times ED/AT$$

Where:

- DOSE_{air} = chronic daily intake (mg/kg/day)
- CPF = cancer potency factor
- ED = number of years within particular age group
- AT = averaging time

Instead, the HRA Report should have used the following equation that includes ASFs:

$$Cancer\ Risk_{AIR} = Dose_{AIR} \times CPF \times ASF \times FAH \times \frac{ED}{AT}$$

Thus, by potentially failing to include ASF values in the carcinogenic risk estimate equation, the DEIR’s HRAs underestimate the cancer risk posed to nearby, existing sensitive receptors as a result of Project construction and operation. As such, a revised EIR should be prepared to include an updated analysis correctly accounting for ASF values.

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR estimates that the Project would result in net annual greenhouse gas (“GHG”) emissions of 60,638.09 metric tons of carbon dioxide equivalents per year (“MT CO₂e/year”) (see excerpt below) (p. 4.8-61, Table 4.8-10).

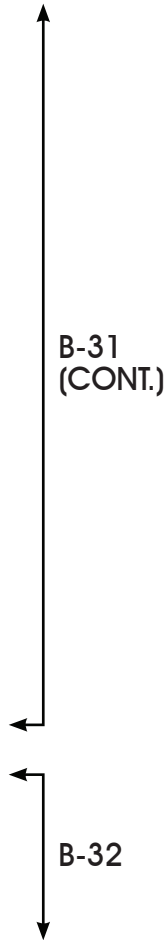




Table 4.8-10 2027 Project Buildout GHG Emissions with Mitigation

Emission Source	Emissions (MT/yr)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ e
Annual construction-related emissions amortized over 30 years	1,160.95	0.18	0.05	1,200.61
Area Source ^a	0.23	0.00	0.00	0.24
Energy Source ^b	5,155.53	0.22	0.07	5,183.39
Mobile Source ^c	48,209.87	1.27	5.45	49,865.32
TRU Source		-		236.63
On-Site Equipment Source	915.18	0.06	0.00	922.58
Waste Source	1,231.61	72.79	0.00	3,051.27
Water Usage Source ^d	138.82	1.19	0.03	178.05
Total CO₂e (All Sources)	60,638.09			

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As such, the DEIR concludes that the Project would result in a significant-and-unavoidable GHG impact, stating:

“No additional feasible mitigation measures are available that can reduce impacts to less than significant. The Project incorporates all feasible mitigation measures that could be implemented to further reduce the Project’s GHG emissions below the 3,000 MTCO₂e threshold. There are no additional measures available that would further reduce emissions because the majority of the Project’s emissions come from mobile sources which are regulated by the State and not the City of Beaumont” (p. 4.8-61).

However, while we agree that the Project would result in a significant GHG impact, the DEIR’s assertion that this impact is significant-and-unavoidable is incorrect. As previously discussed, according to CEQA Guidelines § 15096(g)(2):

“When an updated EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment.”

As indicated above, an impact can only be labeled as significant-and-unavoidable after all available, feasible mitigation is considered. Here, while the DEIR implements MM Air 4.3-1 through MM 4.3-12, the DEIR fails to implement *all* feasible mitigation (p. 1-7 – 1-15). Therefore, the DEIR’s conclusion that the Project’s GHG emissions would be significant-and-unavoidable is unsubstantiated. To reduce the Project’s GHG impacts to the maximum extent possible, additional feasible mitigation measures should be incorporated, such as those suggested in the section of this letter titled “Feasible Mitigation Measures Available to Reduce Emissions.” Thus, the Project should not be approved until a revised EIR is prepared, incorporating all feasible mitigation to reduce emissions to less-than-significant levels.

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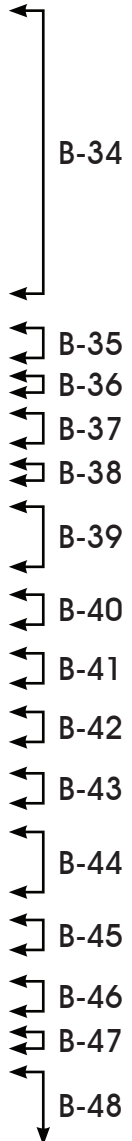


Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

Our analysis demonstrates that the Project would result in potentially significant air quality and GHG impacts that should be mitigated further. As such, in an effort to reduce the Project’s emissions, we identified several mitigation measures that are applicable to the proposed Project. Feasible mitigation measures can be found in the California Department of Justice Warehouse Project Best Practices document.³ Therefore, to reduce the Project’s emissions, consideration of the following measures should be made:

- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Requiring all heavy-duty vehicles engaged in drayage to or from the project site to be zero-emission beginning in 2030.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building’s projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space,

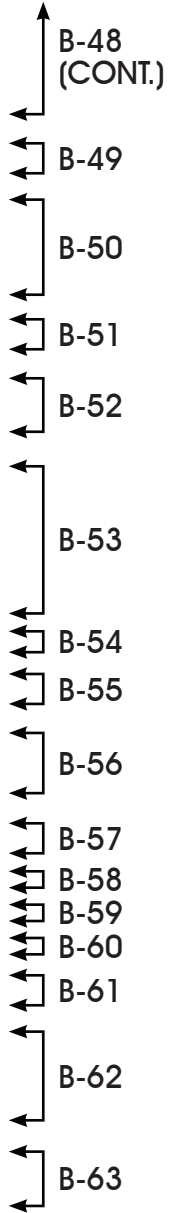


³ “Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act.” State of California Department of Justice, September 2022, available at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>, p. 8 – 10.



constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.

- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer’s recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer’s recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency’s SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.





These measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation.

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Furthermore, as it is policy of the State that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045, we emphasize the applicability of incorporating solar power system into the Project design. Until the feasibility of incorporating on-site renewable energy production is considered, the Project should not be approved.

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A revised EIR should be prepared to include all feasible mitigation measures, as well as include updated air quality and GHG analyses to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. The revised EIR should also demonstrate a commitment to the implementation of these measures prior to Project approval, to ensure that the Project's significant emissions are reduced to the maximum extent possible.

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Disclaimer

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

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Sincerely,

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

Paul E. Rosenfeld, Ph.D.

Attachment A: Matt Hagemann CV

Attachment B: Paul Rosenfeld CV



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Matt Hagemann, P.G., C.Hg.
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mhagemann@swape.com

Matthew F. Hagemann, P.G., C.Hg., QSD, QSP

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

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA’s Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2104, 2017;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

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

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt’s responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

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

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

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- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

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

Hydrogeology:

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

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

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

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

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

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public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

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

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

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

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

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

Policy:

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

Activities included the following:

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

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- principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

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

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

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

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

Teaching:

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

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

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

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

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

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

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

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

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

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

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

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

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

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

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

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

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

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

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

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

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

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

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

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

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

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

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

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

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

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

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

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

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

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

Other Experience:

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

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SOIL WATER AIR PROTECTION ENTERPRISE
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Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.
M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.
B.A. Environmental Studies, U.C. Santa Barbara, 1991. Focus on wastewater treatment.

Professional Experience

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

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

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Professional History:

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

Publications:

Rosenfeld P. E., Spaeth K., Hallman R., Bressler R., Smith, G., (2022) Cancer Risk and Diesel Exhaust Exposure Among Railroad Workers. *Water Air Soil Pollution*. 233, 171.

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health*. 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P.**, (2015) Modeling the Effect of Refinery Emission On Residential Property Value. *Journal of Real Estate Research*. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.**, Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermod and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries*. Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

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Wu, C., Tam, L., Clark, J., **Rosenfeld, P.** (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution*, 123 (17), 319-327.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities*. Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004*. New Orleans, October 2-6, 2004.

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Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellow, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS-6), Sacramento, CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

Rosenfeld, P.E., and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality*. 29, 1662-1668.

Rosenfeld, P.E., C.L. Henry and D. Bennett. (2001). Wastewater dewatering polymer affect on biosolids odor emissions and microbial activity. *Water Environment Research*. 73(4), 363-367.

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Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Teaching Experience:

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

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

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

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

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

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

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

Academic Grants Awarded:

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

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

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

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



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

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

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

Deposition and/or Trial Testimony:

In the Superior Court of the State of California, County of San Bernardino
Billy Wildrick, Plaintiff vs. BNSF Railway Company
Case No. CIVDS1711810
Rosenfeld Deposition 10-17-2022

In the State Court of Bibb County, State of Georgia
Richard Hutcherson, Plaintiff vs Norfolk Southern Railway Company
Case No. 10-SCCV-092007
Rosenfeld Deposition 10-6-2022

In the Civil District Court of the Parish of Orleans, State of Louisiana
Millard Clark, Plaintiff vs. Dixie Carriers, Inc. et al.
Case No. 2020-03891
Rosenfeld Deposition 9-15-2022

In The Circuit Court of Livingston County, State of Missouri, Circuit Civil Division
Shirley Ralls, Plaintiff vs. Canadian Pacific Railway and Soo Line Railroad
Case No. 18-LV-CC0020
Rosenfeld Deposition 9-7-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jonny C. Daniels, Plaintiff vs. CSX Transportation Inc.
Case No. 20-CA-5502
Rosenfeld Deposition 9-1-2022

In The Circuit Court of St. Louis County, State of Missouri
Kieth Luke et. al. Plaintiff vs. Monsanto Company et. al.
Case No. 19SL-CC03191
Rosenfeld Deposition 8-25-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jeffery S. Lamotte, Plaintiff vs. CSX Transportation Inc.
Case No. NO. 20-CA-0049
Rosenfeld Deposition 8-22-2022

In State of Minnesota District Court, County of St. Louis Sixth Judicial District
Greg Bean, Plaintiff vs. Soo Line Railroad Company
Case No. 69-DU-CV-21-760
Rosenfeld Deposition 8-17-2022

In United States District Court Western District of Washington at Tacoma, Washington
John D. Fitzgerald Plaintiff vs. BNSF
Case No. 3:21-cv-05288-RJB
Rosenfeld Deposition 8-11-2022

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- In Circuit Court of the Sixth Judicial Circuit, Macon Illinois
Rocky Bennyhoff Plaintiff vs. Norfolk Southern
Case No. 20-L-56
Rosenfeld Deposition 8-3-2022

- In Court of Common Pleas, Hamilton County Ohio
Joe Briggins Plaintiff vs. CSX
Case No. A2004464
Rosenfeld Deposition 6-17-2022

- In the Superior Court of the State of California, County of Kern
George LaFazia vs. BNSF Railway Company.
Case No. BCV-19-103087
Rosenfeld Deposition 5-17-2022

- In the Circuit Court of Cook County Illinois
Bobby Earles vs. Penn Central et. al.
Case No. 2020-L-000550
Rosenfeld Deposition 4-16-2022

- In United States District Court Easter District of Florida
Albert Hartman Plaintiff vs. Illinois Central
Case No. 2:20-cv-1633
Rosenfeld Deposition 4-4-2022

- In the Circuit Court of the 4th Judicial Circuit, in and For Duval County, Florida
Barbara Steele vs. CSX Transportation
Case No. 16-219-Ca-008796
Rosenfeld Deposition 3-15-2022

- In United States District Court Easter District of New York
Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-10-2022

- In the Circuit Court of Cook County Illinois
Linda Benjamin vs. Illinois Central
Case No. No. 2019 L 007599
Rosenfeld Deposition 1-26-2022

- In the Circuit Court of Cook County Illinois
Donald Smith vs. Illinois Central
Case No. No. 2019 L 003426
Rosenfeld Deposition 1-24-2022

- In the Circuit Court of Cook County Illinois
Jan Holeman vs. BNSF
Case No. 2019 L 000675
Rosenfeld Deposition 1-18-2022

- In the State Court of Bibb County State of Georgia
Dwayne B. Garrett vs. Norfolk Southern
Case No. 20-SCCV-091232
Rosenfeld Deposition 11-10-2021

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- In the Circuit Court of Cook County Illinois
Joseph Ruepke vs. BNSF
Case No. 2019 L 007730
Rosenfeld Deposition 11-5-2021

- In the United States District Court For the District of Nebraska
Steven Gillett vs. BNSF
Case No. 4:20-cv-03120
Rosenfeld Deposition 10-28-2021

- In the Montana Thirteenth District Court of Yellowstone County
James Eadus vs. Soo Line Railroad and BNSF
Case No. DV 19-1056
Rosenfeld Deposition 10-21-2021

- In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al.cvs. Cerro Flow Products, Inc.
Case No. 0i9-L-2295
Rosenfeld Deposition 5-14-2021
Trial October 8-4-2021

- In the Circuit Court of Cook County Illinois
Joseph Rafferty vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a AMTRAK,
Case No. 18-L-6845
Rosenfeld Deposition 6-28-2021

- In the United States District Court For the Northern District of Illinois
Theresa Romcoe vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail
Case No. 17-cv-8517
Rosenfeld Deposition 5-25-2021

- In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al. vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case No. CV20127-094749
Rosenfeld Deposition 5-7-2021

- In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al vs. CNA Insurance Company et al.
Case No. 1:17-cv-000508
Rosenfeld Deposition 3-25-2021

- In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company.
Case No. 1720288
Rosenfeld Deposition 2-23-2021

- In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020

- In the Circuit Court of Jackson County, Missouri
Karen Cornwell, Plaintiff, vs. Marathon Petroleum, LP, Defendant.
Case No. 1716-CV10006
Rosenfeld Deposition 8-30-2019

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- In the United States District Court For The District of New Jersey
Duarte et al, Plaintiffs, vs. United States Metals Refining Company et. al. Defendant.
Case No. 2:17-cv-01624-ES-SCM
Rosenfeld Deposition 6-7-2019
- In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS “Conti Perdido” Defendant.
Case No. 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition 5-9-2019
- In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No. BC615636
Rosenfeld Deposition 1-26-2019
- In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No. BC646857
Rosenfeld Deposition 10-6-2018; Trial 3-7-19
- In United States District Court For The District of Colorado
Bells et al. Plaintiffs vs. The 3M Company et al., Defendants
Case No. 1:16-cv-02531-RBJ
Rosenfeld Deposition 3-15-2018 and 4-3-2018
- In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants
Cause No. 1923
Rosenfeld Deposition 11-17-2017
- In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants
Cause No. C12-01481
Rosenfeld Deposition 11-20-2017
- In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition 8-23-2017
- In United States District Court For The Southern District of Mississippi
Guy Manuel vs. The BP Exploration et al., Defendants
Case No. 1:19-cv-00315-RHW
Rosenfeld Deposition 4-22-2020
- In The Superior Court of the State of California, For The County of Los Angeles
Warm Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No. LC102019 (c/w BC582154)
Rosenfeld Deposition 8-16-2017, Trail 8-28-2018
- In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., Plaintiffs, vs. Meritor Inc., et al., Defendants
Case No. 4:16-cv-52-DMB-JVM
Rosenfeld Deposition July 2017

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

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

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

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

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

- In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case No. CACE07030358 (26)
Rosenfeld Deposition December 2014

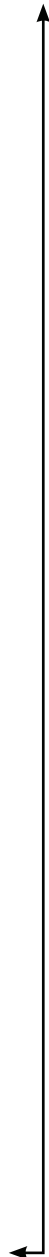
- In the County Court of Dallas County Texas
Lisa Parr et al, Plaintiff, vs. Aruba et al, Defendant.
Case No. cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial April 2014

- In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., Plaintiffs, vs. Republic Services, Inc., et al., Defendants
Case No. 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition October 2012

- In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., Plaintiffs, vs. International Paper Company, Defendant.
Civil Action No. 2:09-cv-232-WHA-TFM
Rosenfeld Deposition July 2010, June 2011

- In the Circuit Court of Jefferson County Alabama
Jaeante Moss Anthony, et al., Plaintiffs, vs. Drummond Company Inc., et al., Defendants
Civil Action No. CV 2008-2076
Rosenfeld Deposition September 2010

- In the United States District Court, Western District Lafayette Division
Ackle et al., Plaintiffs, vs. Citgo Petroleum Corporation, et al., Defendants.
Case No. 2:07CV1052
Rosenfeld Deposition July 2009



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Responses to Comment B

Blum Collins & Ho, LLP on behalf of Golden State Environmental Justice Alliance, Gary Ho, dated February 8, 2023.

- B-1 This comment consists of introductory remarks and identifies that the comments on the Draft EIR are being provided by Blum Collins & Ho, LLP on behalf of the Golden State Environmental Justice Alliance (GSEJA). GSEJA requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this Project. The statement of interest is acknowledged and the City will include GSEJA on the mailing list for future CEQA notices related to the Project.
- B-2 This comment provides a general summary of the Project Description as provided in the Draft EIR. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.
- B-3 The commenter incorrectly states that the Beaumont Pointe Specific Plan document was not attached for public review. The draft Specific Plan was incorporated by reference in the EIR at p. 2-7. CEQA Guidelines section 15150(b) only requires that a document to be incorporated by reference be made available to the public for inspection. The draft Specific Plan was posted at the same time and in the same location as the Draft EIR and its technical appendices on the City's website and remained available for review throughout the DEIR public comment period, as was documented in the Notice of Availability for the Draft EIR, at: <https://www.beaumontca.gov/1143/Beaumont-Pointe-Specific-Plan>. The EIR p. 2-6 also states that the Specific Plan is available on the City's website. Therefore, no further response is required.
- B-4 The commenter refers to the attachments from the Soil / Water / Air Protection Enterprise (SWAPE) letter for a complete technical commentary and analysis. Comments related to potential environmental concerns in the SWAPE letter are responded below in the response to Comments B-25 to B-68. Thus, no further response is required.
- B-5 The commenter summarizes existing air quality conditions within the census tract where the Project site is located using data obtained from the California Environmental Protection Agency (CalEnviroScreen 4.0). The commenter also notes that the Project site is located in proximity to several census tracts that are classified by the State of California as "disadvantaged communities" and states that air pollution from the Project represents an environmental justice issue.

Environmental justice is not a topic that is required to be evaluated or considered pursuant to CEQA Guidelines Sections 15120-15132 (Contents of Environmental Impact Reports). In addition, air quality impacts are not required to be assessed based on census tract locations. Notwithstanding, the air quality analysis contained in the Draft EIR demonstrates that the Project would not expose any sensitive receptor, which includes receptors located in disadvantaged communities, to substantial concentrations of localized criteria pollutants or diesel particulate matter source emissions. To the contrary, the Project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be less than significant (refer to Pages 4.3-42 to 4.3-48 of the Draft EIR).



- B-6 The commenter states that the California Building Energy Code Compliance (CBECC) software is the State's only approved energy compliance software for non-residential buildings in compliance with Title 24. The commenter incorrectly states that CalEEMod-based modeling should not have been used to calculate the Project's potential impacts because it does not comply with 2022 Building Energy Efficiency Standards and underreports the Project's energy impacts and fuel consumption.

The Draft EIR and underlying technical studies correctly use CalEEMod to estimate energy demand based on average intensity factors for similar land use types based on the Project's site plan provided to the City for entitlement. Since the occupant(s) of the Project's buildings are unknown at this time, and information about the future building user's energy use is also not available at this time, it is appropriate to rely upon the CalEEMod default assumptions which have been derived by the California Air Pollution Control Officers Association (CAPCOA) based on survey data. There is no requirement in CEQA to show specific compliance with 2022 Building Energy Efficiency Standards based on conceptual building designs proposed at the entitlement stage of a project's approval process, but such compliance is a standard regulatory requirement. This will be a requirement pursuant to State law prior to issuance of each building permit and verified by the City's Building and Safety Department.

The commenter is correct that CBECC software is approved specifically for Title 24 compliance, which would be required to be used for any development project at the time of its physical building construction, which occurs approximately 12-18 months after entitlement. The compliance modeling software referenced by the commenter is used to confirm that a final building design, with detailed information included in its construction drawings, is Title 24 compliant. The proposed Project's final designs and construction drawings are not available at this time and are not typically prepared until after a proposed development project is approved/entitled.

- B-7 The commenter incorrectly states that the Draft EIR should conclude that the Project would conflict with the goals of the Southern California Association of Governments' (SCAG) Connect SoCal (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy) due to the Project's significant and unavoidable impacts related to air quality, greenhouse gas emissions, noise and transportation (VMT) and provides Goal 5 as an example. The City of Beaumont is identified as one of the priority growth areas for job centers in the region under the Connect SoCal Plan. When growth is concentrated in job centers, the length of vehicle trips for residents can be reduced, thereby reducing greenhouse gas emissions and improving air quality.

In addition, as stated in Section 4.8, *Greenhouse Gas Emissions*, Tables 4.8-5, 4.8-6, 4.8-7, and Pages 4.8-60 and -61, of the Draft EIR, the Project would not conflict with Connect SoCal Goal 5, Reduce greenhouse gas emissions and improve air quality, because impacts to air quality would be reduced to the maximum extent feasible through the implementation of Mitigation Measures 4.3-1 through 4.3-12 and Project Design Features, which include limiting truck idling, provide incentives for using clean engines and equipment, require installation of conduit for EV truck charging stations, electric indoor material handling equipment and off-road equipment, preferential parking for fuel-efficient and carpool/van vehicles, and EV charging stations.



Additionally, the Project would incorporate measures related to building design, landscaping, and energy systems to promote the efficient use of energy. The Project would be consistent with the County of Riverside Climate Action Plan (CAP) requirement by achieving 581 points, which is significantly more than the required minimum of 100 points to determine consistency. Furthermore, as demonstrated in Table 4.8-5 of the Draft EIR, the Project would not conflict with the City's Sustainable Beaumont: The City's Roadmap to Greenhouse Gas Reductions, which serves as a long-term plan to achieve sustainability in the City by reducing GHG emissions from existing and future development. Although the Project would exceed the City's GHG significance threshold of 3,000 MTCO₂e per year, all feasible mitigation measures, including PDFs, have been included to reduce GHG impacts. Specifically, Mitigation Measures 4.3-3 through 4.3-13 relating to air quality would also reduce GHG impacts and Mitigation Measure 4.8-1 requires verification that the Project would achieve 581 points from the County CAP Screening Table for GHG Implementation Measures.

Therefore, the Project would not conflict with SCAG's Connect SoCal. Nevertheless, inconsistency with a goal or policy of an applicable plan is not itself an environmental impact. Therefore, no revisions to the Draft EIR are required.

- B-8 The commenter incorrectly states that there is no discussion or analysis regarding the proposed General Plan Amendment (GPA) and Zone Change required for the Project and incomplete consistency analysis of the proposed Project and General Plan goals and policies.

Details regarding the GPA and Zone Change are discussed in Section 3.0, *Project Description*, of the Draft EIR (refer to Page 3-8). Additionally, the Project's consistency with the City's General Plan and zoning is provided in Section 4.10, *Land Use and Planning*, of the Draft EIR (refer to Pages 4.11-9 to 4.11-39). As discussed, although the Project would result in a change to the General Plan land use designations for the Project site to allow for implementation of the Specific Plan, these changes would not result in a conflict with applicable plans, policies, or regulations adopted for the purpose of avoiding or reducing an environmental effect. Moreover, since the Project site is within the City's SOI within unincorporated Riverside County, the City has not adopted any zoning designations for the site. The City's approval and implementation of Pre-Zone PLAN2019-0283 would ensure that the Project would be consistent with the proposed General Plan land use designation and zoning regulations identified in the Specific Plan. Therefore, the Project would be consistent with the City's General Plan and zoning and no revision to the Draft EIR is required.

- B-9 The commenter states that the Draft EIR did not provide a consistency analysis for all applicable General Plan goals, policies, and programs. The comment lists a total of 13 goals and policies that should be added to the Draft EIR.

In numerous instances, CEQA case law has held that a project's consistency with a General Plan is not an environmental consideration and does not need to be addressed in a CEQA document (See, e.g., *North Coast Rivers Alliance et al. v. Marin Municipal Water District* (2013) 216 Cal.App.4th 614, 633; *City of Long Beach v. Los Angeles Unified Sch. Dist.*, (2009) 176 Cal. App. 4th 889, 919). What a CEQA document must address is whether the Project would conflict with the General Plan in such a way that it would result in an environmental effect. In the absence of a planning inconsistency that results in an environmental effect, it is adequate to state that no conflict would occur, which was done in the Draft EIR. Separately, as



a matter of consistency with City planning documents, the City is required to determine whether the Project is consistent its General Plan, which will be provided in a staff report to the decision makers (Planning Commission and City Council). The commenter does not provide any evidence that the Project would result in an environmental effect due to a conflict with the City's General Plan. Notwithstanding, the reasoning for why each goal and policy was not included are as follows:

- *Goal 3.3: A City that preserves its existing residential neighborhoods and promotes development of new housing choices. Policy 3.3.1 Support the development of new housing opportunities, as defined by the Land Use Plan contained in this Element.*

As discussed in Section 4.11, *Land Use and Planning*, of the Draft EIR, the land use regulations for the Project site are currently under the jurisdiction of Riverside County and set forth in the Pass Area Plan with a designation of Rural Mountainous. The Project site is located in the City's Sphere of Influence and is designated in the City's General Plan as Rural Residential 1 (refer to Pages 4.11-2 to 4.11-3). Even though the City's General Plan designates the Project site as residential, the Project site is governed by the County of Riverside General Plan unless the Project site is annexed into the City. Additionally, the Project site has not been zoned or pre-zoned by the City and there is currently no allowed development at the Project site. Without zoning and annexation, the property cannot be determined to have an allowable residential use under City planning and regulation at any level. Therefore, Goal 3.3 and Policy 3.3.1 are not applicable to the Project and no revision to the Draft EIR is required.

- *Policy 3.3.9: Ensure new development projects and infill construction are of a compatible scale in existing neighborhoods and provide adequate transitions to adjacent residential properties. Policy 3.4.5: Focus economic development efforts on attracting high paying jobs to the City.*

Policies 3.3.9 and 3.4.5 are not applicable to the Project since these policies do not mitigate an environmental effect. Thus, no further response is required.

- *Policy 3.8.4: Prioritize access to health-promoting uses in new development, including neighborhood markets, grocery stores, medical centers, pharmacies, parks, gyms, community space and gardens.*

Policy 3.8.4 is not applicable to the Project since these policies do not mitigate an environmental effect. Nevertheless, the Project does propose 30.2 acres of General Commercial uses designed to be a multi-generational, regional destination focusing on entertainment, physical activity and wellness-based retail (refer to Page 3-9 of the Draft EIR), which is consistent with health-promoting uses. The Project does not propose uses including neighborhood markets, grocery stores, medical centers, pharmacies, parks, gyms, community space and gardens. Therefore, no revision to the Draft EIR is required.

- *Policy 4.1.1: Reduce vehicular congestion on auto-priority streets to the greatest extent possible. Policy: 4.1.2 Maintain LOS D on all auto-priority streets in Beaumont. LOS E is considered acceptable on non-auto-priority streets.*

Automobile delay, as measured by LOS and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use



VMT to evaluate project-related transportation impacts. This statewide mandate went into effect July 1, 2020. CEQA Guidelines Section 15064.3, effective January 1, 2019, “describes specific considerations for evaluating a project’s transportation impacts” and provides that, except for roadway capacity projects, “a project’s effect on automobile delay (or LOS)” shall not constitute a significant environmental impact” (CEQA Guidelines Section 15064.3(a)). Moreover, vehicle congestion is not a CEQA issue as it pertains to LOS. Therefore, Policies 4.1.1 and 4.1.2 are not applicable to the Project and no revision to the Draft EIR is required.

Table 1-4 of the Traffic Analysis (*Attachment C* of this Final EIR) has identified improvements needed to maintain LOS D or better on City streets. As discussed in Section 4.17, *Transportation*, Table 4.17-1 of the Draft EIR, the Project Applicant would be required to pay TUMF fees, DIF fees, and fair share improvement fees that the City would use to ensure the implementation of roadway improvements in the area in order to minimize traffic congestion. Additionally, the Project would include the following improvements to accommodate site access and maintain acceptable peak hour operations: install a traffic signal, and construct southbound left turn lane with a minimum of 200-feet of storage and a right turn lane, an eastbound left turn lane with a minimum of 100-feet of storage and a through lane, and westbound through lane and a right turn lane with a minimum of 100-feet of storage at the intersection of Jack Rabbit Trail & 4th Street; construct an eastbound shared left-through lane and stripe the southbound right turn lane at the intersection of Potrero Boulevard and 4th Street; construct 4th Street at its ultimate full-width as a Modified Secondary (78-foot right-of-way) from the western Project boundary to Jack Rabbit Trail and with a minimum of one lane of travel in each direction from Jack Rabbit Trail to Potrero Boulevard consistent with City standards. Therefore, the Project would not conflict with General Plan Policies 4.1.1 and 4.1.2.

- *Goal 4.6: An efficient goods movement system that ensures timely deliveries without compromising quality of life, safety, or smooth traffic flow for Beaumont residents.*

Goal 4.6 and Policies 4.6.1 and 4.6.2 are included in Table 4.17-1 of the Draft EIR (refer to Page 4.17-14). Therefore, no revision to the Draft EIR is required. As described in the Draft EIR:

Policy 4.6.1: Prioritize goods movement along specific routes in the City, consistent with the adopted layered network, to foster efficient freight logistics. The Project site is situated in close proximity to the regional transportation network which connects the site to the Ports of Long Beach and Los Angeles, both major gateways for international trade, the Inland Empire and the Western United States. Located along the south side of the SR-60 Freeway, access to the regional transportation system from the site is provided via 4th Street through an industrial area to the east. Interim regional access to the Project site is available from the SR-60 Freeway via Western Knolls and Veile Avenue/6th Street interchanges and the I-10 Freeway via the Oak Valley Parkway and Beaumont Avenue interchanges. Once the Potrero Boulevard interchange is constructed, regional access to the Project site would be available from the SR-60 Freeway/Potrero Boulevard and I-10 Freeway/Oak Valley Parkway interchanges. Due to the Project site’s proximity to SR-60, trucks accessing the Project site would efficiently reach the State highway system to facilitate the movement of goods throughout the region. In addition, the Project would be consistent with SCAG’s Connect SoCal goals, which are described in



detail in EIR Section 4.11, *Land Use and Planning*. Based on the foregoing, the Project would not conflict with General Plan Policy 4.6.1.

Policy 4.6.2: Minimize or restrict heavy vehicle traffic near sensitive areas such as schools, parks, and neighborhoods.

The closest sensitive area to the Project site is an existing single-family residence located approximately 483 feet south of the Project site's southernmost boundary. Other residential uses are located north across Frontage Road (1,253 feet) and beyond SR-60. However, the Project would not restrict access to or from the existing residence; the Project would provide private residential access on-site to the existing residence, cars and trucks will not pass by this residence under the proposed roadway plan. Truck trips would be routed through an industrial area to the SR-60 and I-10 and would not pass by sensitive areas. Based on these restrictions, the Project would not conflict with General Plan Policy 4.6.2.

- *Policy 5.1.4: Encourage growth and expansion of businesses and employment centers near public transit to increase transportation options for employees and limit traffic congestion.*

The vicinity of the Project site is served by Pass Transit with bus services along 6th Street, California Avenue, and Beaumont Avenue via Route 3 and Route 4. Riverside Transit Agency (RTA) Route 34 and Route 210 run along SR-60, but do not provide bus service/stops within the Project site vicinity. Currently, the Project site is vacant and there are no existing transit routes that serve the site. Transit service is reviewed and updated by Pass Transit and RTA periodically to address ridership, budget, and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate. Therefore, Policy 5.1.4 is not applicable to the Project because the City and transit agencies can make adjustments to transit based on business and employment center locations. The Project does not conflict with this policy and no revision to the Draft EIR is required.

- *Goal 6.1: A City that improves the overall health and welfare of its residents.*

Goal 6.1 is directive to the City and would not apply to the threshold of whether a Project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, Goal 6.1 is not applicable to the Project and no revision to the Draft EIR is required.

- *Policy 6.4.1: Ensure convenient access to affordable, fresh produce and healthy foods in all neighborhoods, including grocery stores, farmers' markets, and community gardens, particularly in communities with low incomes and low access.*

Policy 6.4.1 is directive to the City to ensure convenient access to affordable, fresh produce and healthy foods and would not apply to the threshold of whether a Project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, Policy 6.4.1 is not applicable to the Project and no revision to the Draft EIR is required.



- *Policy 6.4.3: Limit fast food and liquor stores in neighborhoods with a significant concentration of stores (e.g., multiple stores on the same block or intersection) and child sensitive areas, such as schools, parks, and childcare facilities.*

The Project does not propose uses such as fast food and liquor stores and there are no child sensitive areas or a significant concentration of stores within close proximity to the Project site. Policy 6.4.3 would not apply to the threshold of whether a Project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, Policy 6.4.3 is not applicable to the Project and no revision to the Draft EIR is required.

- *Policy 6.5.5: Promote development of a variety of housing types that meet the needs of residents of all income levels. This policy is implemented through the Land Use and Community Design Element.*

The City has not pre-zoned the Project site for residential uses, and the County zoning for the Project site is not relevant to land uses once the site is annexed into the City. The Project does not propose the development of housing. Therefore, Policy 6.5.5 is not applicable to the Project and no revision to the Draft EIR is required.

- *Policy 6.5.8: Encourage health-promoting uses in new development, including neighborhood markets, grocery stores, pharmacies, parks, gyms, and community gardens.*

Policy 6.5.8 is not applicable to the Project since it does not mitigate an environmental effect. Nevertheless, the Project does propose 30.2 acres of General Commercial uses designed to be a multi-generational, regional destination focusing on entertainment, physical activity and wellness-based retail (refer to Page 3-9 of the Draft EIR), which is consistent with health-promoting uses. The Project does not propose uses including neighborhood markets, grocery stores, medical centers, pharmacies, parks, gyms, community space and gardens. Therefore, no revision to the Draft EIR is required.

B-10 The commenter incorrectly states that the Land Use and Planning analysis of the Draft EIR omits discussion to the 2016 Air Quality Management Plan and Greenhouse Gas Emissions reduction goals for 2030 and 2050. The 2016 Air Quality Management Plan and Greenhouse Gas Emissions reduction goals are discussed in Section 4.3. *Air Quality*, and Section 4.8, *Greenhouse Gas Emissions*, of the Draft EIR, respectively.

B-11 The commenter incorrectly states that the Project is inconsistent with SCAG's Connect SoCal Goals 5, 6, and 7 due to the Project's error in modeling and significant and unavoidable impacts related to air quality, greenhouse gas emissions, noise and transportation (VMT). Goal 5 of the SCAG's Connect SoCal is to reduce greenhouse gas emissions and improve air quality. Refer to response to Comment B-7 for the Project's consistency with Goal 5.

Goal 6 of the SCAG's Connect SoCal is to support healthy and equitable communities. As discussed in the Draft EIR under Threshold c in Section 4.2 (starting on Page 4.3-42), (1) the Project's localized construction and operational emissions would not exceed the South Coast AQMD localized significance thresholds; (2) based on the Project-specific mobile source health risk assessment (HRA) (*Technical Appendix B2* of the Draft EIR), the Project would not



result in significant health impacts due to diesel particulate matter (DPM) emissions; and (3) the Project would not cause or contribute to any CO “hot spots”. Therefore, the Project is consistent with Goal 6 of the SCAG’s Connect SoCal, and no revisions to the Draft EIR are required.

Goal 7 of the SCAG’s Connect SoCal is to adapt to a changing climate and support an integrated regional development. As stated in Section 4.10, *Land Use and Planning*, of the Draft EIR (refer to Pages 4.8-42 and 4.8-43), the Project is consistent with this goal since the Project would develop the Project site that has been historically vacant and undeveloped, with industrial and commercial buildings that would diversify the City’s economy and bring employment opportunities closer to the local workforce. Co-locating jobs near housing improves the jobs to housing balance within the City and reduces greenhouse gas emissions caused by long commutes and contributes to integrated development patterns. Moreover, Connect SoCal identifies the City and surrounding area as a center for job growth. Further, the Project site is located adjacent to an area surrounded by industrial development in the City, which is in close proximity to key freeway infrastructure (e.g., I-215, SR-60, I-10, etc.), thereby reducing travel distances. Development of the Project in western Riverside County also would shorten the distance that goods need to travel between a logistics facility to their final destinations (“last mile” transit times). Therefore, the Project is consistent with Goal 7 of the SCAG’s Connect SoCal, and no revisions to the Draft EIR are required.

As such, the Draft EIR provided ample information about the Project’s impacts for informed decision-making. Last, inconsistency with a goal or policy of an applicable plan is not itself an environmental impact. (See *Orinda Ass’n v. Board of Supervisors (1986) 182 Cal.App.3d 1145.*) In this case, the underlying environmental impacts regarding Project consistency with the AQMP and statewide GHG reductions goals are already disclosed in Subsections 4.3, *Air Quality*, and 4.8, *Greenhouse Gas Emissions*, of the Draft EIR respectively. Moreover, under the Supreme Court’s decision in *Center for Biological Diversity v. Cal. Dept. Fish and Wildlife (2015) 62 Cal.4th 204*, the use of statewide GHG reduction goals as the basis for determining project impacts on the significance of GHG emissions is no longer allowed, and consistency with localized GHG reduction plans or numeric thresholds of significance are identified as the basis for determining the significance of GHG emissions.

- B-12 The commenter incorrectly states that the Project is inconsistent with the statutory requirements of the Housing Crisis Act/Senate Bill (SB) 330 and provides a summary of Government Code Section 66300(b)(1)(A). Refer to response to Comment B-13 for a detailed discussion on why the Project is not subject to SB 330. Contrary to the commenter’s statement, the Draft EIR does not need to be revised to include a finding of significance. Thus, no further response is required.
- B-13 The commenter incorrectly states that the Project would result in a net loss of 383 dwelling units in violation of SB 330 due to land uses changes required to implement the Project. The Project site is not subject to SB 330 since it is currently regulated by Riverside County, outside of the City’s jurisdiction. This area of the County is not subject to SB330 as it is outside of the urbanized area. The land use regulations for the Project site are currently under the jurisdiction of Riverside County and set forth in the Pass Area Plan with a designation of Rural Mountainous. Although the Project site is located in the City’s sphere of influence, the City



has no ability to zone the property (it can only prezone) and therefore cannot regulate uses within its sphere of influence.

Even if the City is considered an “affected City” with respect to land in its sphere of influence, residential uses are not an “allowed use”¹ on the Project site due to the following reasons: (1) The Project site has not been zoned or pre-zoned by the City so there is no allowed development by the City at the Project site. Without zoning and annexation, the property cannot be determined to have an allowable use under City planning and regulation at any level. As such, any modification to the general plan of the City would not increase or reduce allowed residential land use. (2) The Project site was not subject to SB 330 as of the benchmark date of January 1, 2018 and therefore should be excluded from the City’s analysis.²

Moreover, Government Code Section 66300(f)(4) specifically provides that the no net loss provisions of SB 330 do not apply to housing projects in Very High Fire Hazard Severity Zones (VHFHSZ) in local responsibility areas (LRAs).³ Upon annexation into the City (which is a prerequisite to allowing development under the City Code), the Project site will be within the City’s LRA and no longer under the state responsibility area (SRA). As shown in Figure 4.20-3, *Fire Hazard Severity Zones*, of the Draft EIR, slightly more than half of the Project site is within a VHFHSZ under the SRA. Any housing project constructed in a VHFHSZ would not be subject to the provisions of SB 330. Even if subject to SB 330, units in the portions of the Project site with the Very High Fire Severity designation would be excluded from application of SB 330 and would not need to be accounted for elsewhere. There is a clear presumption in the SB 330 text against construction of housing in VHFHSZ. In light of numerous recent wildfires, the City could determine that construction of housing on the Project site or portions thereof would be inconsistent with State and City public policy with respect to public health and safety.

Based on the preceding analysis, the Project site is not subjected to SB 330 and no revisions to the Draft EIR are required.

¹ The no residential loss land use provisions of SB 330, codified at Govt. Code Section 66300, apply “with respect to land where housing is an allowable use” Govt. Code Section 66300(b)(1).

² Govt Code Section 66300(b) (1) states: “Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as *in effect on January 1, 2018*, except as otherwise provided in clause (ii) of subparagraph (B). For purposes of this subparagraph, “less intensive use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or anything that would lessen the intensity of housing.”

³ Govt. Code Section 66300(f)(4) states: “This section shall not apply to a housing development project located within a very high fire hazard severity zone. For purposes of this paragraph, “very high fire hazard severity zone” has the same meaning as provided in Section 51177.” Section 51177 addresses LRAs.



- B-14 The commenter incorrectly states that deferring the identification of replacement sites to a later date is project piecemealing in violation of CEQA. As concluded under response to Comment B-13, the Project site is not subjected to SB 330 and, therefore, is not required to identify the replacement of housing sites. Thus, no revisions to the Draft EIR are required.
- B-15 The commenter incorrectly states that the projected employment growth from the Project represents a significant amount of growth based on SCAG's projections from 2016-2045. The key question in determining whether a project would result in a significant impact to population and housing is whether the project would induce substantial unplanned population growth in the area.

As discussed in Section 4.14, *Population and Housing*, the City's December 2020 Updated General Plan contains newer projections than SCAG used. The Updated General Plan forecasted that the City would provide 21,497 jobs within the City limits (exceeding SCAG forecasts) and 16,727 jobs within the Sphere of Influence (SOI), totaling 38,224 jobs within the City and its SOI by 2040. As shown in Table 4.14-4, *Estimated Population and Housing Growth in Beaumont with Project*, the Project would be within the anticipated business growth projections of the City and would contribute new employment to a housing-rich area, resulting in an improved and balanced job-housing ratio (refer to Page 4.14-9). Therefore, no revisions to the Draft EIR are required.

Furthermore, it is anticipated that the employees would come from within the City or the surrounding region because there is an imbalance of jobs and housing in Western Riverside County and the jobs that an industrial and commercial project in the region is likely to provide would be consistent with the job skills of residents in the area. For example, according to SCAG's Pre-Certified Local Housing Data, Beaumont has 19,385 workers living within its borders who work across 13 major industrial sectors. The most prevalent industry is Education & Social Services with 5,714 employees (29.5% of total) and the second most prevalent industry is Retail trade with 2,593 employees (13.4% of total). Additionally, the Construction industry has 1,071 employees (0.06% of total) and the Manufacturing industry has 1,483 employees (0.08% of total). The Project's employment generation would not induce substantial growth in the area because the Project would result in service-oriented and industrial-oriented jobs, which are jobs that are anticipated to be filled by residents of the City and surrounding area.

According to the Bureau of Labor Statistics (BLS), in August 2021, the Riverside-San Bernardino-Ontario region's civilian labor force exceeded 2,090,800 persons with more than 1,931,500 people employed and an unemployment rate of 7.6% (or 159,300 persons) (BLS, 2021). Accordingly, the Riverside-San Bernardino-Ontario region contains an ample supply of potential employees under existing conditions and the Project's labor demand is not expected to draw a substantial number of new, unplanned residents to the area. Furthermore, approximately 91.1% of Beaumont residents commute outside of the City for work and more housing units are expected to be built within the City over the next 20 years. The Project would provide job opportunities close to home for existing and future Beaumont residents, which would subsequently help achieve a better job-to-housing balance within the City (refer to Page 4.14-8).



- B-16 The commenter incorrectly states that the Draft EIR needs to be revised to include cumulative development analysis of projects approved since 2016 and projects “in the pipeline” to determine if the proposed project exceeds the General Plan growth estimates and/or SCAG’s growth forecasts. As discussed in Section 4.14, *Population and Housing*, the Project’s cumulative analysis includes a list of related projects that were prepared through consultation with planning and engineering staff from the City of Beaumont. As shown in Table 4.14-5, *Cumulative Projects Population, Housing, and Employment Growth Trends in Beaumont*, the projected population, housing units, and employment growth generated by the Project and related projects would be within the anticipated growth for the City under the City’s General Plan growth projections (refer to Page 4.14-11). Additionally, the City’s General Plan growth projection, as analyzed in the City’s General Plan EIR, assumes buildout of all vacant land within the City and its SOI, which provides a cumulative analysis of the Project in addition to potential projects that will be built in the future. Therefore, the Project would not result in cumulative impacts related to population and housing and no revisions to the Draft EIR are required.
- B-17 The commenter states that the EIR provides uncertain language by stating “91% of Beaumont residents commute outside of the City for work and more housing units are expected to be built within the City over the next 20 years,” without providing specific information regarding the type of employment commuter residents qualify for or the quantity of housing units that are in development. The statement is from the Beaumont General Plan 2040 Program Draft EIR, Section 5.13, Population and Housing. Pursuant to the commenter’s request, this citation has been added to Page 4.14-4 of the Draft EIR.

Additionally, the commenter incorrectly states that (1) the EIR relies upon the entire unemployed workforce of the metropolitan Riverside-San Bernardino Ontario region to fill the project’s jobs and (2) relying upon the entire workforce population of the metropolitan Riverside-San Bernardino-Ontario region would increase VMT per employee and GHG emissions due to longer worker trip distances.

The commenter is conflating the Draft EIRs description of the availability of workforce in the area for purposes evaluating impacts to population and housing with worker commute VMT distances. As shown on Pages 4.14-8 through 4.18-9 of the Draft EIR, there is an ample supply of available workers within the City and the immediately surrounding area, and the Project would be within the anticipated growth projections contributing to an improved jobs-housing ratio.

The commenter does not present evidence to suggest that the VMT analysis (*Technical Appendix K2* to the Draft EIR) which relies on the Riverside County Travel Demand Model inaccurately accounts for commute trips. The Riverside County Travel Demand Model is based on socio-economic data and considers the interaction of population, households, and employment between different land uses. Additionally, the City’s required VMT metric of VMT per service population uses origin-destination methodology for all trips by all trip purposes, not only commute trips by employees only. Therefore, no revisions to the Draft EIR are required.



- B-18 The commenter states that the Draft EIR has not provided any exhibits depicting the available truck/trailer turning radius at the intersection of the project driveways to determine if there is enough space available to accommodate heavy truck maneuvering and emergency access vehicles. As part of the EIR process, projects are required to comply with all design standards. These include roadway street sections, ADA requirements, driveway standards, truck turns and emergency vehicle access requirements to name a few. Since the final site plan and buildings for each parcel are not determined at this stage, detailed truck turns will be prepared during the entitlement of each parcel to ensure final design meets all City requirements. All roadway striping, driveway design and location, ADA access, on-site/off-site truck turns and emergency vehicle access and turning movements will be developed to ensure all design elements result in a safe final design for each parcel and public roadways and will comply with applicable requirements. Therefore, no revisions to the Draft EIR are required.

Furthermore, the Beaumont Pointe Specific Plan, Section 4.4, Supplemental Guidelines for Industrial Uses, sets forth additional guidelines to address the design of building sites and considerations unique to all permitted uses within the Industrial land uses. Specifically, Section 4.4(3) states:

Site design shall specifically address the needs of pick-up, delivery, and service vehicles related to Industrial.

a. Design interior driveways and drive aisles to provide adequate stacking and prevent queuing of vehicles on public streets.

b. Locate and design service entrances so they do not interfere with owner/tenant/customer access.

c. Design loading areas to provide for tractor trailer backing and maneuvering on-site and not from a public street.

d. Provide appropriate on-site service vehicle parking/turnouts in an efficient, non-obtrusive location appropriate to the scale and needs of the development.

e. Vehicle loading/unloading when parked, shall not impede normal traffic flow.

With the requirements of the Specific Plan, future development will be required to provide adequate vehicle access, turning movements, and queuing.

- B-19 The commenter states that the Draft EIR has underreported the quantity VMT generated by Project operations by excluding the Project's truck/trailer/delivery van activity. The Project's VMT analysis (*Technical Appendix K2* to the Draft EIR) was developed based on the City of Beaumont's adopted Resolution No. 2020-20 "Vehicle Miles Traveled" Thresholds of Significance for Purposes of Analyzing Transportation Impacts under the California Environmental Quality Act (June 16, 2020) (City Guidelines), which was developed based on OPR's Technical Advisory on Evaluation Transportation Impacts in CEQA (OPR, December 2018). The City Guidelines require analyses to use methodology that include all trips by all trip purposes (i.e., passenger cars, delivery vans, and trucks). The VMT analysis has quantified all of the Project's truck/trailer and delivery van activity.



The OPR Technical Advisory was prepared to assist lead agencies in compliance with SB 743's new framework. As an initial point, CEQA Guidelines Section 15064.3(a) defines VMT as "the amount and distance of automobile travel attributable to a project." CEQA Guidelines Section 15064.3(a) focusses on "automobile travel." The OPR Technical Advisory states that "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. It does not include heavy-duty trucks, semi-trailers, construction equipment, or other commercial-type vehicles. Therefore, the Project Heavy Truck VMT was presented in Table 3 of the VMT analysis (*Technical Appendix K2* of the Draft EIR) to identify and disclose any heavy-truck activity related project VMT. However, this was prepared for information purposes to disclose VMT of heavy trucks.

The issue is best concisely summarized by the County of Santa Barbara: "As a result, the VMT criteria and thresholds in the CEQA Guidelines and this chapter related to employment generating uses do not apply to those components of proposed projects that involve commercial vehicles. However, the VMT criteria and thresholds would apply to those components that involve passenger vehicles. For example, a proposed oil production or agricultural processing facility may involve significant numbers of commercial trucks and semi-trailers that would haul supplies and products to and from the facility. The project may also involve employees and others who would travel to and from the facility in passenger vehicles. In this case, the VMT analysis would not address potential VMT generated by the commercial trucks and semi-trailers and, therefore, would not consider such VMT a significant transportation impact. Rather, the VMT analysis would focus on VMT generated by passenger vehicles traveling to and from the facility."⁴

As confirmed by other lead agencies, "OPR has clarified in the Technical Advisory and recent informational presentations that heavy-duty truck VMT is not required to be included in the estimation of a project's VMT."⁵; see also "[a]s such, VMT analysis of truck trips is not a prescribed method to assess [a] projects' transportation impacts under CEQA."⁶

OPR Guidance focuses on the reduction of automobile (i.e., cars and light duty trucks) to address CARB's GHG emission reduction targets from cars and light duty trucks. CEQA Guidelines section 15064.3 limits VMT to "automobile travel." The OPR Guidance states that "the term 'automobile' travel refers to on road passenger vehicles, specifically cars and light trucks." The potential mitigation measures proposed by OPR indicate that VMT analyzes mileage for commuting to jobs. The OPR Technical Advisory lists a whole host of "potential measures to reduce vehicle miles traveled." None of them refer to measures which could reduce vehicle miles of a heavy-duty truck (and are all focused on employee trips), as follows:

- Improve or increase access to transit.

⁴<http://www.countyofsb.org/uploadedFiles/plndev/Content/Projects/FINAL%20Ch.%2018%20Environmental%20Thresholds%20Update.pdf>

⁵<https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/JVR/DEIR/Chapters/JVR%20DEIR%203.1.7%20Transportation.pdf>

⁶ <https://www.longbeach.gov/globalassets/city-manager/media-library/documents/memos-to-the-mayor-tabbed-file-list-folders/2020/june-30--2020---vehicle-miles-traveled--vmt--standards-for-development-review>



- Increase access to common goods and services, such as groceries, schools, and daycare.
- Incorporate affordable housing into the project.
- Incorporate neighborhood electric vehicle network.
- Orient the project toward transit, bicycle and pedestrian facilities.
- Improve pedestrian or bicycle networks, or transit service.
- Provide traffic calming.
- Provide bicycle parking.
- Limit or eliminate parking supply.
- Unbundle parking costs.
- Provide parking cash-out programs.
- Implement roadway pricing.
- Implement or provide access to a commute reduction program.
- Provide car-sharing, bike sharing, and ride-sharing programs.
- Provide transit passes.
- Shifting single occupancy vehicle trips to carpooling or vanpooling, for example providing ride-matching services.
- Providing telework options.
- Providing incentives or subsidies that increase the use of modes other than single occupancy vehicle.
- Providing on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms.
- Providing employee transportation coordinators at employment sites.
- Providing a guaranteed ride home service to users of non-auto modes.

Nonetheless, heavy-truck trips have been calculated within the traffic study for modeling convenience and in order to account for other potential environmental impacts related to trucks/goods movement, such as air quality and GHG emissions and noise, which have been considered and analyzed throughout the Draft EIR, specifically Sections 4.3, *Air Quality*, 4.8,



Greenhouse Gas Emissions, and 4.13, *Noise*. Therefore, no revisions to the Draft EIR are required.

- B-20 The commenter incorrectly states that Section 5.0 of the Draft EIR did not include a finding of significance due to the Project’s significant and unavoidable cumulatively considerable air quality, greenhouse gas emissions, noise, and transportation impacts and direct contribution to climate change. Refer to response to Comment B-6 for the discussion regarding Title 24 modeling software. Contrary to the commenter’s assertion, Section 5.1 of the Draft EIR discloses the Project’s significant environmental effects related to air quality, greenhouse gas emissions, noise, and transportation (refer to Pages 5-1 to 5-4). Additionally, details of the Project’s required changes in land use designations (General Plan Amendment, Annexation, Prezone) are discussed throughout the Draft EIR (refer to Pages 3-8, 4.11-9, and 4.11-39). Therefore, no revisions to the Draft EIR are required.
- B-21 The commenter incorrectly states that the Draft EIR does not adequately discuss or analyze the commitment of resources and is not consistent with regional and local growth forecasts. Refer to response to Comments B-15 and B-16 for a detailed discussion on the Project’s cumulative analysis and its consistency with regional and local growth forecasts. Additionally, cumulative analysis related to each environmental topic is provided within each section of the Draft EIR. Therefore, no revisions to the Draft EIR are required.
- B-22 The commenter incorrectly states that the Draft EIR does not meaningfully discuss or analyze the Project’s required land use designation changes (General Plan Amendment, Annexation, Prezone) from residential to industrial and commercial in the discussion of growth inducing impacts. As discussed in Section 5.0, *Other CEQA Considerations*, of the Draft EIR, the Project’s required land use designation changes are limited to the Project site’s boundaries and do not include any components that would indirectly affect existing or planned uses on neighboring properties. The development of the proposed commercial, industrial, and open space uses on the Project site would not reasonably or foreseeably cause the redevelopment of other properties or cause development on other properties. Infrastructure additions are limited to those needed for the Project or already planned, and the Project would not result in the need to expand any public services to maintain levels of service. Moreover, operation and maintenance of the Project would generate jobs, but any potential growth-inducing impact of the employment of persons at the Project site was accounted for in the City’s General Plan, as the Project’s proposed 5,456 total jobs represent approximately 33% of the anticipated jobs within the City’s SOI and approximately 14% of the City’s total job pool. These jobs were within the City’s growth forecast and will contribute to an improved job-housing ratio. Accordingly, the Project would not directly promote growth either at the Project site, at the adjacent and surrounding properties, or within the City that were not accounted for in the City’s General Plan. Therefore, no revisions to the Draft EIR are required.
- B-23 The commenter incorrectly states that the Draft EIR has not provided an adequate or accurate cumulative analysis discussion to demonstrate the impact of the Project in a cumulative setting. Refer to response to Comment B-16 for a detailed discussion of the Project’s cumulative analysis and its consistency with the City’s General Plan growth projections.



- B-24 This comment provides conclusionary remarks. The City acknowledges the statement of interest and will include GSEJA on the mailing list for future CEQA notices related to the Project. No further response is required.
- B-25 The commenter summarizes the Project description and incorrectly claims that the Draft EIR's air quality, health risk, and greenhouse gas impacts are underestimated and request preparation of an updated EIR based on subsequent comments. This is a summary of the detailed comments provided in the body of the commenter letter, which are responded to in the following responses to Comments B-26 through B-68. Thus, no further response is required.
- B-26 The commenter correctly summarizes sections of the Draft EIR related to construction and operational air quality impacts. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.
- B-27 The commenter states that the Draft EIR fails to implement all feasible mitigations based on the subsequent comments and that Project's conclusion that air quality impacts would be significant-and-unavoidable is unsubstantiated. In addition, the commenter relies on CEQA Guidelines Section 15096 which applies to responsible agencies and is inapplicable. Refer to response to Comments B-34 to B-63 for a detailed discussion of the suggested mitigation measures. Thus, no further response is required.
- B-28 The commenter further refers to the list of additional feasible mitigation measures provided in the subsequent portion of the letter. Refer to response to Comments B-34 to B-63 for a detailed discussion on the suggested mitigation measures. Thus, no further response is required.
- B-29 The commenter correctly summarizes the Project's health risk impacts and that these impacts would not exceed the South Coast AQMD significance threshold of 10 in one million and would be less than significant. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.
- B-30 In response to the first issue raised in this comment asserting that the fraction of time at home (FAH) values relied upon by the Draft EIR's Health Risk Assessment (HRA) are inconsistent with those recommended by the South Coast AQMD. South Coast AQMD recommends using Office Of Environmental Health Hazard Assessment (OEHHA) guidance. The HRA followed South Coast AQMD-approved and OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments (February 2015).⁷ The time at home factors used in the assessment are consistent with OEHHA-recommended factors and, therefore, follow South Coast AQMD recommended guidance.
- B-31 The commenter incorrectly states that Age Sensitivity Factors (ASF) were omitted from the analysis. As noted on Page 20 of *Technical Appendix B2*, of the Draft EIR, and illustrated on Tables 2-4 through 2-6, the "Age Specific Factor" is clearly identified. Furthermore, the Risk Calculations contained in Appendix 2.4 of the Health Risk Assessment (*Technical Appendix B2*, of the Draft EIR), shows the quantification of carcinogenic risk and noncarcinogenic

⁷ <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>



hazards based on each ASF scenario. As shown, the ASFs were appropriately included in the analysis. The analysis uses the same equation proposed by the commenter; however, a simplified version of this formula is presented in the Health Risk Assessment (refer to Section 2.5 of *Technical Appendix B2* of the Draft EIR).

- B-32 The commenter summarizes the Project’s greenhouse gas emissions conclusion, restating data presented in the Draft EIR that the Project would exceed the City’s threshold of 3,000 MT CO₂e/year. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.
- B-33 The commenter relies on CEQA Guidelines section 15096 which applies to responsible agencies and is inapplicable. The commenter states that the Draft EIR fails to implement all feasible mitigations based on the subsequent comments and that Project’s conclusion that greenhouse emissions would be significant-and-unavoidable is unsubstantiated. The commenter further refers to the list of additional feasible mitigation measures provided in the subsequent portion of the letter. Refer to responses to Comments B-34 to B-63 for a detailed discussion of the suggested mitigation measures. In addition, the commenter assumes, without support, that implementation of its suggested mitigation measures would result in less than significant GHG emissions. No further response is required.
- B-34 The commenter recommends consideration of measures (identified below) found in the Department of Justice Warehouse Project Best Practices document be included in the Draft EIR. The commenter requests prohibition of off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day. Mitigation Measure MM 4.3-2 in the Draft EIR requires that all 50-horsepower or greater diesel-powered equipment shall comply with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 4 off-road emissions standards or equivalent. Tier 4 compliant engines significantly reduce emissions of particulate matter (PM) and oxides of nitrogen (NO_x) to near zero levels. Furthermore, construction activities are only permitted between the hours of 7:00 a.m. and 6:00 p.m. In addition, construction workers take time off for lunch and breaks. Thus, the City determines that additional mitigation is not warranted.
- B-35 The commenter requests designation of an area in the construction site where electric-powered construction vehicles and equipment can charge. Pursuant to the commenter’s request the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-13 Plans submitted for grading permit issuance and building permit issuance shall specify a designated area of the construction site where electric or non-diesel vehicles, equipment, and tools can be fueled or charged. The provision of temporary electric infrastructure for such purpose shall be approved by the utility provider, Southern California Edison (SCE). If SCE will not approve the installation of temporary power for this purpose, the establishment of a temporary electric charging area will not be required. If electric equipment will not be used on the construction site because the construction contractor(s) does not have such equipment in its fleet (as specified in Mitigation Measure MM 4.3-14), the establishment of a temporary electric charging area also will not



be required. If electric powered equipment is in the contractor(s) equipment fleet, and SCE approval is secured, the temporary charging location is required to be established upon issuance of grading permits and building permits.

MM 4.3-14 If electric or non-diesel off-road trucks and construction support equipment, including but not limited to hand tools, forklifts, aerial lifts, materials lifts, hoists, pressure washers, plate compactors, and air compressors are available in the construction contractor's equipment fleet and can fulfill the Project's construction requirements during the building construction, paving, and architectural coating phases of Project construction, such equipment shall be used during Project construction. This requirement shall be noted on plans submitted for building permit issuance.

B-36 The commenter requests mitigation to limit the amount of daily grading disturbance area but does not provide an exact quantity. The construction analysis included extremely conservative assumptions on the amount of acres that could be actively graded per day to provide a worst case analysis of air quality impacts. Specifically, grading activities assumed 60 acres per day could be actively disturbed during grading for Phase 1, 33 acres for Phase 2, and 25 acres for Phase 3. Additionally, limiting the amount of grading per day will not change the overall amount of grading required for the Project, which would result in the same overall impact. Therefore, the Draft EIR made reasonable assumptions based on equipment and schedule and disclosed the maximum emissions per day, therefore, no further mitigation is required.

B-37 The commenter requests mitigation to prohibit grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.

Table 4.3-9, *Localized Significant Summary - Construction*, of the Draft EIR, identifies the localized impacts at the nearest receptor location in the vicinity of the Project. For analytical purposes, emissions associated with peak grading activities are considered for purposes of LSTs since these phases represents the maximum localized emissions that would occur. Any other construction phases of development that overlap would result in lesser emissions and consequently lesser impacts than what is disclosed herein. As shown, Project-related construction emissions would not exceed the applicable South Coast AQMD LSTs for CO, NOX, PM10, or PM2.5 at the maximally impacted receptor location. All other modeled locations in the study area would experience a lesser concentration and consequently a lesser impact. Accordingly, construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations. Therefore, localized emissions from construction of the Project would result in less than significant impacts.

Furthermore, the land use with the greatest potential exposure to Project construction DPM source emissions is Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. At this location, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 0.47 in one million, which is less than the South Coast AQMD's significance threshold of 10 in one million. At this same location, non-cancer health risks were estimated to be ≤ 0.01 , which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to people in adjacent land uses as a result of Project construction activity. All other receptors during construction activity (even if they are located



at a nearer distance to the site) would experience less risk than what is identified for the maximally exposed individual receptor due to modeled meteorological conditions, source locations, and relative spatial distance from emission sources to other receptor locations (refer to Pages 4.3-42 to 4.3-43 of the Draft EIR).

Lastly, with respect to the request to limit activities if the Air Quality Index (AQI) exceeds 100, it should be noted that pursuant to EPA documentation,⁸ an AQI of over 100 is generally correlated when the ambient air quality standards are exceeded. Further, AQI is monitored at a regional level and not necessarily representative of local conditions that would occur adjacent to the Project site – which is important for determining local construction impacts. As noted above, the Project does not exceed any of the applicable ambient air quality standards during construction activity as evidenced by the modeling conducted in support of the LST analysis.

Because the Project would not result in a significant health risk to sensitive receptors during construction, there is no need to limit grading activities. Thus, the City determines that additional mitigation is not warranted.

- B-38 The commenter requests mitigation to forbid idling of heavy equipment for more than three minutes. As discussed in Section 4.6, *Energy*, of the Draft EIR, CCR Title 13, Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment or potential additional pollutants generated by starting equipment as opposed to idling. Best Available Control Measure (BACMs) inform construction equipment operators of this requirement. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints (refer to Page 4.6-25 of the Draft EIR). However, pursuant to the commenter’s request PDF 8-5 and MM 4.3-4 has been modified to reduce idling time from five minutes to three minutes, as shown below. The revised PDF and mitigation measure further support the conclusions in the Draft EIR and are not evidence of a new or greater impact not previously disclosed.

PDF 8-5 Tenant lease agreements for the Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 3 ~~5~~ minutes while on site in exceedance of the City of Beaumont Idling Ordinance.

MM 4.3-4 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) ~~five (5)~~ minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of an

⁸ <https://www.airnow.gov/sites/default/files/2020-05/aqi-technical-assistance-document-sept2018.pdf>



occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.

- B-39 The commenter requests that the Contractor keep a record of all equipment maintenance and data sheets, including design specifications and emission control tier classifications; and furnish such list to the lead agency or other regulators upon request. Pursuant to the commenter’s request the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-15 Project construction contractors shall maintain records of all off-road diesel construction equipment associated with Project construction to document that each off-road diesel construction equipment used meets emission standards. Records shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Beaumont staff or their designee.

- B-40 The commenter requests the requirement of on-site inspections to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. Pursuant to the commenter’s request the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-16 During construction activities, the City shall conduct periodic inspections to verify compliance with construction-related mitigation measures pursuant to the Mitigation Monitoring and Reporting Program.

- B-41 The commenter suggests requiring that all heavy-duty vehicles engaged in drayage to or from the project site to be zero emission beginning in 2030. At present, requiring zero-emission vehicles is economically and technologically infeasible; also, such vehicles are not available on a large enough scale to be relied upon. In a report titled “Transitioning to Zero-Emission Heavy-Duty Freight Vehicles,” the International Council on Clean Transportation (ICCT) provides an overview of advancing technologies (ICCT, September 2017).⁹ The ICCT reports that although the technology is advancing and although at some point in the distant future non-diesel technology will likely be used in mass to power freight movement, “zero-emission vehicle technologies do present considerable challenges. They have a combination of near- and long-term barriers, issues, and questions that will have to be addressed before they can become widespread replacements for conventional trucks and tractor-trailers that are typically diesel fueled” (ICCT, p. 31). “Tesla’s announced battery electric semi-tractor prototype is the **only** (emphasis added) battery electric project we found in our [world-wide] assessment targeting long-haul heavy-duty applications” (ICCT, p. 31). Imposing extensive requirements on the proposed Project related to emerging technology, when the various types of technological advancements and their timeframes for common availability are not known with any certainty, is not a feasible mitigation measure.

⁹ https://www.theicct.org/sites/default/files/publications/Zero-emission-freight-trucks_ICCT-white-paper_26092017_vF.pdf



An EIR must describe feasible measures that could minimize the project's significant adverse impacts. 14 Cal Code Regs §15126.4(a)(1). An EIR may decline to propose a mitigation measure that would not effectively address a significant impact. An EIR also need not identify and discuss mitigation measures that are infeasible. Nor must an EIR analyze in detail mitigation measures it concludes are infeasible.

Further, South Coast AQMD recently adopted a Warehouse Indirect Source Rule, Rule 2305, in May 2021. Rule 2305 applies to warehouse operators and owners of warehouses greater than or equal to 100,000 square feet of indoor floor space within a single building that may be used for warehousing activities. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be subject to compliance with Rule 2305 (refer to Pages 4.3-22 and 4.3-23). Because compliance will be implemented by lessees, the specific measures that will be implemented to comply with Rule 2305 are not known at this time, although they potentially would include use of electric heavy duty trucks. Additionally, Mitigation Measure 4.3-12 requires the City's Planning Department to confirm that tenant lease agreements requiring the Project Applicant to provide \$1.00 per square foot in funding for fleet upgrade financing to be used over the term of their lease on Zero Emissions (ZE) and Near Zero Emissions (NZE) delivery vans or trucks. Compliance with Rule 2305 would reduce air quality effects associated with the warehouse industry, including the Project, throughout the air basin, although quantification of such reductions is not feasible at this time.

- B-42 The commenter requests mitigation to require tenants to use zero-emission light- and medium-duty vehicles as part of business operations. Refer to response to Comment B-41 regarding the feasibility of using zero-emission vehicles. The Project would install electric vehicles (EV) charging stations and clean air/vanpool parking stalls at the Project site, which would contribute to and support the use of more EVs and consequently reduce air quality emissions associated with passenger vehicle travel. Additionally, conduit will be installed from the electrical room to tractor trailer parking spaces in logical location(s) on the site for the purpose of accommodating the future installation of EV truck charging stations, at such time as this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines. Thus, the City determines that additional mitigation is not warranted.
- B-43 The commenter requests mitigation to forbid trucks from idling for more than three minutes and requiring operators to turn off engines when not in use. The Project shall comply with California Code of Regulations Title 13, Division 3, Chapter 10, Article 1, Section 2485, "Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling, limits nonessential idling to five minutes or less for commercial trucks. The Project incorporates Project Design Feature (PDF) 8-5, which would require tenant lease agreements for the Project to include contractual language restricting trucks and support equipment from nonessential idling longer than 5 minutes while on site in compliance with the City of Beaumont Idling Ordinance. Additionally, Mitigation Measure MM 4.3-4 would ensure legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report



violations. Limiting the maximum idling time to five minutes is in compliance with the California Code of Regulations and the City's Idling Ordinance. However, pursuant to the commenter's request PDF 8-5 and MM 4.3-4 has been modified to reduce idling time from five minutes to three minutes, as shown below. The revised Project Design Feature and mitigation measure further supports the conclusions in the Draft EIR and are not evidence of a new or greater impact not previously disclosed.

PDF 8-5 Tenant lease agreements for the Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 3 ~~5~~ minutes while on site in exceedance of the City of Beaumont Idling Ordinance.

MM 4.3-4 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) ~~five (5)~~ minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.

B-44 The commenter requests installation of solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.

As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project site shall provide Solar Photovoltaic panels or wind, installed on buildings or in collective arrangements to meet approximately 20% of the power needs of each building (refer to Page 3-19). This design feature is consistent with the Riverside County CAP. In addition, the buildings will be 100% roof top ready for solar which would enable expansion of rooftop solar installation in the future to meet specific tenant needs. The current CALGreen code requires a 100% of rooftop to be rooftop ready, and the Project exceeds this requirement by also providing 20% solar. Thus, the City determines that additional mitigation is not warranted.

B-45 The commenter requests that all project building roofs to be designed to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible. Refer to response to Comment B-44 related to solar photovoltaic systems onsite. Additionally, as part of the Project Design Features, PDF 8-2 would require installation of cool roofs within the Project to be rated at 0.15 aged solar reflectance and 0.75 thermal emittance or greater (refer to Page 4.6-9). Thus, the City determines that additional mitigation is not warranted.



- B-46 The commenter requests that the Project construct zero-emission truck charging/fueling stations proportional to the number of dock doors at the project. As stated in Mitigation Measure 4.3-7, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Conduit will be installed from the electrical room to tractor trailer parking spaces in logical location(s) on the site determined by the Project Applicant during construction document plan check, for the purpose of accommodating the future installation of EV truck charging stations at such time this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines. As stated in response to Comment B-41, requiring zero-emission vehicles is currently economically and technologically infeasible; also, such vehicles are not available on a large enough scale to be relied upon. Therefore, the current technology required for EV truck charging stations is unknown and technologically infeasible. Thus, the City determines that additional mitigation is not warranted.
- B-47 The commenter requests that the Project run conduit to designated locations for future electric truck charging stations. This recommendation is already provided in the Draft EIR. Refer to response to Comment B-46 related to electrical room to be sized for future installation of electric vehicle truck charging onsite. As stated in Mitigation Measure MM 4.3-8, final Project designs shall provide for installation of conduit in tractor trailer parking areas for the purpose of accommodating future installation of EV truck charging stations. Thus, the City determines that additional mitigation is not warranted.
- B-48 The commenter states that unless the Project prohibits refrigerated warehouse uses, it shall construct electric plugs for electric transport refrigeration units at every dock door and require truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- This recommendation is already provided in the Draft EIR. As stated in Mitigation Measure MM 4.3-9, all truck/dock bays that serve cold storage facilities within the proposed buildings shall be electrified to facilitate plug-in capabilities and support use of electric standby and/or hybrid electric transport refrigeration units (TRUs). All site and architectural plans submitted to the City Planning Department shall note all the truck/dock bays designated for electrification. Prior to the issuance of a Certificate of Occupancy, the City Building Department shall verify electrification of the designated truck/dock bays. Thus, the City determines that additional mitigation is not warranted.
- B-49 The commenter requests mitigation to oversize electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability. As stated in Mitigation Measure MM 4.3-7, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to both the future installation of electric vehicle (EV) truck charging stations on the site and trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Thus, the City determines that additional mitigation is not warranted.
- B-50 The commenter requests the Project construct and maintain electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of



at least Level 2 charging performance). The Project would comply with the 2022 California Green Building Standards Code (CALGreen). CALGreen Section 5.106.5.3.1 requires the Project to provide 20% of the provided parking stalls as EV ready with conduits and electrical ready panels; and, of the 20%, 25% will need to be EV stalls with the installed chargers. The EV stalls may be provided with any combination of Level 2 and Direct Current Fast Charging, except that at least one Level 2 electric vehicle supply equipment shall be provided (CALGreen Section 5.106.5.3.2). Additionally, as stated in Mitigation Measure MM 4.3-6, Transportation Demand Management (TDM) program strategies include each building to provide preferred parking for electric, low-emitting and fuel-efficient vehicles equivalent to at least 8% of the required number of parking spaces. Thus, the Project exceeds the commenters request and the City determines that additional mitigation is not warranted.

- B-51 The commenter requests the Project run conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations. The Project would meet this requirement since it will be required to meet CALGreen, which requires the Project to provide 20% of the provided parking stalls as EV ready with conduits and electrical ready panels. Refer to response to Comment B-50 above. Thus, the City determines that additional mitigation is not warranted.
- B-52 The commenter requests the installation and maintenance, at the manufacturer's recommended maintenance intervals, of air filtration systems at sensitive receptors within a certain radius of facility for the life of the project. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the nearest maximally exposed individual receptor to the Project site is Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. As concluded in, Table 4.3-9, *Localized Significant Summary – Construction*, construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations (refer to Page 4.2-47). Similarly, Table 4.3-10, *Localized Significant Summary – Operation*, concluded that operational emissions would not exceed the South Coast AQMD's localized significant thresholds at the maximally impacted receptor location. (refer to Pages 4.3-43 to 4.3-48). Thus, the City determines that additional mitigation is not warranted.
- B-53 The commenter requests the installation and maintenance, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project and making the resulting data publicly available in real time. As stated above in response to Comment B-52, the Project would not result in significant air quality related health risk impacts during construction or operation, therefore additional mitigation is not warranted.
- B-54 The commenter requests mitigation to require all stand-by emergency generators to be powered by a non-diesel fuel. Emergency generators would only be used in emergency power failure or for routine testing and maintenance. Such intermittent use would not a substantial amount of emissions, since by the very nature of the activity, it would be short-term, intermittent, and infrequent. Requiring that emergency generators to be powered by non-diesel fuel would not result in a significant reduction in air quality emission impacts. Thus, the City determines that additional mitigation is not warranted.



- B-55 The commenter requests facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks. Refer to response to Comment B-43 for a detailed discussion on idling of trucks and response to Comment B-60 regarding directional signs to truck routes. Thus, the City determines that additional mitigation is not warranted.
- B-56 The commenter requests mitigation to establish and promote a rideshare program that discourages single occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking. This recommendation is already provided in the Draft EIR. As shown in Table 4.8-6, *CAP Screening Table for GHG Implementation Measures*, the Project would include car/vanpool program with preferred parking and provide reserved preferential parking spaces for car-share, carpool, and ultra-low or zero emission vehicles. Additionally, as stated in Mitigation Measure MM 4.3-6, Transportation Demand Management (TDM) program strategies include providing on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day, promoting and supporting carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service, and incorporating incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users. Thus, the City determines that additional mitigation is not warranted.
- B-57 The commenter requests Project buildings meet CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking. Tier 2 green building standards are voluntary. The City elected to utilize the Riverside County CAP point system on its broad approach to GHG and emissions reductions, including designated parking for clean air vehicles, electric vehicle charging, and bicycle parking. Both Tier 2 and the CAP are designed to reduce GHG emissions and both are optional for this Project. Under the Riverside County CAP, the Project achieves more than 500 points, which is far in exceedance of the 100 points required to meet CAP requirements and result in a less than significant impact were the Project to remain in unincorporated Riverside County. The Project buildings would meet CalGreen Tier 1 green building standards. Additionally, as discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to be consistent with the provisions of interior and exterior bicycle storage as a sustainable design strategy consistent with CALGreen. Furthermore, the Project would be required to provide 20% of the provided parking stalls as EV ready with conduits and electrical ready panels; and, of the 20%, 25% will need to be EV stalls with the installed chargers. The Project is also providing electrical conduits for future EV truck charging stations (refer to Mitigation Measure MM 4.3-8). The Project has also committed to energy efficiency measures, including but not limited to a car/vanpool program with preferred parking; bike lockers and secure racks; reserved preferential parking spaces for car-share, carpool, and ultra-low or zero emission vehicles; 60 EV charging stations in employee garages/parking areas, or the equivalent. Based on the preceding, the Project adequately provides designated parking for clean air vehicles, electric vehicle charging, and bicycle parking. Thus, the City determines that additional mitigation is not warranted.



- B-58 The commenter requests the Project design buildings to LEED green building certification standards. The Project would be constructed to Title 24 Part 6 and CalGreen Building Code Tier 1 standards, which approximates basic LEED certification. Thus, the City determines that additional mitigation is not warranted.
- B-59 The commenter requests mitigation requiring meal options onsite or shuttles between the facility and nearby meal destinations. As stated in Mitigation Measure 4.3-6, Transportation Demand Management (TDM) program strategies include providing meal options on-site or shuttles between the facility and nearby meal destinations. In addition, as shown on 4.3-7, *Summary of Peak Operation Emissions*, of the Draft EIR (refer to Pages 4.3-39 to 4.3-41), the majority of the Project's air pollutant emissions are attributed to mobile sources from trucks. Since the exceedance of emissions is due to trucks, not passenger cars, the recommendation will not result in a measurable reduction of emissions and would not meaningfully reduce Project impacts. Thus, the City determines that additional mitigation is not warranted.
- B-60 The commenter requests mitigation to post signs at every truck exit driveway providing directional information to the truck route. Pursuant to the commenter's request the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-17 Prior to building final, the Project Applicant or successor in interest shall install signs at each truck exit driveway that provides directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow.

- B-61 The commenter requests that the Project Applicant improve and maintain vegetation and tree canopy for residents in and around the project area in order to reduce air quality and GHG emissions. Improving and maintaining vegetation and the tree canopy for residents in and around the Project site would not have any effect on reducing the Project's air quality and GHG emissions. Moreover, as discussed in Section 4.3, *Air Quality*, of the Draft EIR, the nearest sensitive receptor to the Project site is Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. Therefore, this measure is not warranted. However, the Project would provide extensive landscape on the Project site. Figure 3-14, *Master Landscape Plan*, of the Draft EIR (refer to Page 3-47), depicts the Project's proposed landscape plan for the site. Monumentation featuring colorful accent trees, shrubs, and groundcover occur at the Project entrances. Streetscape landscaping presents a combination of evergreen and deciduous trees, low shrubs, and masses of groundcovers to create a visually pleasing experience for pedestrians and passing motorists. The Landscape Design Guidelines of the Beaumont Pointe Specific Plan provides a plant palette for three categories: Entrance Planting, Native California Planting, and Industrial Screen Planting; and selected to complement and enhance the setting of the site, while ensuring the conservation of the site's natural vegetation and habitats. Alternative plant species may be used provided that they are drought-tolerant and complement the Project's design theme. Prohibited plant species, which are strictly prohibited from use in landscaped areas and Fuel Modification Zones, are also identified to protect native habitats within and surrounding the Project due to their



- flammability or invasive nature. Therefore, the City determines that additional mitigation is not warranted.
- B-62 The commenter requests that the Project Applicant require that every tenant (1) train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses; and (2) require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be subject to compliance with Rule 2305 (refer to Pages 4.3-22 and 4.3-23). As part of Rule 2305, facilities would be required to report information about facility operations to South Coast AQMD each year and recordkeeping of onsite operations. Therefore, the City determines that additional mitigation is not warranted.
- B-63 The commenter requests that the Project Applicant require tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers. The US EPA SmartWay Program is a voluntary public-private program. The Project Applicant or City cannot control the types of trucks coming to the Project site. Because the building occupants/tenants are not yet known, it is highly speculative to assume that the building occupants/tenants will own or control a fleet of trucks. The large majority of warehouses are served by contracted trucking companies and independent drivers and the building occupant/tenant may have no control over the truck engine type, in which case the building occupant/tenant would need to comply with Rule 2305's requirements through a suite of equivalent measures or payment of the required fee to reduce Air Quality impacts as required by the Rule. Thus, the City determines that additional mitigation is not warranted.
- B-64 The commenter makes a concluding, conclusory comment that the suggested mitigation measures offer a cost-effective, feasible way to incorporate lower-emitting design features into the proposed Project, which subsequently, reduce emissions released during Project construction and operation. Refer to response to Comments B-34 to B-63 for a detailed discussion on the suggested mitigation measures. Thus, no further response is required.
- B-65 The commenter emphasizes the applicability of incorporating solar power system into the Project design as it is policy of the State that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. Refer to response to Comment B-44 related to solar photovoltaic systems onsite. Thus, no further response is required.
- B-66 The commenter states that a revised Draft EIR should be prepared to include all feasible mitigation measures and include updated air quality and GHG analyses to ensure that the necessary mitigation measures are implemented to reduce emissions to below thresholds. Refer to response to Comments B-34 to B-63 for a detailed discussion on the suggested mitigation measures. Applicable mitigation measures have been incorporated to the Project at the commenter's request. Even with the incorporation of the additional mitigation measures, the specified impacts to air quality and GHG would remain significant and unavoidable.



- B-67 The commenter provides disclaimer remarks about the comment letter. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.
- B-68 The commenter provides resumes for reference. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.



COMMENT LETTER C

From: [Deneen Pelton](#)
To: [Carole Kendrick](#)
Cc: [Cheryl Madrigal](#)
Subject: Beaumont Pointe Specific Plan
Date: Wednesday, January 11, 2023 3:27:51 PM

Greetings,

This email is written on behalf of Rincon Band of Luiseño Indians, (“Rincon Band” or “Band”), a federally recognized Indian Tribe and sovereign government.

The Band has received the notification for the above referenced project. The location identified within project documents is not within the Band’s specific Area of Historic Interest (AHI).

At this time, we have no additional information to provide. We recommend that you directly contact a Tribe that is closer to the project and may have pertinent information.

Thank you for submitting this project for Tribal review. If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 749-1092 or via electronic mail at crd@rincon-nsn.gov.

Thank you for the opportunity to protect and preserve our cultural assets.

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Deneen Pelton
Cultural Resources Department Coordinator
Cultural Resources Department
Rincon Band of Luiseño Indians
One Government Center Lane | Valley Center, CA 92082
Office: 760-749-1092
Fax: 760-749-8901
Email: dpelton@rincon-nsn.gov



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Responses to Comment C

Rincon Band of Luiseño Indians, Deneen Pelton, Cultural Resources Department Coordinator, dated January 11, 2023.

- C-1 The commenter states that the Project site is not with the Rincon Band of Luiseño Indians' specific Area of Historic Interest. The commenter recommends that the City directly contact a tribe that is closer to the Project site and concludes the letter. As part of the SB 18/AB 52 consultation process required by CEQA, the City of Beaumont sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project site. The Draft EIR discusses consultation with Native American tribes in Section 4.18, *Tribal Cultural Resources* (Draft EIR page 4.18-5). No further response is required.



COMMENT LETTER D



SENT VIA E-MAIL:
CKendrick@beaumontca.gov
Carole Kendrick, Planning Manager
City of Beaumont City Hall
550 East Sixth Street
Beaumont, California 92223

February 8, 2023

**Draft Environmental Impact Report (Draft EIR) for the Proposed
Beaumont Pointe Specific Plan (Proposed Project) (SCH No. 2020099007)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Beaumont is the Lead Agency under the California Environmental Quality Act (CEQA) for the Proposed Project. The following comments include recommended revisions to mitigation measures, CEQA air quality analyses for overlapping construction and operation activities, and information about South Coast AQMD permits that the Lead Agency should include in the Final EIR.

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South Coast AQMD Staff's Summary of Project Information in the Draft EIR
Based on the Draft EIR, the Proposed Project consists of amendments to the City of Beaumont's General Plan to establish and adopt the Beaumont Point Specific Plan, which is intended to serve as a regulatory document that will guide the future development of the Proposed Project site.¹ The Proposed Project site consists of approximately 539.9 acres of undeveloped terrain, abuts highway State Route 60, and is located near the southwest corner of Jack Rabbit Trail and Frontage Road, adjacent to the City of Beaumont, Riverside County.² Construction will occur in three phases and is expected to take approximately 4 years and 9 months with full buildout anticipated for year 2027.³ During this period the Proposed Project anticipates construction of approximately 336,000 square feet (30.2 acres) in general commercial and 4,995,000 square feet (232.6) in industrial.⁴ 277.1 acres of the Proposed Project site is planned as open space.⁵ Specifically the industrial portion of the site is anticipated to be developed with five industrial buildings that would be occupied with warehouse distribution operators.⁶ These five buildings would range in size between 600,000 square feet and 1,379,000 square feet⁷, support cold-storage,⁸ and total 806 dock doors⁹. At full buildout the Proposed Project is anticipated to result in between 2,240¹⁰ to 2,276¹¹ truck trips per day.

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¹ Draft EIR. 1.0 Executive Summary. Page 1-1 through Page 1-4.
² *Ibid.*
³ *Ibid.* 3.0 Project Description. Page 3-22 through Page 3-24.
⁴ *Ibid.* Page 3-10 through Page 3-11.
⁵ *Ibid.*
⁶ *Ibid.* Page 3-27.
⁷ *Ibid.* Page 3-21.
⁸ *Ibid.* 4.3 Air Quality. Page 4.3-28.
⁹ *Ibid.* 3.0 Project Description. Page 3-21 through Page 3-22.
¹⁰ *Ibid.* Page 3-27.
¹¹ *Ibid.* 4.17 Transportation. Page 4.17-9.



South Coast AQMD Staff's Comments on the Draft EIR

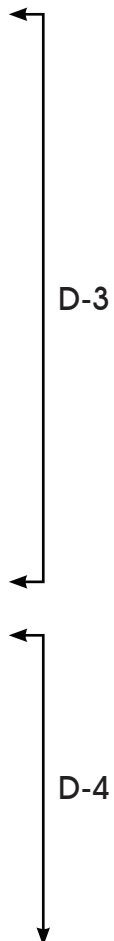
Recommended Air Quality Mitigation Measures

The Lead Agency concludes that construction activities resulting from the Proposed Project could result in emissions from on-site and off-site sources that exceed South Coast AQMD's CEQA regional construction mass daily thresholds¹² for volatile organic compounds (VOCs) and oxides of nitrogen (NOx).¹³ With mitigation measures, the Proposed Project site would still exceed the regional mass daily thresholds for NOx during construction.¹⁴ The Lead Agency also concludes that operational activities resulting from the Proposed Project at full buildout would result in emissions that exceed South Coast AQMD's CEQA regional operation mass daily thresholds for VOCs, NOx, carbon monoxide (CO), particulate matter with an aerodynamic diameter equal to or less than 10 microns (PM10) and particulate matter with an aerodynamic diameter equal to or less than 2.5 microns (PM2.5).¹⁵ With mitigation measures,¹⁶ the Proposed Project site would still exceed the regional mass daily thresholds for NOx, CO, PM10 and PM2.5 during operation and as such these emissions are considered significant and unavoidable.¹⁷

CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate significant adverse impacts. The Proposed Project is a guiding regulatory document for the future development of the Beaumont Pointe Specific Plan. The Draft EIR for the Proposed Project serves as the first-tier, programmatic level analysis that can provide guidance to subsequent, project-level environmental analyses. South Coast AQMD staff therefore recommends that the Lead Agency include the following mitigation measures in the Final EIR to further reduce emissions from construction and operation activities that may result from future implementation of the Proposed Project.

Recommended Mitigation Measures for Construction

Given that the Proposed Project is meant to guide development through at least year 2027, South Coast AQMD staff recommends that the Lead Agency consider including additional mitigation measures in the Final EIR to further reduce the Proposed Project's significant and unavoidable air quality impacts during construction. It is reasonably foreseeable that Tier 4 might not be the cleanest technology when construction occurs later during the approximately 4 year and 9-month time span of the Proposed Project's planned construction period. One of CARB's strategies for reducing emissions from off-road construction equipment aims to start implementing off-road Tier 5 in 2027/2028.¹⁸ Furthermore, the Governor's Executive Order in September 2020 (N-79-20) requires CARB to develop and propose a full transition to Zero Emissions (ZE) off-road



¹² South Coast AQMD Air Quality Significance Thresholds. Accessed at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>

¹³ Draft EIR. 4.3 Air Quality. Pages 4.3-38 through 4.3-39.

¹⁴ *Ibid.* Pages 4.3-54 through 4.3-55.

¹⁵ *Ibid.* Pages 4.3-39 through 4.3-41.

¹⁶ *Ibid.* Pages 4.3-51 through 4.3-54.

¹⁷ *Ibid.* Pages 4.3-55 through 4.3-58.

¹⁸ Presentation accessed at: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/combined-construction-carb-amp-aqmp-presentations-01-27-21.pdf>



Carole Kendrick, Planning Manager

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equipment by 2035, where feasible.¹⁹ Therefore, South Coast AQMD staff recommends that the Lead Agency revise the air quality analysis section in the DEIR²⁰ to include a mitigation measure that commits it to using the cleanest technology for construction during future development projects, if available and feasible, and include the revisions in the Final EIR. If the revisions are not included in the Final EIR, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

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Other Construction Mitigation Measures to include:

- Require that, at a minimum, future development use 2014 and newer haul trucks (including material delivery trucks and soil import/export) entering or on the Proposed Project site. Additionally, all heavy-duty haul trucks should also meet CARB’s lowest optional low oxides of nitrogen (NOx) standard.²¹
- Require the use of electric or alternative-fueled (i.e., non-diesel) construction equipment, if available, including but not limited to, concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors.
- Owners and operators of future development projects 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 of future development projects.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide the electrical infrastructure and electrical panels shall be appropriately sized. Electrical hookups should be provided for trucks to plug in any onboard auxiliary equipment.
- Provide temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow, where necessary.
- Provide dedicated turn lanes for the movement of construction trucks and equipment on- and off-site, where applicable.
- Ensure that vehicle traffic inside the project site is as far away as feasible from sensitive receptors.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less.
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.

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¹⁹ Presentation accessed at: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2022-air-quality-management-plan/combined-construction-carb-amp-aqmp-presentations-01-27-21.pdf>

²⁰ Draft EIR. 4.3 Air Quality. Pages 4.3-51 through 4.3-54.

²¹ CARB’s optional low-NOx emission standard can be found at: <https://ww2.arb.ca.gov/our-work/programs/optional-reduced-nox-standards>



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- Suspend use of all construction activities that generate air pollutant emissions during first stage smog alerts. ↔ D-14
- Configure construction parking to minimize traffic interference. ↔ D-15
- Require covering of all trucks hauling dirt, sand, soil, or other loose materials. ↔ D-16
- Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip. ↔ D-17
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). ↔ D-18
- Replace ground cover in disturbed areas as quickly as possible to minimize dust. ↔ D-19
- Pave roads and road shoulders, where applicable. ↔ D-20
- Sweep streets at the end of the day with South Coast AQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water). ↔ D-21

Recommended Mitigation Measures for Operation

As stated in the Air Quality section of the Draft EIR, the majority of the Proposed Project's NOx, CO, PM10 and PM2.5 operational emissions come from mobile sources.²² Specifically, for the NOx, PM10 and PM2.5 emissions, most are derived from the 2,240²³ to 2,276²⁴ truck trips per day that the Proposed Project will attract. Project-level air quality mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider and include in the Final EIR and any subsequent CEQA document and future development project may include the following: ↔ D-22

- MM 4.3-5 states that, "... the Project Applicant or successor in interest shall provide documentation to the City demonstrating that occupants/tenants of the Project site have been provided documentation on funding opportunities, such as the Carl Moyer Program, that provide incentives for using cleaner-than-required engines and equipment."²⁵ South Coast AQMD staff recommends that the Lead Agency revise MM 4.3-5 to include the incentive and programs found on the South Coast AQMD Incentives & Programs landing page, <http://www.aqmd.gov/home/programs>. South Coast AQMD offers a broad range of programs for businesses, the community, and local government that help to achieve cleaner air quality for all. Many of these programs offer financial incentives for implementing new clean air technologies. Some provide partnerships and new ways of addressing air quality issues throughout the South Coast Basin. ↔ D-23

²² Draft EIR. 4.3 Air Quality. Page 4.3-56.

²³ *Ibid.* 3.0 Project Description. Page 3-27.

²⁴ *Ibid.* 4.17 Transportation. Page 4.17-9.

²⁵ *Ibid.* 4.3 Air Quality. Page 4.3-52.



- The Lead Agency should require the use of ZE or NZE heavy-duty trucks by future development projects during operation such as trucks with natural gas engines that meet CARB’s adopted optional NOx emission standard of 0.02 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 Rule²⁶ and the Heavy-Duty Low NOx Omnibus Regulation,²⁷ ZE and NZE trucks will become increasingly more available to use. The Lead Agency can and should require future development projects to have a phase-in schedule to incentivize 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. At a minimum, require the use of 2014 model year trucks.
- Limit the daily number of trucks allowed at future development projects to the levels analyzed in the subsequent, project-level environmental analyses for these projects. If higher daily truck volumes are anticipated to visit the site, additional analysis should be done through CEQA prior to allowing this higher activity level.

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Design considerations that the Lead Agency should consider and include in the Final EIR for future development projects to further reduce air quality and health risk impacts include the following:

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- 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.).
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the future development project site.
- Design future development projects such that any check-in point for trucks is inside the project site to ensure that there are no trucks queuing outside.
- Design a future development project to ensure that truck traffic inside the project site is as far away as feasible from sensitive receptors.

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Additional Air Quality and Greenhouse Gas Mitigation Measures

The Lead Agency concludes that the impact of greenhouse gas emissions are significant and unavoidable for the Proposed Project at full buildout,²⁸ even with mitigation measures.²⁹ Given

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²⁶ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

²⁷ 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>.

²⁸ Draft EIR. 4.8 Greenhouse Gas Emissions. Pages 4.8-34 through 4.3-36.



Carole Kendrick, Planning Manager

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this, South Coast AQMD staff suggests the Lead Agency review the references listed below and thereafter consider including additional recommended mitigation measures in the Final EIR:

- California Attorney General’s Bureau of Environmental Justice guidance document on Warehouse projects, *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*³⁰
- South Coast AQMD 2022 South Coast Air Quality Management Plan,³¹ appendices:
 - IV-A: South Coast AQMD’s Stationary and Mobile Source Control Measures
 - IV-B: CARB’s Strategy for South Coast
 - IV-C: SCAG’s Regional Transportation Strategy and Control Measures
- United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation³²

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Health Risk Reduction Strategies

Notwithstanding the court rulings, South Coast AQMD staff recognizes that the Lead Agency that approves CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. South Coast AQMD staff is concerned about the potential public health impacts of siting sensitive populations within proximity of sources of air pollution (e.g., warehouse, freeway, airport). It is therefore recommended that prior to approving future development projects, the Lead Agency consider the impacts of air pollutants on people who will live in and/or nearby a new project location and provide mitigation where necessary. Additionally, South Coast AQMD staff suggests that the Lead Agency review the CARB Air Quality Land Use and Handbook: A Community Health Perspective³³ as it is a reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB’s technical advisory.³⁴

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Many strategies are available to reduce exposures, including, but not limited to, building filtration systems with Minimum Efficiency Reporting Values (MERV) 13 or better, or in some cases, MERV 15 or better is recommended, building design, orientation, location, vegetation barriers or landscaping screening. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast

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²⁹ Draft EIR. 4.8 Greenhouse Gas Emissions. Pages 4.8-60 through 4.3-62.
³⁰ State of California – Department of Justice. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. Accessed at: <https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf>
³¹ 2022 South Coast AQMP. Access at: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>
³² United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation. Access at: <https://www.epa.gov/mobile-source-pollution/environmental-justice-and-transportation>
³³ California Air Resources Board (CARB) Air Quality Land Use and Handbook: A Community Health Perspective. Access at: <https://www.arb.ca.gov/ch/handbook.pdf>
³⁴ CARB’s technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>



AQMD conducted to investigate filters,³⁵ a cost burden is expected to be within the range of \$120 to \$240 per year to replace each filter panel. The initial start-up cost could substantially increase if a Heating, Ventilation, and Air Conditioning (HVAC) system need to be installed and if standalone filter units are required. Installation costs may vary, including costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not be effective unless the HVAC system is running, there may be increased energy consumption. It is typically assumed that the filters operate 100 percent of the time while individual sensitive receptors are indoors, and the environmental analysis does not generally account for the times when such individuals have their windows or doors open or are in common space areas of the project. Additionally, these filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, the replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste. Therefore, any filtration unit's presumed effectiveness and feasibility should be carefully evaluated in more detail before assuming they will sufficiently alleviate exposure to DPM emissions.

D-35
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Overlapping Construction and Operational Activities

Because there is the potential that construction and operation activities may overlap for the Proposed Project, the Lead Agency quantified the worse-case emission scenario that may occur from such an overlap (peak 2025 construction emissions and phase 2 operational emissions).³⁶ The Lead Agency did not, however, take the additional step of comparing the overlapping emissions to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine their level of significance. South Coast AQMD staff therefore recommends that the Lead Agency revise the air quality analysis section to consider and analyze the overlapping construction and operation emissions. Overlapping emissions should be compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine their level of significance, which should be included in the Final EIR. If the overlapped emissions analysis is not included in the Final EIR, the Lead Agency should provide reasons for not having them supported by substantial evidence in the record.

D-36

South Coast AQMD Rules, Permits, and Responsible Agency

As stated in the Draft EIR, the South Coast AQMD is a responsible agency that will issue permits that allow for the construction and operation of the Proposed Project.³⁷ The Lead Agency should therefore include a discussion in the Final EIR on stationary equipment (such as boilers, heaters, ovens, emergency generators, fire water pumps, etc.) which would be utilized in the Proposed Project's construction and operation that require South Coast AQMD permits. Assumptions for the stationary sources in the Final EIR will also be used as the basis for the

D-37

³⁵ South Coast AQMD, Pilot Study of High-Performance Air Filtration for Classrooms Applications, Draft Report: October 2009, <http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf>. Also, see the 2012 Peer Review Journal article by South Coast AQMD: <https://onlinelibrary.wiley.com/doi/10.1111/ina.12013>.

³⁶ Draft EIR. 4.3 Air Quality. Pages 4.3-41.

³⁷ Draft EIR. 2.0 Introduction and Purpose. Page 2-9.



Beaumont Pointe Specific Plan Final Environmental Impact Report

Carole Kendrick, Planning Manager

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February 8, 2023

permit conditions and limits for the Proposed Project. Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions on permits. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

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Conclusion

Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), South Coast AQMD staff requests that the Lead Agency provide South Coast AQMD staff with written responses to all comments contained herein prior to the certification of the Final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision makers and to the public who are interested in the Proposed Project.

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South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Evelyn Aguilar, Air Quality Specialist, at eaquilar@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

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

SW:EA
RVC230111-05
Control Number



Responses to Comment D

South Coast Air Quality Management District, Sam Wang, Program Supervisor, CEQA IGR, Planning, Rule Development & Implementation, dated February 8, 2023.

- D-1 This comment consists of introductory remarks; thus, no further response is required.
- D-2 This comment provides a general summary of the Project Description as provided in the Draft EIR. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.
- D-3 The commenter summarizes the Project’s significant and unavoidable impacts related to air quality during both construction and operation and states that CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize or eliminate any significant adverse air quality impacts. The City disagrees that the Project is required to “go beyond what is required by law,” and notes that mitigation measures must be proportional to the impacts of the project and there must be an essential nexus between the mitigation measure and the government interest; see CEQA Guidelines section 15126.4(a)(4); *Nollan v. California Coastal Commission* (1987) 483 U.S. 825; *Dolan v. City of Tigard* (1994) 512 U.S. 374. The City recognizes that CEQA requires the incorporation of all feasible mitigation measures where there are significant and unavoidable impacts identified. The commenter does not recommend specific mitigation measures in this comment; responses to suggested mitigation measures are addressed in responses to Comments D-4 through D-29. The City further notes that the EIR for the proposed Project is a project-level EIR, not a programmatic EIR (see Draft EIR, Section 1.1, p. 1-2). No further response is required.
- D-4 The commenter suggests construction-related mitigation committing the Project to using the cleanest technology for construction during future development, if available and feasible. The commenter states that one of CARB’s strategies is to start implementing Tier 5 off-road equipment in 2027/2028. Tier 5 off-road equipment currently does not exist. The Project is expected to be constructed and operational by the year 2027 and Tier 5 equipment will not be available in that timeframe. However, as stated in Mitigation Measure MM 4.3-2, all 50-horsepower or greater diesel-powered equipment shall be powered with California Air Resources Board (CARB)-certified Tier 4 Final engines, except where the project applicant establishes to the satisfaction of the City of Beaumont (City) that Tier 4 Final equipment is not available.
- D-5 The commenter suggests construction-related mitigation committing future development use 2014 and newer haul trucks (including material delivery trucks and soil import/export) entering or on the Project site and that all heavy-duty haul trucks should also meet CARB’s lowest optional low oxides of nitrogen (NO_x) standard. The recommendation to impose and enforce the use of 2014 and newer haul trucks or heavy-duty haul trucks with the lowest optional low oxides of nitrogen standard is not feasible or practical because these trucks are not commercially available in sufficient quantity to service the Project needs. It, therefore, is not required by CEQA. The Project has committed to use the cleanest technology construction equipment available (see Mitigation Measure 4.3-2 and response to Comment D-4). Additionally, see response to Comment D-7 regarding additional mitigation to verify emissions standards for trucks. Thus, the City determines that additional mitigation is not warranted.



D-6 The commenter suggests mitigation to require electric or alternative-fueled (i.e., non-diesel) construction equipment, if available, including but not limited to, concrete/industrial saws, pumps, aerial lifts, material hoist, air compressors, forklifts, excavator, wheel loader, and soil compactors. Pursuant to the commenter's request the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-14 If electric or non-diesel off-road trucks and construction support equipment, including but not limited to hand tools, forklifts, aerial lifts, materials lifts, hoists, pressure washers, plate compactors, and air compressors are available in the construction contractor's equipment fleet and can fulfill the Project's construction requirements during the building construction, paving, and architectural coating phases of Project construction, such equipment shall be used during Project construction. This requirement shall be noted on plans submitted for building permit issuance.

D-7 The commenter suggests mitigation requiring owners and operators of future development projects 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. Pursuant to the commenter's request the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-15 Project construction contractors shall maintain records of all trucks associated with Project construction to document that each truck used meets emission standards. Records shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Beaumont staff or their designee.

D-8 The commenter suggests construction-related mitigation requiring electric vehicle (EV) charging stations or, at a minimum, provide the electrical infrastructure and electrical panels shall be appropriately sized during construction. Pursuant to the commenter's request, the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-13 Plans submitted for grading permit issuance and building permit issuance shall specify a designated area of the construction site where electric or non-diesel vehicles, equipment, and tools can be fueled or charged. The provision of temporary electric infrastructure for such purpose shall be approved by the utility provider, Southern California Edison (SCE). If SCE will not approve the installation of temporary power for this purpose, the establishment of a temporary electric charging area will not be required. If electric equipment will not be used on the construction site because the construction contractor(s) does not have such equipment in its fleet (as specified in Mitigation Measure MM 4.3-14), the establishment of a temporary electric charging area also will not be required. If electric powered equipment is in the contractor(s) equipment



fleet, and SCE approval is secured, the temporary charging location is required to be established upon issuance of grading permits and building permits.

- D-9 The commenter suggests the provision of temporary traffic controls such as a flag person, during all phases of significant construction activity to maintain smooth traffic flow, where necessary. As part of the Project's Regulatory Requirement (RR) 17-2, prior to the issuance of grading or building permits, the Project Applicant shall prepare and the City of Beaumont shall approve, a temporary traffic control plan for construction. The temporary traffic control plan shall comply with the applicable requirements of the California Manual on Uniform Traffic Control Devices. A requirement to comply with the temporary traffic control plan shall be noted on all grading and building plans and also shall be specified in bid documents issued to prospective construction contractors. Thus, the City determines that additional mitigation is not warranted.
- D-10 The commenter suggests implementation of dedicated turn lanes for the movement of construction trucks and equipment on and off-site, where applicable. The Project site is currently undeveloped and access to the Project site during construction would be provided via Jack Rabbit Trail and at the terminus of 4th Street, which would not interfere with any existing traffic movements. Therefore, dedicated turn lanes are not required. However, refer to Regulatory Requirement RR 17-2 and response to Comment D-9. No further response is required.
- D-11 The commenter suggests mitigation to ensure that vehicle traffic inside the project site is as far away as feasible from sensitive receptors. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the nearest sensitive receptor to the Project site is Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. Therefore, Project's construction activities would not be in close proximity to sensitive receptors. Thus, the City determines that additional mitigation is not warranted.
- D-12 The commenter suggests mitigation to reduce traffic speeds on all unpaved roads to 15 miles per hour (mph) or less during construction. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to comply with South Coast AQMD Rule 403, which requires the implementation of best available dust control measures (BACM) during active operations capable of generating fugitive dust. According to Table 1 of South Coast AQMD Rule 403, BACM includes limiting vehicle speeds to 15 miles per hour.¹⁰ Nevertheless, to ensure implementation of Rule 403, the following Regulatory Requirement has been added to the Draft EIR and included in the Mitigation Monitoring and Reporting Program, and Draft EIR Page 4.3-36 is modified as follows:

4.3.6 REGULATORY REQUIREMENTS AND PROJECT DESIGN FEATURES

The following Regulatory Requirements (RRs) are applicable regardless of CEQA and would apply to any project under similar circumstances and, therefore, do not constitute mitigation measures. However, they will nonetheless be included in the Project's Mitigation Monitoring and Reporting Program to further ensure the implementation of the mandated RRs.

¹⁰ <https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-403.pdf?sfvrsn=4>



RR 3-1 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, “Fugitive Dust.” Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads, including limiting vehicle speeds to 15 miles per hour.

Thus, the City determines that additional mitigation is not warranted.

- D-13 The commenter suggests mitigation to suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to comply with South Coast AQMD Rule 403, which requires the implementation of BACM during active operations capable of generating fugitive dust. Rule 403 also specifies requirements during high wind periods (instantaneous wind speeds which exceed 25 mph). During high wind conditions earth moving activities shall cease or apply water to soil not more than 15 minutes prior to moving such soil to limit visible dust emissions to 20 percent opacity. Additionally, Rule 403 includes measures to reduce dust during grading such as wind barriers, covering bulk materials, application of water or stabilizers, and wind breaks to reduce wind speed. According to Table 1 of South Coast AQMD Rule 403, BACM includes stabilizing wind erodible surfaces to reduce dust. A stabilized surface means any previously disturbed surface area or open storage pile which, through the application of dust suppressants, shows visual or other evidence of surface crusting and is resistant to wind driven fugitive dust and is demonstrated to be stabilized. Stabilization can be demonstrated by one or more of the applicable test methods contained in the Rule 403 Implementation Handbook. Refer also to Regulatory Requirement RR 3-1 above and response to Comment D-12. Thus, the City determines that additional mitigation is not warranted.
- D-14 The commenter suggests mitigation to suspend use of all construction activities that generate air pollutant emissions during first stage smog alerts. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the nearest sensitive receptor to the Project site is Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. As concluded in, Table 4.3-9, *Localized Significant Summary - Construction*, construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations (refer to Page 4.2-47). Additionally, the Project would have no potential to result in or contribute to a CO “Hot Spot” or a significant human health or cancer risk to nearby receptors (refer to Pages 4.3-43 to 4.3-48). Thus, the City determines that additional mitigation is not warranted.
- D-15 The commenter suggests mitigation to configure construction parking to minimize traffic interference. As part of the Project’s Regulatory Requirements (RR) 17-2, prior to the issuance of grading or building permits, the Project Applicant shall prepare and the City of Beaumont shall approve, a temporary traffic control plan for construction. The temporary traffic control plan shall comply with the applicable requirements of the California Manual on Uniform Traffic Control Devices. The traffic control would include configuration of construction parking to minimize traffic interference. Thus, the City determines that additional mitigation is not warranted.



- D-16 The commenter suggests mitigation to require covering of all trucks hauling dirt, sand, soil, or other loose materials. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to comply with South Coast AQMD Rule 403, which requires the implementation of BACM during active operations capable of generating fugitive dust. According to Table 1 of South Coast AQMD Rule 403, BACM includes covering of haul vehicles prior to exiting the site. Refer also to Regulatory Requirement RR 3-1 and response to Comment D-12. Thus, the City determines that additional mitigation is not warranted.
- D-17 The commenter suggests mitigation to install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site for each trip. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to comply with South Coast AQMD Rule 403, which requires the implementation of BACM during active operations capable of generating fugitive dust. According to Table 1 of South Coast AQMD Rule 403, BACM includes washing mud and soils from equipment at the conclusion of trenching activities can prevent crusting and drying of soil on equipment. Section (d)(5) of Rule 403 states no person shall conduct an active operation with a disturbed surface area of five or more acres, or with a daily import or export of 100 cubic yards or more of bulk material without utilizing at least one of the measures listed in subparagraphs (d)(5)(A) through (d)(5)(E) at each vehicle egress from the site to a paved public road, which includes installing and utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site. Refer also to new Regulatory Requirement RR 3-1 and response to Comment D-12. Thus, the City determines that additional mitigation is not warranted.
- D-18 The commenter suggests mitigation to apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to comply with South Coast AQMD Rule 403, which requires the implementation of BACM during active operations capable of generating fugitive dust. According to Table 3 of South Coast AQMD Rule 403, contingency control measures for large operations includes applying water with a mixture of chemical stabilizer diluted to not less than 1/20 of the concentration required to maintain a stabilized surface for a period of six months on the last day of active operations prior to a weekend, holiday, or any other period when active operations will not occur for not more than four consecutive days. Refer also to new Regulatory Requirement RR 3-1 and response to Comment D-12. Thus, the City determines that additional mitigation is not warranted.
- D-19 The commenter suggests mitigation to replace ground cover in disturbed areas as quickly as possible to minimize dust. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to comply with South Coast AQMD Rule 403, which requires the implementation of best available dust control measures (BACM) during active operations capable of generating fugitive dust. Rule 403 also requires activities defined as "large operations" to notify the South Coast AQMD by submitting specific forms; a large operation is defined as any active operation on property containing 50 or more acres of disturbed surface area; or any earth moving operation with a daily earth-moving or throughput volume of 3,850 cubic meters (5,000 cubic yards), three times during the most recent 365 day period. Rule 403 provides the option for addressing inactive disturbed areas (but does not require) by



establishing a vegetative ground cover within 21 days after active operations have ceased. Refer also to new Regulatory Requirement RR 3-1 and response to Comment D-12. Thus, the City determines that additional mitigation is not warranted.

D-20 The commenter suggests mitigation to pave construction roads and road shoulders, where applicable. Refer to response to Comments D-12 to D-19, which demonstrates how the Project will comply with South Coast AQMD Rule 403 to minimized fugitive dust during construction. In compliance with this rule, the Project will pave construction roads and shoulders as needed for compliance.

D-21 The commenter suggests mitigation to require sweeping streets at the end of the construction day with South Coast AQMD Rule 1186 and 1186.1 compliant sweepers if visible soil is carried onto adjacent public paved roads (recommend water sweepers that utilize reclaimed water). As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be required to comply with South Coast AQMD Rule 403, which requires the implementation of BACM during active operations capable of generating fugitive dust. According to Table 3 of South Coast AQMD Rule 403, BACM includes using sweeping and water spray to clear forms. Refer also to new Regulatory Requirement RR 3-1 and response to Comment D-12.

Nevertheless, to ensure compliance with Rules 1186 and 1186.1, the following Regulatory Requirement has been added to the Draft EIR and included in the Mitigation Monitoring and Reporting Program, and Draft EIR Page 4.3-36 is modified as follows:

RR 3-2 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 “PM₁₀ Emissions from Paved and Unpaved Roads and Livestock Operations” and Rule 1186.1, “Less-Polluting Street Sweepers.” Adherence to Rule 1186 and Rule 1186.1 reduces the release of criteria pollutant emissions into the atmosphere during construction.

Thus, the City determines that additional mitigation is not warranted.

D-22 The commenter provides a summary of the Project’s air quality impacts during operation and refers to the list of additional feasible mitigation measures provided in the subsequent portion of the letter that the City should consider. Refer to response to Comments D-23 to D-29 for a detail discussion on the suggested mitigation measures. Thus, no further response is required.

D-23 The commenter suggests a revision to Mitigation Measure MM 4.3-5 to include the incentive and programs found on the South Coast AQMD Incentives & Programs landing page. Pursuant to the commenter’s request, Mitigation Measure MM 4.3-5 is revised and Draft EIR Page 4.3-52 is modified as indicated below. The modification to the mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-5 Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the City demonstrating that occupants/tenants of the Project site have been provided documentation on funding opportunities, such as the Carl Moyer Program and other Programs promulgated by South



Coast AQMD (which can be found at the SCAQMD Incentives & Programs landing page, <http://www.aqmd.gov/home/programs>) that provide incentives for using cleaner-than-required engines and equipment.

- D-24 The commenter suggests mitigation to require the use of zero-emission, near-zero emission, or 2014 model year heavy-duty trucks to reduce ongoing and long-term NO_x emissions. As of January 1, 2023, all trucks registered in California are required to be 2010 model year heavy duty trucks per State law (13 California Code of Regulations Section 2025; the “CARB Truck and Bus Regulation”). At present, requiring zero-emission vehicles is economically and technologically infeasible; also, such vehicles are not available on a large enough scale to be relied upon. In a report titled “Transitioning to Zero-Emission Heavy-Duty Freight Vehicles,” the International Council on Clean Transportation (ICCT) provides an overview of advancing technologies (ICCT, September 2017).¹¹ The ICCT reports that although the technology is advancing and although at some point in the distant future non-diesel technology will likely be used in mass to power freight movement, “zero-emission vehicle technologies do present considerable challenges. They have a combination of near- and long-term barriers, issues, and questions that will have to be addressed before they can become widespread replacements for conventional trucks and tractor-trailers that are typically diesel fueled” (ICCT, p. 31). “Tesla’s announced battery electric semi-tractor prototype is the **only** (emphasis added) battery electric project we found in our [world-wide] assessment targeting long-haul heavy-duty applications” (ICCT, p. 31). Requiring the proposed Project to utilize emerging technology as mandatory mitigation when the various types of technological advancements and their timeframes for common availability are not known with any certainty, is not a feasible mitigation measure.

An EIR must describe feasible measures that could minimize the project's significant adverse impacts. 14 Cal Code Regs §15126.4(a)(1). An EIR may decline to propose a mitigation measure that would not effectively address a significant impact. An EIR also need not identify and discuss mitigation measures that are infeasible. Nor must an EIR analyze in detail mitigation measures it concludes are infeasible.

Further, South Coast AQMD recently adopted a Warehouse Indirect Source Rule, Rule 2305, in May 2021. Rule 2305 applies to warehouse operators and owners of warehouses greater than or equal to 100,000 square feet of indoor floor space within a single building that may be used for warehousing activities. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be subject to compliance with Rule 2305 (refer to Pages 4.3-22 and 4.3-23). Since the proposed Project will not be operated by the current owner, it is not feasible to commit to specific provisions of Rule 2305; however, future tenants will be obligated to comply with its provisions. Additionally, Mitigation Measure 4.3-12 requires the City’s Planning Department to confirm that tenant lease agreements requiring the Project Applicant to provide \$1.00 per square foot in funding for fleet upgrade financing to be used over the term of their lease on Zero Emissions (ZE) and Near Zero Emissions (NZE) delivery vans or trucks. Compliance with Rule 2305 would reduce air quality effects associated with the warehouse industry, including the Project, throughout the Air Basin.

¹¹ https://www.theicct.org/sites/default/files/publications/Zero-emission-freight-trucks_ICCT-white-paper_26092017_vF.pdf



- D-25 The commenter incorrectly assumes that implementation of the proposed Project will require a subsequent, project level environmental analysis and EIR, and that the City should restrict the amount of daily truck traffic to and from the Project to be analyzed in the subsequent project-level analysis. The EIR is a project level EIR (see Draft EIR, Section 1.1, p.1-2), and no other EIR is contemplated or required at this time. The recommendation to impose and enforce a truck trip cap is not feasible or practical nor required by CEQA. CEQA requires that an EIR evaluate the proposed Project based on reasonable assumptions and foreseeable actions. The number of passenger vehicle and truck trips that the Project is expected to generate is based on Institute of Transportation Engineers (ITE) in their Trip Generation Manual (10th Edition), and Transportation Uniform Mitigation Fee (TUMF) High-Cube Warehouse Trip Generation Study. Information on ITE and TUMF trip rate and vehicle type mixes are found in *Attachment C* of this Final EIR. The comment does not present any evidence that truck trips associated with the proposed Project would be greater than disclosed in the Draft EIR. There is no substantive information presented by this comment or by any of the information in the Project's administrative record that contradicts the reasonable assumptions made in the Draft EIR about the expected number of truck trips. Instituting a cap on the number of trucks that can access the Project's buildings is not required under CEQA, nor would it be reasonable or feasible for the City to monitor and enforce such a requirement. The Draft EIR has made reasonable assumptions based on substantial evidence by using ITE and TUMF recommendations based on a reasonable type of building occupant that would be permitted by the site's zoning.

For this reason, the City respectfully rejects the commenter's recommendation to impose and enforce a numerical cap on the number of trucks that the Project attracts during its operation or the suggestion that future environmental analysis is required. Based on the foregoing discussion, the City concludes that it is unnecessary to impose and enforce a numerical cap on the number of trucks that access the site on a daily basis during the Project's operation.

- D-26 The commenter suggests the Final EIR include design considerations for future development projects to further reduce air quality and health risk impacts. The Specific Plan for the proposed Project contains all required design considerations for the proposed Project and no future projects are under consideration at this time. Therefore, it would be speculative, and therefore unnecessary, for the Final EIR to anticipate future development projects on the Project site. The commenter suggests that the Final EIR include a requirement that truck routes be clearly marked with trailblazer signs, so that trucks will not travel next to or near sensitive land uses. The primary regional travel route serving the Project area is SR-60, which is a designated truck route in the City of Beaumont. All truck traffic will access travel east to 4th Street to access SR-60 and/or I-10. As shown on Figure 4.9 in the City's General Plan, the City's Truck Priority Network is designed to minimize travel near sensitive land uses. Additionally, the following mitigation measure has been added to Page 4.3-54 of the Draft EIR. The mitigation measure further supports the conclusions in the Draft EIR and is not evidence of a new or greater impact not previously disclosed.

MM 4.3-17 Prior to building final, the Project Applicant or successor in interest shall install signs at each truck exit driveway that provides directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow.



- D-27 The commenter suggests that the Project restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the future development project site. City of Beaumont Municipal Code Section 10.12.030 prohibits commercial vehicles exceeding a manufacturer's gross vehicle weight (commonly referred to as GVW) rating of 10,000 pounds (as defined by California Vehicle Code Section 390) from stopping, standing, or parking on any street, highway, alley, public right-of-way or residential property within the City. Additionally, there is no prohibition against overnight truck parking at the Project site or sensitive receptors near the Project site. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the nearest sensitive receptor to the Project site is Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. Therefore, it is not reasonably foreseeable that vehicles accessing the Project site would park in sensitive areas overnight. Accordingly, no revisions to the Draft EIR are warranted.
- D-28 The commenter suggests a design for future development projects; however, no future development projects are anticipated by the project-level EIR. The commenter suggests that check-in gates be placed well inside the Project site to prevent truck queuing offsite. As shown in Figure 3-16, *Conceptual Site Plan*, the Project's proposed industrial uses (Buildings 1 through 5) would be located at the western portion of the Project site while commercial uses at the eastern portion, closest to the Project access to Jack Rabbit Trail. Check-in gates for trucks at the Project site would be located at each end of the truck courts and away from public streets to prevent queuing of trucks outside the property. Moreover, the Project consists of a Specific Plan, therefore, Figure 3-16 is conceptual was prepared to analyze environmental impacts associated with Project operations. The precise location of building placement and orientation and truck courts identified in this Draft EIR are considered conceptual in that they may be modified according the City's requirements. Upon adoption of the Specific Plan, subsequent project specific plot plans or any other actions requiring either ministerial or discretionary approvals would be required to demonstrate consistency with the Specific Plan. Thus, the City determines that additional mitigation is not warranted.
- D-29 As previously indicated, no future development projects are anticipated by the project-level EIR. The commenter suggests that truck traffic inside the Project site be placed as far away as feasible from sensitive receptors. Refer to Figure 4.3-1, *Sensitive Receptor Locations*, and Figure 4.3-2, *Modeled Emission Source*, of the Draft EIR, which show the sensitive receptor locations, on- and off-site truck travel and loading dock activity. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would not result in significant health risk impacts to sensitive receptors during operation (refer to Page 4.3-43 to 4.3-48). Additionally, walls and fences would be provided around loading and dock areas, trailer parking areas, and parking lots to screen on-site uses from public views and public roads. Thus, the City determines that additional mitigation is not warranted.
- D-30 The commenter states the EIR concludes that the Project would result in significant and unavoidable greenhouse gas emissions impacts, and provides a list of sources to consider for additional mitigation measures. Refer to response to Comments D-31 to D-33 for responses related to each source. Thus, no further response is required.
- D-31 The commenter suggests, without identifying specific measures, that the Project consider mitigation measures listed in the California Attorney General's Bureau of Environmental



Justice guidance document on Warehouse projects, Warehouse Projects: *Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*. Many of these mitigation measures are duplicative to those suggested in this comment letter and Comment Letter B. Refer to response to Comments B-34 to B-63 and Comments D-5 to D-29 for a discussion on these suggested mitigation measures.

Additionally, many of these measures are regional in nature or directed to regional planning efforts or policy formation by government bodies, or the daily business operation practices of private enterprises that are outside the scope of the proposed Project. CEQA does not require adoption of every imaginable mitigation measure. CEQA's requirement applies only to feasible mitigation that will "substantially lessen" a project's significant effects. (Public Resources Code, § 21002.) As explained by one court: A lead agency's "duty to condition project approval on incorporation of feasible mitigation measures only exists when such measures would [avoid or] 'substantially lessen' a significant environmental effect." (*San Franciscans for Reasonable Growth v. City and County of San Francisco* (1989) 209 Cal.App.3d 1502, 1519.) "Thus, the agency need not, under CEQA, adopt every ... mitigation scheme brought to its attention or proposed in the project EIR." (*Ibid.*) Rather, an EIR should focus on mitigation measures that are feasible, practical, and effective. (*Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 365.)

- D-32 The commenter suggests that the City consider mitigation measures listed in the South Coast AQMD 2022 South Coast Air Quality Management Plan (AQMP) appendices IV-A, B, and C. These documents have been reviewed, and they do not include project specific mitigation measures, but rather propose highly programmatic goals, strategies, and measures to reduce air quality emissions. Further, the commenter does not specify which mitigation measures it is recommending in these documents. The AQMP is a regional blueprint for achieving air quality standards and healthful air by providing the strategy and the underlying technical analysis for how the region will meet federal standards by the required dates and continue progress to achieve the state standards. The primary purpose of the 2022 AQMP is to identify, develop, and implement strategies and control measures to meet the 2015 8-hour ozone NAAQS - 70 parts per billion (ppb) as expeditiously as practicable, but no later than the statutory attainment deadline of August 3, 2038 for South Coast Air Basin and August 3, 2033 for the Riverside County portion of the Salton Sea Air Basin (referred as Coachella Valley Planning Area or Coachella Valley). The majority of the proposed measures are being developed over the next several years and implemented prior to 2037.

As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the Project would be inconsistent with AQMP Criterion No. 1 and 2, resulting in a potentially significant impact. The Project would implement development-specific air quality mitigation measures to reduce the Project's construction source and operational source air pollutant emissions. Additionally, incorporation of contemporary energy-efficient technologies and operational programs would reduce Project air pollutant emissions and assist South Coast AQMD in meeting its overarching emission reduction goals. The implementation of feasible mitigation measures, the Project's emission-reducing design features, and operational programs are consistent with and support overarching AQMP air pollution reduction strategies. Project implementation of mitigation measures would also promote timely attainment of AQMP air quality standards and would bring the Project



into conformance with the AQMP to the extent feasible (refer to Draft EIR Pages 4.3-36 to 4.3-38). Accordingly, no revisions to the Draft EIR are warranted.

- D-33 The commenter suggests, without specifying measures to be considered, that the City consider mitigation measures listed in the United States Environmental Protection Agency (U.S. EPA): Mobile Source Pollution - Environmental Justice and Transportation webpage. The source provides a summary of future plans and policies by the U.S. EPA related to environmental justice and transportation, including new criteria standards for medium and heavy duty trucks, partnerships with state and local agencies on reducing mobile source air pollution, partnerships with federal agencies on truck electrification, etc. Without further specifics about which mitigation measures the commenter would like the City to consider that could be applied to this Project, no further response is required. The Project would be required to comply with all applicable federal, state, regional, and local regulations in place at the time of construction and operation. Additionally, environmental justice is not a topic that is required to be evaluated or considered pursuant to CEQA Guidelines Sections 15120-15132 (Contents of Environmental Impact Reports). Accordingly, no revisions to the Draft EIR are warranted.
- D-34 The commenter expresses concerns on the potential public health impacts of future siting of other projects that may include sensitive populations in living situations within proximity of sources of air pollution, and recommends that prior to approving future development projects, the Lead Agency consider the impacts of air pollutants on people who will live in and/or nearby a new project location, and provide mitigation where necessary, including consideration of measures in the CARB Air Quality Land Use and Handbook: A Community Health Perspective. This comment does not raise any issues concerning the adequacy of the environmental analysis provided in the Draft EIR. The commenter also recommends review of the CARB Air Quality Land Use and Handbook: A Community Health Perspective. Refer to Pages 4.3-43 to 4.3-48 of the Draft EIR, for an analysis of the Project's impacts related to health risks impacts on sensitive receptors. Refer also to response to Comments D-14 and D-35. Thus, no further response is required.
- D-35 The commenter identifies strategies such as filtration systems to reduce health risk exposures in nearby sensitive receptors. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, the nearest maximally exposed individual receptor to the Project site is Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. As concluded in, Table 4.3-9, *Localized Significant Summary - Construction*, construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations (refer to Page 4.2-47). Similarly, Table 4.3-10, *Localized Significant Summary - Operation*, concluded that operational emissions would not exceed the South Coast AQMD's localized significant thresholds at the maximally impacted receptor location. (refer to Pages 4.3-43 to 4.3-48). Thus, the City determines that additional mitigation is not warranted.
- D-36 The commenter requests that the Draft EIR analyze the overlapping construction and operation emissions for peak 2025 construction emissions and phase 2 operational emissions and compare against regional air quality thresholds of significance for operations to determine their level of significance. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, emissions during the potential overlap of construction and operation are shown in Table 4.3-8. For the



relevant overlap period (2025), the construction emissions for 2025 in Table 4.3-6 show the totals and which emissions exceed the threshold of significance for construction emissions. For operational emissions for phase 2 (2025), Table 4.3-7 shows emissions and whether operational thresholds of significance are exceeded. South Coast AQMD provides no evidence as to why the operational threshold should be applied to potential overlap of construction and operational activity and when it imposed this requirement. In fact, the reason South Coast AQMD has different thresholds for construction activity versus operational activity is due to the short-term nature of construction impacts versus the on-going nature of operational impacts. To date, South Coast AQMD has not published a threshold or guidance for potential construction and operational overlapping activities. Lastly, even if the operational threshold were applied, impacts would remain significant and unavoidable for emissions associated with VOC, NO_x, CO, PM₁₀ and PM_{2.5} and there would be no new significant impact that was not already identified in the Draft EIR and underlying technical reports (refer to Draft EIR Section 4.3, *Air Quality and Technical Appendix B1*).

- D-37 The commenter requests that the Draft EIR include a discussion on stationary equipment (such as, boilers, heaters, ovens, emergency generators, fire pumps, etc.) that will be used and require South Coast AQMD permits. The future users/operators of the Project's buildings are unknown at this time. As such, it cannot presently be determined whether future users/operators will require the use of stationary equipment. However, the City acknowledges the requirement that users/operators adhere to mandatory South Coast AQMD Rules, and the requirement to obtain South Coast AQMD permits as may be needed for the operation of their business.
- D-38 The commenter provides conclusionary remarks and requests written responses to comments in accordance with Public Resources Code Section 21092(a) and CEQA Guidelines Section 15088(b). In accordance with Public Resources Code Section 21092(a) and CEQA Guidelines Section 15088(b), written responses to the South Coast AQMD's comments are included in this Final EIR. A copy of the Final EIR will be provided to the South Coast AQMD prior to the City's consideration of the Final EIR for certification. At least 10 days before certifying a Final EIR, the lead agency must provide any public agency that commented on the EIR with a written proposed response to the agency's comments. This requirement may be met by providing the agency with a copy of the Final EIR. No further response is required.



COMMENT LETTER 1

From: [Sharon Geiser](#)
To: [Christina Taylor](#)
Subject: Beaumont Pointe
Date: Monday, February 6, 2023 3:54:08 PM

Here is an article from yesterday's Los Angeles Times

 [2023 Feb 5 LAT Warehouses replace farms as big ...](#)

We have this beautiful pass area surrounded by mountains where Beaumont residents can participate in all sorts of outdoor activities year round. This is why we need to keep it from becoming a warehouse town with poor air quality and streets plugged up with semi trucks and trailers. Our city is already dealing with traffic congestion on all of our major roadways, I can only imagine what it would be like with dozens more warehouses from Yucaipa to Morongo. This is why we are opposed to the proposed Beaumont Pointe development.

It is a sad day when corporate rights and land use policy override the health and safety of a whole community.

Thank you,
Sharon Geiser
406-261-4652

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1-1
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Responses to Comment 1

Geiser, Sharon, dated February 6, 2023.

- 1-1 The commenter expresses general opposition to the Project and concerns related to poor air quality, semi-truck movement, and traffic congestion in the City of Beaumont. The commenter attached an article regarding replacement of farms with warehouses. The Project site is currently not a farm or used for agricultural uses and is vacant and undeveloped. The commenter does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. Refer to Draft EIR Sections 4.3, *Air Quality*, and 4.17, *Transportation*, for an analysis of the Project's impacts related to those environmental topics. The commenter's concern related to warehouse uses are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.



COMMENT LETTER 2

From: [Tiva Jones](#)
To: [Christina Taylor](#)
Subject: Disapproval of Warehouse
Date: Tuesday, February 7, 2023 1:11:17 PM

Good Afternoon,

I am writing to share my concerns of the proposed warehouse off of Cherry Valley Blvd. As an alumni of Beaumont, I would like you to reconsider this addition to our City. The warehouse would take away from wildlife and block the view of our beautiful mountains, which is what the name Beaumont means. Have you considered the impact if a fire was to break out? Would our firehouse be able to handle such a blaze? What about the people who currently live in the area, is traffic going to make life miserable for them? What about the smog that it is going to bring to the area? Air quality is going to drop drastically. We see what happens to our small town when the train stops or when Coachella is in session, why would you add another headache to the citizens of this city? Please express to the Mayor that the little green rectangles, no matter the amount, should not influence the choices he makes for the citizens of this town. Let's not be like Banning and build a giant warehouse promising jobs and then once built, leave it empty. Thank you for the opportunity to express my opinion.

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Responses to Comment 2

Jones, Tiya, dated February 7, 2023.

- 2-1 The commenter expresses general opposition to the proposed warehouse project off of Cherry Valley Boulevard. The Project site is not located along Cherry Valley Boulevard. Thus, no further response is required. Additionally, the commenter expresses concern about the impact of the Project on wildlife, view of mountains, fire, traffic and smog (air quality). Refer to Draft EIR Sections 4.1, *Aesthetics*, 4.3, *Air Quality*, 4.4, *Biological Resources*, 4.17, *Transportation*, and 4.18, *Wildfire*, for an analysis of the Project's impacts related to those environmental topics. In addition, the commenter does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. The commenter's concern related to warehouse uses are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.



COMMENT LETTER 3

From: [Nicole Wheelwright](#)
To: [Carole Kendrick](#)
Cc: [Christina Taylor](#)
Subject: FW: Beaumont Pointe Warehouse Specific Plan
Date: Tuesday, February 7, 2023 3:52:19 PM

See comment received below.

- Nicole

From: normamcgee@yahoo.com mcgee <normamcgee@yahoo.com>
Sent: Monday, February 6, 2023 9:11 PM
To: Nicole Wheelwright <NWheelwright@beaumontca.gov>
Subject: Beaumont Pointe Warehouse Specific Plan

Council Members of City of Beaumont,

This is to inform you how important I think it is for you to consider the NEGATIVE ENVIRONMENTAL IMPACT that ALL warehouses, whether inside or outside of Beaumont, have on both the city and nearby area. The effect of hundreds of trucks per day cannot be minimized, regardless of the location. Please prioritize your focus for job opportunities for the Beaumont area toward an industry that is not dependent on trucking but instead will bring needed jobs to our area. This recent article: "Warehouse Boom Transformed the Inland Empire" is of particular note. Warehouses should be considered within a particular category. No amount of fees can repair the damage done to a community after something like this is built.

Thank you so much for putting my comment into the public record.

*Norma McGee
1581 Point Park
Beaumont, CA 92223*

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3-1
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Responses to Comment 3

McGee, Norma, dated February 7, 2023.

- 3-1 The commenter expresses general opposition to the Project and concerns related to the amount of truck traffic per day from all warehouses whether inside or outside the City of Beaumont. The commenter does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. Refer to Draft EIR Section 4.17, *Transportation*, for an analysis of the Project's impacts related to traffic. The commenter's concern related to warehouse uses are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.



COMMENT LETTER 4

From: [Richard Rizzo](#)
To: [Carole Kendrick](#)
Subject: Beaumont pointe
Date: Tuesday, February 7, 2023 9:19:04 PM

To whom it may concern,

I am writing in regards to the Beaumont pointe project and my opposition to it. We as residents value our quite living, a warehouse would drastically impact that in a negative way. The traffic would be unbearable and I believe it's also a safety issue as it would make getting in and out of the neighboring communities even harder then it is now. There are plenty of open land up towards the desert away from homes and beautiful landscape much more suitable for these types of projects

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4-1
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Richard Rizzo
Tournament hills resident



Responses to Comment 4

Rizzo, Richard, dated February 7, 2023.

- 4-1 The commenter expresses general opposition to the Project and concerns related to traffic congestion, traffic safety, and noise. The commenter does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. As discussed in Section 4.13, *Noise*, of the Draft EIR, Project stationary noise would not expose nearby receivers to unacceptable daytime or nighttime noise levels during Project operations following Project buildout. Refer to Draft EIR Sections 4.13, *Noise*, and 4.17, *Transportation*, for an analysis of the Project's impacts related to noise and traffic. No further response is required. The commenter's concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.



COMMENT LETTER 5

To:
Carole Kendrick: Planning Manager
City of Beaumont
550 East 6th Street Beaumont CA, 92223
ckendrick@beaumontca.gov

From:
Ron Roy
35161 Hogan Dr.
Beaumont, Ca. 92223

Re:
Beaumont Pointe Warehouse Project: West Beaumont: South of SR60, West of Jack Rabbit Trail
NOA: General Plan Amendment (PLAN2019-2084) Beaumont Pointe Specific Plan Pre-zone
(PLAN2019-0284) Specific Plan; SP2019-0003) Tentative Parcel Map (TPM) No. 82551

Dear Ms. Kendrick and all those it concerns:

I am opposed to the above referenced project.

Below are my concerns and reasons for opposition. I look forward to replies.

I am opposed to the Beaumont Point Project for the following reasons:

POOR LAND USE PLANNING

Sometimes projects, no matter what the claims, are eyesores. They are ugly, no matter how a developer spins the project. Beaumont Pointe is such a project. The developer simply wants to drop the massive high cube warehouses within a few feet of SR60 for the developer's beloved "freeway access" to a Southern California Freeway. The developer is here for the cheap land and access for their logistics network without any regard for anything could harm the community. There's no effort to disguise, reasonably mix, or otherwise balance the warehouse buildings with other more attractive land uses, the surrounding natural foothills and wildlife, the nearby streams and potential already built-in community nature recreation areas.

This project land use is clearly out of balance for what's needed for Beaumont, long term. There need to be limits to the "industrial use" zoning classification in the city. The project attempts to unreasonably stretch the existing "warehouse district", easterly adjacent.

FAILURE TO CONDUCT ADEQUATE ALTERNATIVES ANALYSIS

CEQA Guidelines 15126 requires an applicant provide an analysis of alternative sites for the project. This includes identifying the location of alternative sites then analyzing to what extent these alternatives, would be superior, comparable, or inferior to the project. Also a no-build alternative needs to be analyzed. As the section states:

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“An EIR must describe a reasonable range of alternatives to a proposed project that could feasibly attain most of the basic project objectives and would avoid or substantially lessen any of the proposed project's significant effects. Additionally, a “No Project” alternative must be analyzed.”

The project applicant has failed to conduct an adequate analysis here. At minimum 3 comparative sites should have been identified and analyzed as to their alternative suitability for a warehouse. This was not done. A growing consensus among the Inland Empire residents, believes, warehouses need to be concentrated in districts that are far away from residential areas.

DOES NOT PROVIDE SUSTAINABLE ECONOMIC GROWTH FOR BEAUMONT:

According to the Beaumont General Plan a key goal of the plan is to:
“EXPAND AND ENHANCE EMPLOYMENT OPPORTUNITIES. The City will support economic development strategies that embrace a vision of inclusive growth and allows prosperity to be shared by all residents. Supporting a range of businesses and economic sectors is key to ensuring the economic vitality of Beaumont in the long term. The City recognizes the importance of education and skill development in ensuring access to new job opportunities as well as the necessity to provide a variety of employment opportunities for a diversity of income and education levels. The City will promote strategies to diversify its job base, which also brings fiscal and economic resiliency to the City. The City will also support Downtown revitalization as well as future growth and economic development in the Sphere of Influence, particularly in healthcare, retail, and technology-intensive industries. In doing so, the City also recognizes the need to balance jobs and households.”

Unfortunately, as Beaumont, Pass Area, and Inland Empire residents are finding out, warehouse projects cause jobs that are overwhelmingly low wage, extremely high turnover with high injury rates, with poor prospects for upward mobility, that increasingly are replaced by automation, and unable to allow workers to achieve American Dream goals of home-ownership, raise a family and achieve a secure retirement. This actuality of the warehouse industry is completely in opposition with the economic goals of the city.

Moreover, the city has not demonstrated that the “revenues” from warehouses are in any way sustainable for the city, especially with the expense to the city of building the infrastructure and services to support warehouses.

This warehouse project will not, as the General Plan promises “support..and revitalize... the **future growth growth and economic development in the Sphere of Influence, particularly in health care, retail, and technology-intensive industries.**

5-4
(CONT.)

5-5



TOO CLOSE IN PROXIMITY TO MAJOR RESIDENTIAL SENSITIVE RECEPTOR COMMUNITIES

- Olivewood
 - Jack Rabbit Trail Entrance less than 1000 feet from Olivewood home community including cul-de-sacs of Enzo Court and Montemerano Court.
- Fairway Canyon:
 - Nearest Homes
 - 1800 feet from Fairway Canyon at Funk Way
 - 1500 feet from Fairway Canyon near Love Lane and Zoeller Street.
 - Nearest School
 - 3000 feet from Elementary School on Sorenstom Drive.

5-6

Developer has failed to identify the number of sensitive receptor communities near the project site within a reasonable radius, such as 1-3 miles from project. Developer has also failed to provide data showing the amount of particulate matter, noise, light, and other sources of pollution, on every house within a 2 mile radius of the project, as well as affected schools, recreation, retail and other facilities, and the consequent estimated negative health effects of the projects pollution, given the latest information available. See:

<https://calmatters.org/commentary/2023/01/inland-empire-california-warehouse-development/>; also: <https://www.nbcnews.com/tech/tech-news/treated-sacrifices-families-breathe-toxic-fumes-california-s-warehouse-hub-n1265420>

It must be noted that, a cursory map distance analysis by me indicates that virtually all, if not all of significantly concentrated sensitive receptor Specific Plan SFR Beaumont housing communities of Oak Valley Specific Plan (including Fairway Canyon, Tournament Hills, Shadow Creek); and the Heartland Specific Plan (primarily Olivewood), and Calimesa Summerwind Specific Plan Housing Developments, all of which I'm estimating at over 8000 SFR homes with seniors, families and children estimated to be well **over 40,000 people in residentially zoned communities, all are sensitive receptors are within a 2 mile radius of the project site**, and will be subjected to the various types of air, noise, light and other pollution from the 24/7 diesel truck activity in and out of the warehouses, notably the cancer causing particulate matter from the trucks diesel soot and tires, the blaring noise from the truck traffic, and the light pollution from the lighting needed to light up 5 million square feet of warehouses, the traffic congestion from the project.

5-7

There's also 2 elementary schools within this 2 mile radius, one of which is only 2000 feet from the project site where children will be concentrated on site for 6 or more hours per day, engaged in physical activities or collected in classrooms, which will subject their lungs and bodies to the continuous flow of health harming pollution from the warehouses.

5-8



Therefore the applicant needs to specifically and accurately identify the number of sensitive receptors within a 2 mile radius of the project, including the above mentioned Specific Plan Communities, schools, parks, recreation facilities, shopping centers etc.

5-9

Also any conditions of approval must involve mitigations for the health hazard and other negative effects from the project on the housing within at least a 2 mile radius of the project. See PE Article April 30, 2021: “ \$47 million settlement reached in World Logistics Center lawsuit <https://www.pressenterprise.com/2021/04/29/47-million-settlement-reached-in-world-logistics-center-lawsuit/>

5-10

See also here:

<https://envhealthcenters.usc.edu/wp-content/uploads/2016/11/Storing-Harm.pdf>

5-11

Also, given the San Geronio Pass unique topography, climate and weather, the project does not analyze, how the Pass’s wind, light, and weather conditions will carry/distribute the project’s air and other pollution to, not only the sensitive receptor communities within the 2 mile radius, but also to other parts of Beaumont, Calimesa, Banning and surrounding areas.

THE DEVELOPERS CLAIM OF QUALITY ECONOMIC DEVELOPMENT IS NOT SUPPORTED BY BODY OF EVIDENCE ON THE WAREHOUSE INDUSTRY, WAREHOUSE LABOR PRACTICES, REVENUE GENERATION, AND SUSTAINABILITY.

The Beaumont General Plan States:

“Moving forward, the City will have to determine how to continue to finance, support, and enhance City businesses, services, and programs in a manner that is sustainable over the long term. The reality of limited general fund revenues will require the City to think creatively about economic development strategies that are built on principles of equity, sustainability, collaboration, and innovation.”

5-12

However, given the amply available data analytics, the applicant has not provided an analysis of cost burden: the estimated initial, construction phase, and long-term maintenance costs for the project site construction, needed addition of area wide infrastructure to support the truck and other vehicular traffic, water, sewer, utilities etc., maintenance of the infrastructure over decades of use, public services, transit etc. These cost burdens have not been compared to estimated revenues to determine if the city receives an overall net financial profit/benefit from this project, not only short-term, but also throughout generations.

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Also the

DEVELOPER USES PROMISE OF HOTEL AREA: HOWEVER THIS MAY NOT BE BUILT FOR YEARS Warehouses will go in first with their visual blight. This occurred with a project in Banning where the developer with a plot plan for retail could not guarantee that this would go in first,

5-13



since the retail area was spec. and there were no potential tenants who had shown any interest.

5-13
(CONT.)

At 30 acre's, the retail/hotel component is only 5.5% of the project acreage. Yet it comes first in the Specific Plan summary, the project misleads the public by characterizing the retail/hotel component as the major land use/attractor, when this project is, in fact, a new mega warehouse district, that will rival the existing warehouse district east adjacent.

5-14

TRAFFIC IMPACTS CANNOT BE REASONABLY MITIGATED.

Adding and Connecting the 5 million sq.ft. of the projects warehousing to 4th street via Hidden Springs Industrial Park warehouse complex will overburden the street system, which will not have the capacity to support Beaumont Pointe's truck traffic. Please note 4th street bridge (eastern edge of Hidden Canyon Project) would need to be expanded.

5-15

ACTIVE TRANSPORTATION PLAN:

Neither the city, nor the applicant have demonstrated the project will comply with SB 932 (enacted September 2022) which sets out requirements for an active transportation program and plan for the area.

5-16

DEVELOPERS EIR PROJECT OBJECTIVES:

The following are the EIR's project objectives. My responses to each objective are highlighted in **bold red font color**.

THE PROJECT OBJECTIVES ARE INCOMPATIBLE WITH THE OBJECTIVES OF THE COMMUNITY AND BEAUMONT'S GENERAL PLAN. ALSO SOME OBJECTIVE CLAIMS ARE MISLEADING.

The Developer states the following objectives which are misleading and incompatible with the Beaumont General Plan and interests of Beaumont Residents.

1.2.2 PROJECT OBJECTIVES

The fundamental purpose and goal of the Beaumont Pointe Specific Plan is to accomplish the orderly development of General Commercial, Industrial, Open Space, and Open Space-Conservation land uses over the approximately 539.9-acre Project site. The Project would achieve this goal through the following Project Objectives:

- A. Develop large land areas in the City and particularly south of SR-60 and adjacent to existing industrial uses, infrastructure, and truck routes to meet the growing demand for large scale industrial and warehouse development in the City while minimizing impacts of industrial development on residential and other sensitive receptors in the City, which are primarily located north of SR-60.

5-17



Erroneously concludes that residents demands for ecommerce require locating warehouses on this site. Developer glaringly omits that ecommerce demand is regional in nature, and that fulfillment and other warehouses are amply available in other areas in Southern California, such as Ontario, San Bernardino Valley, etc. to supply Beaumont residents with goods. Warehouse growth can occur in other areas with more industrial concentrations.

5-17
(CONT.)

Of the projects 540 acres, 232.6 acres and 5 million square feet is for “industrial”. The developer fails to call these buildings for what they are: warehouses By omitting the type of industrial use misleads the public of the uses particular environmental impact caused by warehouses: numerous types and sources of pollution, that are deadly to sensitive receptor communities near .

B. Providing for conservation of open space habitat within MSHCP criteria cells in a manner consistent with the MSHCP requirements and providing access for wildlife movement to Caltrans constructed and proposed wildlife under-crossings along the SR-60 Freeway that abut the northern Project boundary to accommodate wildlife movement.

The current land use is rural residential which is compatible with the Beaumont General plan and more conducive to the rural open space including Potrero MSHCP. Also there’s a need to depart from predominance of medium/high density tract housing to lower density housing. The current zoning accomplishes that. Keeping the rural residential zoning not only preserves the visually appealing aesthetic nature of the site, but also accommodates the states need for additional housing. This proposed project will irrevocably disturb the natural terrain, vegetation, and habitat, replacing carbon and water capturing natural areas watershed with man made heat and pollution inducing infrastructure.

5-18

C. Maximizing opportunities to develop land in the City’s sphere of influence to provide job opportunities and economic benefit to the City and its residents, including new sales and property tax revenues that can be used for City services and providing sufficient fiscal benefit to permit annexation of the Project site into the City.

A city and its residents economic benefits, its value, are importantly defined by the identity that a city developers for itself. Due to lax zoning and enforcement in the face of a warehouse invasion in the IE and Pass area, Beaumont’s identity has dramatically changed, as its now becoming known as a “warehouse town”, like others in the IE with too many warehouses in their jurisdictions. This is only getting worse, as the city has a reputation as a “warehouse friendly” jurisdiction, which is a reason why the city already has 10 million square feet of existing/operating warehouses with another 30 million square feet of warehouses in its application pipeline, including the 2 square mile project of Legacy Highlands which is located in South Beaumont. With the pollution and other negative effects that come with these massive warehouse projects, residents and families health and well being (quiet, dark skies, clean air and lungs), and property values are under threat.

5-19



It's widely known that the type of jobs from warehouses are not sustainable in terms of upward mobility, longevity, home ownership and ensuring family financial security and wealth. The city is not working with developers to diversify land use away from the increasingly dominant logistics/warehouse land use, which leaves the city financially vulnerable if this single land use experienced a sector economic downturn. Here the city/applicant should be looking at higher ratios for retail/hospitality and other land uses to offset potential economic downturns in logistics/warehousing. For example consider a minimum 50% of a projects land/building square footage should be for non-logistics/warehouse use. Also set a citywide cap for warehouses. Also zoning classifications such as "industrial" are most likely outmoded and should be replaced with more sustainable zoning classes. For example, zoning could be classified based on the amount of pollution/blight induced by a project. Also the applicant has not provided any evidence that any tax or other revenues produced from the project will adequately offset or exceed the cities infrastructure and city service expenses (police/fire/transit/expansion of road system/infrastructure maintenance) needed to service the project and its impacted areas for the long term.

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- D. Creating new job opportunities within the City of Beaumont which improves the jobs to housing balance within the City and reduces the need for members of the existing local workforce to commute long distances. **As stated previously, warehouse jobs are not sustainable in terms of upward mobility, longevity, home ownership and ensuring family financial security and wealth. The average turnover rate for a warehouse job in Riverside County is 107%, which means the average worker works less than one year. Warehouse industry is also notoriously known for poor labor protections, unsafe and stifling working environment (no AC in the hot summers, no adequate breaks, working beyond 40 hours without extra pay, no breast feeding areas, lack of adequate bike racks/bike storage, showers, bathrooms, break areas, food service, building complex bikeway systems, pedestrian walkways.**

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Warehouse jobs do not improve the housing balance because warehouse wages cannot support an income that allows a worker to qualify for home ownership.

- E. Fulfilling a need in the City and region wellness-based retail, including entertainment, recreation, hospitality, and restaurants. **This is misleading, the retail/entertainment component will be miniscule (around 5.5% of total project area).**

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5-22
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- F. Developing a center that will accommodate a variety of future tenants, including light manufacturing, warehouse, distribution tenants and other businesses that rely on transportation efficiency within an industrial corridor in a location with superior access to the local and regional transportation network, thereby minimizing truck traffic on local streets and reducing vehicle miles traveled in the region. **This is misleading: there will be no "variety of future tenants" in terms of a variety of land uses. Virtually all tenants will be using the warehouses for logistics uses: refrigeration, distribution, sorting,**

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5-23
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“fulfillment”. Also truck traffic will dramatically increase on local streets and increase VMT. Trucks are the only mode transporting the projects goods. SR60 and I10 are already at capacity, and cannot be expanded to support the projects additional truck traffic. Also trucks from east adjacent warehouses are already using Potrero Blvd Bridge to Oak Valley to Oak Valley Blvd/10 overpass, streets which were designed for residential communities. Trucks are conflicting with resident’s who use these streets to traverse for local needs. Also trucks are using Viele Ave., California Ave., and First St.. These streets were not designed or have the capacity to support the increased truck traffic from existing and proposed warehouses.

5-23
(CONT.)

G. Developing a project that utilizes existing investment in capital improvements for water, reclaimed water, sewer, storm drain and circulation facilities to further the planned development of land in the City and in its sphere of influence. **Misleading: See other comments: applicant has not substantiated this. CIP history for warehouses nearby prove otherwise. There will be a substantial need, increase and burden on existing infrastructure. Project will require significantly expanding infrastructure. For example Hidden Canyon IP had to revise its development agreement to allow it to build substantially more sewer to support sewer demand generated from warehouses. Beaumont Point project applicant already knows the additional infrastructure needed to be added for this project. The applicant needs to disclose this information. Mitigations that show how, and what kind infrastructure will be necessarily expanded in the Beaumont area need to be specifically addressed: Expansion of Sewer, Water, Streets, Roads, SR60, I10 interchange, Oak Valley/I10 interchange, Pennsylvania Ave, Ist Street/SR79 intersection, Ist Street to Highland Springs Ave.**

5-24

H. Developing a range of warehouse facility options, such as varying structure sizes and building configurations within the City with high quality businesses to facilitate local and regional distribution of goods while minimizing vehicle miles traveled, air quality and greenhouse gas impacts. **This is misleading. There is no variety. Projects warehouse buildings are rectangular boxes, there is no variation. Changing sizes and “building configurations” cannot change this. There’s only so much a coat of paint can do to disguise lack of variety.**

5-25

I. Minimizing the demand for water resources by creating a development-wide landscape concept that features drought-tolerant plant materials to provide for an aesthetically pleasing outdoor environment and developing a project where recycled water is planned to be available. **Misleading: Vegetation landscaping is a minimal component. Water needs, given climate change have not been analyzed. There’s no analysis of the potential fire danger the warehouses will have on nearby hilly grasslands and open spaces.**

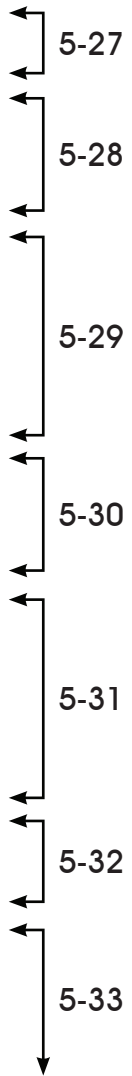
5-26



OTHER CONCERNS

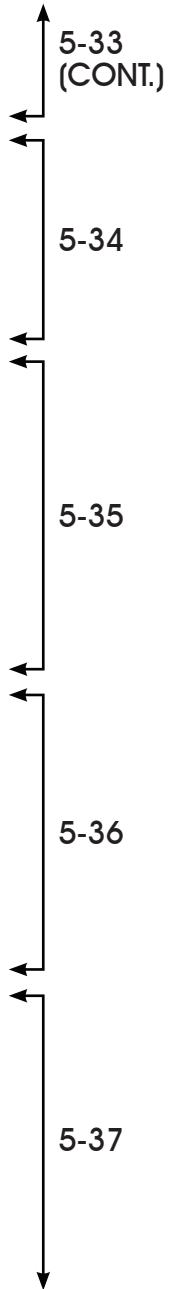
Pertinent CEQA Law needs to be addressed:

1. The California Environmental Quality Act (“CEQA”) (Public Resources Code § 21100 et seq.), enacted in 1971, requires government agencies to consider the environmental consequences of their actions before approving projects subject to CEQA’s provisions.
2. The Environmental Impact Report (“EIR”) is considered “the heart” of CEQA. To effectuate the Legislature’s goals of environmental protection, CEQA provides that an adequate EIR must evaluate all potentially significant environmental impacts of a proposed project including both direct and indirect impacts as well as cumulative impacts. (State CEQA Guidelines, §§ 15126, 15126.2 (a), 15130)
3. CEQA establishes a substantive mandate on the part of the lead agency to mitigate the significant environmental impacts of a project. (Public Resources Code § 21002, 21002.1; State CEQA Guidelines, § 15021 (a).) A lead agency may not approve a project for which there are significant environmental impacts unless the agency makes findings that: (a) mitigation measures have been required of the project which avoid or substantially lessen the significant environmental impacts, or (b) mitigation measures are found to be infeasible based on substantial evidence. (Public Resources Code §§ 21081, 21081.5; State CEQA Guidelines, §§ 15091 (a)(b), 15092 (b).)
4. 42. CEQA additionally provides that adopted mitigation measures must be certain and enforceable. (Public Resources Code § 21081.6(b); State CEQA Guidelines, § 15126.6(a)(2).) The lead agency must ensure that mitigation measures are required by or incorporated into the project to ensure that the measures are actually carried out. (Public Resources Code § 21081.6 (a), (b).)
5. 43. CEQA’s provides that a lead agency must evaluate alternatives to the proposed project, or the location of the project, which would attain most of the basic objectives of the project but would avoid or substantially lessen any of the project’s significant environmental effects. (State CEQA Guidelines, § 15126.6 (a).) The lead agency has a duty to adopt a project alternative if it is feasible. (Public Resources Code § 21002) A lead agency may not reject an alternative unless the agency makes findings supported by substantial evidence showing that the alternative is infeasible. (Public Resources Code, §§ 21081, 21081.5; State CEQA Guidelines, §§ 15091 (a)(3), 15092.)
6. Residents and others will understandably say the EIR failed to adequately evaluate impacts to/from including, but not limited to, aesthetics, air quality, biology, energy, greenhouse gas emissions, land use, noise, and traffic. By way of example, Petitioner and others commented that:
7. a) Aesthetic impacts have not been fully evaluated, and impacts are significant contrary to the conclusions of the EIR because the Project introduces large industrial buildings where no buildings currently exist in the natural visual setting. Likewise, the impacts of construction grading activities have not been fully evaluated and indeed the grading





- plan does not show that impacts are less than significant based on substantial evidence in the record, particularly when it is known that the site contains steep terrain. It is known that the Project entails substantial earthwork.
8. b) The EIR’s analysis of the Project’s energy impacts is inadequate in terms of the requirements of CEQA Guidelines, Appendix F. The City/County failed to require sufficient analysis of the Project’s energy consumption, transportation energy impacts, and to demonstrate that the Project is taking steps to reduce dependency on fossil fuels. For instance, the City/County failed to evaluate or demonstrate how the Project “increases reliance on renewable energy sources.” Moreover, purported requirements to use solar power for the Project’s energy needs or to obtain LEED Certification are illusory and not based on enforceable CEQA mitigation measures.
 9. c) The analysis of the Project’s greenhouse gas emission (“GHG”) impacts is based on the County’s Climate Action Plan (“CAP”), but the EIR’s conclusion of less than significant is not based on substantial evidence. The Project is a substantial source of new GHG emissions, predominately due to the Project’s mobile emissions. Alleged compliance with the CAP is not substantial evidence that the Project’s GHG impacts are less than significant particularly when the Project only partially satisfies many of the CAP measures (*e.g.*, energy saving features) that supposedly demonstrate compliance with the CAP. And, the Project takes virtually no steps to reduce mobile emissions. Moreover, the EIR relies upon illusory measures and uncertain mitigation in determining that the Project is compliant with the CAP. For instance, the applicant may dispense with all design features listed in the EIR and substitute them for “equivalent” measures after Project approval.
 10. Contrary to the EIR’s conclusions, there are significant land use impacts due to the Project’s marked deviations from the City’s General Plan and the County’s General Plan and PAP (Pass Area Plan). Compared to the existing land use designations of the site and surrounding land use designations and uses, the Project is a very intense use and, as a result, brings much greater impacts such as traffic. The Project meets the County’s threshold of significance for land use impacts, contrary to the EIR’s conclusions, namely the Project would (a) result in a substantial alteration of the present or planned land use of the area; (b) be incompatible with the site’s existing or proposed zoning; (c) be incompatible with existing surrounding zoning; (d) be incompatible with existing and planned surrounding land uses; and (e) be inconsistent with the land use designations and policies of the General Plan.
 11. e) The EIR concludes that noise impacts during construction and operational phases are less than significant, but this is not demonstrated based on substantial evidence in the record. The EIR’s noise analysis indicates, for instance, that construction noise levels are well above ambient conditions at the nearest homes to the Project site; accordingly, the Project results in “a substantial temporary increase in ambient noise conditions,” *i.e.*, the Project exceeds an adopted threshold of significance. Further, it not shown in the record that construction noise mitigation is effective at lessening impacts. With respect to operational noise, the noise analysis omits important pieces of information such as existing ambient noise measurements at residences to the north of the Project site, or those planned south of the Project site. The EIR also omits analysis





- of traffic noise on residential receptors. The Project generates thousands of trucks per day traveling on 4th Street, Potrero Blvd, and surrounding streets in close proximity to existing and future residences. The noise analysis, however, entirely omits these residences from the noise study, which is improper in light of CEQA's informational purposes.
12. The EIR's conclusion of less than significant impact with respect to growth-inducement is contrary to the evidence. The Project brings major utilities infrastructure and road improvements to the otherwise rural area, thus enabling future development. For instance, the Project will construct water tanks and a booster station for use by the Beaumont Cherry Valley Water District to serve existing and other development in the service area. Thus the Project removes obstacles for growth by providing infrastructure that would be needed for future growth. The Project's land use amendments also have the potential to set a precedent for similar large-scale industrial development in the rural area. The EIR speciously asserts there are no growth inducing impacts because the existing land use has historically accommodated a variety of industrial and commercial uses." This statement is contrary to the evidence including statements in the EIR that the project site and surrounding hills are predominately rural and not developed with industrial and commercial uses.
13. Not all feasible mitigation was required of this Project, and Petitioner and others proposed feasible mitigation that has not been shown to be infeasible based on substantial evidence in the record.
14. Mitigation with respect to the Project's significant air quality (NOx) impacts, is needed such as requiring that the Project incorporate the phase-in of electric, hybrid electric, hydrogen electric, or battery operated (*i.e.*, non diesel) trucks. The City/County has declined to adopt feasible mitigation to address significant impacts, and the County has failed to make findings supported by substantial evidence that the measure is infeasible.
15. the Project should be limited to the assumptions of the air quality study in terms of truck trips (number and trip length) in order to ensure that significant impacts (NOx) are not more severe than assumed by the EIR. The County declined to adopt feasible mitigation to address significant impacts, and the County failed to make findings supported by substantial evidence that the measure is infeasible.
16. The project buildings should required to be built with an earthen roof and be inserted into and surrounded by earth from the hillsides so as not be able to be seen or install solar panels sufficient to achieve "net zero", *i.e.*, handle the peak energy demands of the Project for both buildings. The County declined to adopt feasible mitigation to address significant impacts, and the County failed to make findings supported by substantial evidence that the measure is infeasible.
17. Proposed mitigation measures are uncertain, unenforceable, ineffective and/or deferred in violation of CEQA
18. The applicant fails to adequately consider alternatives to the proposed Project, including alternative sites, consistent with the mandate of State CEQA Guidelines § 15126.6 (a). The EIR, unreasonably restricts the criteria for analysis of alternative sites, when it is known that there are other feasible sites available for construction of the
- 5-37 (CONT.)
- 5-38
- 5-39
- 5-40
- 5-41
- 5-42
- 5-43
- 5-44



Project. Moreover, the alternative sites are not infeasible, within the meaning of CEQA, but rather undesirable to the applicant, which by itself is not a valid reason for rejecting an alternative under CEQA.

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5-44
(CONT.)
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I reserve the right to provide additional comments on this project.

Given that the notification process makes it very difficult for most Beaumont residents to review the DEIR, I'm requesting that the public comment period is extended an additional 30 days to March 8, 2023.

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5-45
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Ron Roy
Beaumont Resident.



Responses to Comment 5

Roy, Ron, dated February 8, 2023.

5-1 This comment consists of introductory remarks and expresses opposition to the Project for the reasons provided in Comments 5-2 through 5-45, addressed below. The commenter’s concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

5-2 The commenter expresses concerns related to aesthetics of the proposed warehouse portion of the Project and states that no efforts were made to disguise, reasonably mix, or otherwise balance the warehouse buildings with other more attractive land uses, the surrounding natural foothills and wildlife, the nearby streams, and potential already built-in community nature recreation areas.

The Project would provide 124.7 acres of open space to accommodate landscaped manufactured slopes, fuel modification areas, and natural open space as a buffer to adjacent conservation area and 152.4 acres of open space – conservation. The open space – conservation area would be preserved as natural habitat as required by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Additionally, the Project’s proposed structures, which would reach a maximum height of 60 feet above finished grade, are not anticipated to block major views to the San Gorgonio Mountains, San Bernardino Mountains, and San Jacinto Mountains due to Project site’s orientation and topography in relation to SR-60 and Frontage Road. Specifically, the topography to the north near SR-60 will be higher than the finished grade building pads for the proposed industrial uses, which would limit the views of the proposed structures from SR-60. Under Project conditions, SR-60 and Frontage Road are anticipated to continue to provide intermittent and partial views to the existing ridgelines (refer to Pages 4.1-9 to 4.1-10).

The Project would include Project Design Features PDF 1-1, which would require development implementing the Beaumont Pointe Specific Plan to comply with the Development Standards set forth in Chapter 3 and the Design Guidelines related to Architectural Design and Landscape Design in Chapter 4 of the Specific Plan. Conformity to the Development Standards and Design Guidelines would be addressed by the City’s future review of implementing building permits for compliance with the Specific Plan’s requirements and would serve to reduce and/or avoid impacts relating to aesthetics.

This comment does not raise any issues relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter’s concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

5-3 The commenter states that the Project’s land use is out of balance with the needs of the City and unreasonably stretch the existing warehouse district east. The commenter states that there need to be limits placed on industrial use.

This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.



However, the commenter’s concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

- 5-4 The commenter refers to CEQA Guidelines Section 15126, and incorrectly states that the Draft EIR did not provide a no project alternative or appropriately analyze alternative sites, which should have included a minimum of three sites. The commenter states that warehouses need to be concentrated in districts that are far away from residential areas.

Existing residential land uses near the Project site are those across the SR-60 Freeway to the north. Additionally, the Project site is located to the east of the industrial area of the City. As discussed in Section 6.0, *Alternatives*, of the Draft EIR, the No Project/No Development Alternative was analyzed (refer to Pages 6-9 to 6-15). The Existing City General Plan Alternative was also discussed (refer to Pages 6-15 to 6-22). Additionally, the alternative sites alternative was analyzed under alternatives considered and rejected (refer to Pages 6-5 to 6-6). The Draft EIR concluded that only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126.6(b)). In addition, an alternative site need not be considered when implementation is remote and speculative, such as when the alternative site is beyond the control of a project applicant. Given the size and type of the proposed development, a similarly sized project and land use elsewhere in the South Coast Air Basin would result in the same or greater project-level and cumulative air quality, GHG emissions, and transportation impacts. Therefore, analysis of an alternative site for the Project is neither meaningful nor necessary, because the significant impacts resulting from the Project would not be avoided or substantially lessened by its implementation in an alternate location. Furthermore, there are no alternative sites within the City or its sphere of influence that are similarly sized that would be suitable for industrial and commercial uses proposed by the Project. Other developable land within the City would either require a general plan amendment and zone change or would place industrial and commercial uses closer to established residential communities. Additionally, the Project Applicant does not own or control another suitable site that would achieve the underlying purpose and objectives of the Project. As a result, this alternative was rejected from further consideration and no further response is required.

- 5-5 The commenter cites a section of Page 34 of the City’s General Plan related to the City’s goal to expand and enhance employment opportunities. The comment states that warehouse projects cause jobs that are overwhelmingly low wage, extremely high turnover with high injury rates, with poor prospects for upward mobility, that increasingly are replaced by automation, and unable to allow workers to achieve American Dream goals of home-owner ship, raise a family and achieve a secure retirement. The commenter states that the warehouse industry is completely in opposition with the economic goals of the city. Further, the commenter states that the city has not demonstrated that the “revenues” from warehouses are in any way sustainable for the city, especially with the expense to the city of building the infrastructure and services to support warehouses; and, therefore, the project would not support and revitalize the future growth and economic development in the Sphere of Influence.

It is recognized that as part of the City’s decision making on whether or not to approve a project, the City considers the economic benefits to the City, including revenue and future growth. In accordance with CEQA, the EIR considers the Project’s impact to the physical environment.



CEQA Guidelines Section 15131 state that “an economic or social effect of a project shall not be treated as a significant effect on the environment.” It should be noted Section 4.14, *Population and Housing*, addresses Project generated employment. It is estimated that the Project would generate approximately 5,456 permanent jobs to support the Industrial and General Commercial land uses proposed on site.

This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter’s concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

- 5-6 The commenter expresses concern related to the Project’s impacts to sensitive receptor communities and schools. The commenter states that the Draft EIR failed to identify sensitive receptors within a 1-3 miles radius, or provide data showing the amount of particulate matter, noise, light, and other sources of pollution, on every house within a 2-mile radius of the Project, as well as affected schools, recreation, retail and other facilities, and the consequent estimated negative health effects of the Project’s pollution.

The Draft EIR complied with conservative protocols specified by the South Coast Air Quality Management District to determine air quality impacts and determine potential impacts to adjacent land uses and other sensitive receptors. For air pollution health risks, this is done through a Localized Significance Thresholds (LST) analysis and health risk assessment. As shown in Section 4.3, *Air Quality*, of the Draft EIR, results of the LST analysis indicate that the Project will not exceed the South Coast AQMD localized significance thresholds during construction or operation (refer to Page 4.3-47). Therefore, sensitive receptors would not be exposed to substantial pollutant concentrations due to the Project. Additionally, as discussed in Section 4.3, *Air Quality*, of the Draft EIR, a Health Risk Assessment (*Technical Appendix B2*) was prepared to analyze the Project’s potential health risks to sensitive receptors, including residences, workers, and schools. The Health Risk Assessment identified that the sensitive receptor with the greatest potential exposure to Project diesel particulate matter (DPM) source emissions was at Location R4, which represents the existing residence at 14157 Bosana Lane, approximately 1,151 feet north of the Project site. Any impacts to residents located further away from the Project site than the modeled residential receptor would have a lesser impact than what has already been disclosed in the because concentrations dissipate with distance. At this location, cancer and non-cancer health risks were determined to be less than significant (refer to Page 4.3-45 and 4.3-46).

Moreover, there are no schools located within a quarter mile of the Project site. The closest school to the Project site is Tournament Hills Elementary School, located approximately 1.4 miles northeast to the Project site. Based on California Air Resources Board (CARB) and South Coast AQMD emissions and modeling analyses, an 80% drop-off in pollutant concentrations is expected at approximately 1,000 feet from a distribution center. The 1,000-foot evaluation distance is supported by research-based findings concerning TAC emission dispersion rates from roadways and large sources showing that. As such, there would be no significant impacts that would occur to any schools in the vicinity of the Project (refer to Page 4.3-46).

As discussed in Section 4.13, *Noise*, of the Draft EIR, Project stationary noise would not expose nearby receivers to unacceptable daytime or nighttime noise levels during Project operations



following Project buildout. The Draft EIR determined that the Project would have significant off-site traffic noise level increase at three roadway segments (4th Street east and west of Potrero Boulevard and east of Veile Avenue). However, these locations are located in industrial areas and are not located immediately adjacent to any noise sensitive land uses (refer to Page 4.13-39).

Additionally, according to the Project's Conceptual Lighting Study, which was prepared in compliance with Beaumont Municipal Code Chapter 8.50, lighting generated from the proposed industrial and general commercial uses to the trespass line is at an average of zero footcandles and a maximum of 0.7 footcandles. Therefore, the Draft EIR adequately analyzed air quality, noise, and lighting impacts to sensitive receptors and no revisions to the Draft EIR are required.

- 5-7 The commenter further details the previous comment related to air quality, noise, and lighting impacts to sensitive receptors (residential communities) within a 2-mile radius of the Project site. Refer to response to Comment 5-6 above for a detailed discussion on each impact to sensitive receptors. Additionally, it is not necessary to study every single receiver location surrounding Project site because health risks are evaluated based on the maximally exposed individual receptor. Additionally, receivers located at similar distances from the Project site with similar ground elevations, orientation, and intervening physical conditions (e.g., walls, landscaping) as the modeled receptor locations would experience noise levels the same or very similar to those disclosed. Thus, no further response is required.
- 5-8 The commenter states there are two elementary schools within a 2-mile radius of the Project site, one of which is 2,000 feet from the Project site and expresses concern on air quality impacts to the students. As discussed in response to Comment 5-6, the closest school to the Project site is Tournament Hills Elementary School, located approximately 1.4 miles northeast to the Project site. The Project does not have the potential to result in significant health risks to schools as there is an approximate 80% drop-off in pollutant concentrations at approximately 1,000 feet from a distribution center and emissions diminish substantially between 500 and 1,000 feet from emission sources (refer to Page 4.3-46). Thus, no further response is required.
- 5-9 The commenter states that the EIR needs to specifically and accurately identify the number of sensitive receptors within a 2-mile radius of the project, including the Specific Plan Communities, schools, parks, recreation facilities, shopping centers etc. The surrounding land uses were fully disclosed in Section 3.3.2 of the Draft EIR. As described in response to Comments 5-6 through 5-8, the EIR provided a conservative analysis to determine environmental impacts and air quality, noise, and lighting impacts to sensitive receptors. Thus, no revisions to the Draft EIR are required.
- 5-10 The commenter provides a link to the news article regarding the World Logistics Center settlement agreement and states that the conditions of approval must involve mitigation for health hazards and other effects from the Project on residences within a 2-mile radius. Refer to response to Comments 5-6 through 5-8. In accordance with CEQA, the Draft EIR identifies all environmental impacts of the Project and incorporates all feasible mitigation measures to reduce Project impacts.



- 5-11 The commenter states that, given the San Gorgonio Pass unique topography, climate and weather; the Project does not analyze how the Pass's wind, light, and weather conditions will carry/distribute the Project's air and other pollution to, not only the sensitive receptor communities within the 2-mile radius, but also to other parts of Beaumont, Calimesa, Banning and surrounding areas.

The commenter is incorrect. Analysis of air quality impacts to sensitive receptors did take into account the area's meteorology and other unique characteristics that would affect pollutant dispersion. As discussed in the Project's Health Risk Assessment (HRA; *Technical Appendix B2*), the analysis has been conducted in accordance with the Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the Lakes AERMOD View (Version 10.2.0) to calculate annual average particulate concentrations associated with site operations. The model requires additional input parameters including emission data and local meteorology. Meteorological data from the South Coast AQMD's Banning (BNAP) monitoring station (SRA 29) was used to represent local weather conditions and prevailing winds. Thus, no revisions to the Draft EIR are required.

- 5-12 The commenter states the analysis of cost burden of the Project has not been compared to estimated revenues to determine if the city receives an overall net financial profit/benefit from this project, not only short-term, but also throughout generations. Refer to response to Comment 5-5 related to economic impacts and CEQA. Additionally, as part of the annexation process into the City which will occur after the City considers the EIR, a fiscal impact analysis is required to be provided to the City. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter's concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

- 5-13 The commenter raises concern related to the timing of the development of the proposed hotel compared to the warehouse uses; stating that the hotel may not be built for years. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter's concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

It should be noted that the General Commercial uses are planned in the final Phase 3 (2027) of Project buildout. As stated in Section 3.0, *Project Description*, of the Draft EIR, the Project is proposed to be developed in three phases with the construction of the General Commercial uses, including the hotel during Phase 3. Additionally, the creation of jobs under Phase 1 from the warehouse use would result in the demand of additional commercial uses in the area. The Draft EIR adequately discloses the timing of the type of development for each phase.

- 5-14 The commenter states that the EIR misleads the public by characterizing the retail/hotel component as the major land use/attractor in the Specific Plan summary.

The commenter is referring to Table 3-1 of the Draft EIR, which presents the land use statistical summary to provide the total acreage and square footage for each planning area and associated land use. The statistical summary was presented in the order of planning areas and was not intended to mislead the public. Additionally, the hotel use was identified separately to indicate



that the 125 hotel rooms are in addition to the target development intensity of 246,000 square feet of General Commercial uses. However, the commenter's concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

- 5-15 The commenter expresses concern on the Project's impacts on traffic on 4th Street and states the 4th Street bridge would need to be expanded.

CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS)" shall not constitute a significant environmental impact" (CEQA Guidelines Section 15064.3(a)). Notwithstanding the requirements of State law that the VMT method of analysis, rather than LOS, be utilized to determine transportation impacts, a Traffic Impact Analysis (TIA) was prepared for the Project and included as *Attachment C* of this Final EIR. As discussed in the Project's (TIA), recommended improvements needed to address the cumulative deficiencies identified under Existing (2020), E+P (Phase 1, Phase 2, and Buildout), Opening Year Cumulative (2023), Opening Year Cumulative (2025), Opening Year Cumulative (2027), and Horizon Year (2045) traffic conditions are shown in Table 1-4. The Project Applicant would be required to pay TUMF fees, DIF fees, and fair share improvement fees that the City would use to ensure the implementation of roadway improvements in the area in order to minimize traffic congestion. Moreover, as stated in Section 3.0, *Project Description*, of the Draft EIR, 4th Street between Jack Rabbit Trail and Potrero Boulevard is being constructed across the Hidden Canyon Industrial Park site as an industrial collector with a 78-foot right-of-way and 56-foot curb-to-curb (refer to Page 3-3). Therefore, no further response is required.

- 5-16 The commenter states that the Project has not demonstrated compliance with SB 932 (enacted September 2022) which sets out requirements for an active transportation program and plan for the area.

SB 932 requires a county or city to identify high-injury streets and intersections in its General Plan and prioritize safety improvements to reduce traffic collisions. This would be implemented by cities and the counties as part of comprehensive local and regional planning efforts. SB 932 does not place a requirement on the proposed Project or other specific development projects. Therefore, no further response is required.

- 5-17 The commenter states the Project Objectives are misleading and incompatible with the objectives of the community and Beaumont's General Plan.

CEQA Guidelines section 15124 requires that the project description in the EIR shall include statement of the objectives sought by the proposed project. In accordance with this section, the project objectives are intended to:

... help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits.



The Project Objectives in the EIR were prepared in accordance with CEQA requirements and are not misleading or incompatible with the objectives of the community and Beaumont's General Plan. Rather, the Objectives document the underlying purposes of the Project in order to develop a reasonable range of alternatives (refer to Section 6.0, *Alternatives* of the Draft EIR) and support the Project findings.

The commenter provides specific reasons that this applies to each of the Project Objectives, which are addressed in response to Comments 5-17 through 5-26.

Under Objective A,¹² the commenter states that the objective erroneously concludes that residents' demands for ecommerce require locating warehouses on this site and omits that ecommerce demand is regional in nature, and can occur in other areas in Southern California. Additionally, the commenter incorrectly states that the EIR omits the types of industrial uses proposed, namely warehousing, which misleads the evaluation of environmental impacts.

As described in Objective A, one of the purposes of the Project is to locate industrial uses in an area with a growing demand for these types of uses, while minimizing impacts by locating the buildings away from sensitive receptors, near other compatible industrial uses and close to the regional transportation network. Objective A does not discount that there is also a growing demand for industrial uses throughout southern California and in the Inland Empire.

The Draft EIR includes the types of users that would be allowed in the Industrial designation. As stated in Section 3.0, *Project Description*, of the Draft EIR, the Industrial uses in the Planning Areas (PAs) 3 through 8 of Specific Plan would accommodate users such as industrial incubators, light manufacturing, parcel hub, warehouse/storage, fulfillment center, high cube warehouse, cold storage warehouse (up to 100,000 sf), and e-commerce operations and includes self-storage uses (permitted only on PA 3). The full list of uses permitted, conditionally permitted, and ancillary in these PAs is provided in the Specific Plan, Chapter 2, Development Plan. Additionally, the Project consists of a Specific Plan and the future occupants of the Project's industrial buildings and commercial area are currently unknown. Upon adoption of the Specific Plan, subsequent project subdivision maps, plot plans, conditional use permits, grading and building permits, or any other actions requiring either ministerial or discretionary approvals would be required for construction to occur and to demonstrate consistency with the Specific Plan.

Furthermore, impacts relating to air quality to sensitive receptors were fully evaluated in Section 4.3, *Air Quality*, of the Draft EIR.

5-18 Under Objective B,¹³ the commenter states that the current land use is rural residential which is compatible with the Beaumont General Plan and more conducive to the rural open space,

¹² Objective A - Develop large land areas in the City and particularly south of SR-60 and adjacent to existing industrial uses, infrastructure, and truck routes to meet the growing demand for large scale industrial and warehouse development in the City while minimizing impacts of industrial development on residential and other sensitive receptors in the City, which are primarily located north of SR-60.

¹³ Objective B. Providing for conservation of open space habitat within MSHCP criteria cells in a manner consistent with the MSHCP requirements and providing access for wildlife movement to Caltrans constructed and proposed wildlife under-crossings along the SR-60 Freeway that abut the northern Project boundary to accommodate wildlife movement.



including the MSHCP. The commenter expresses his opinion regarding the need for lower density housing rather than medium/high density tract housing. The commenter states that keeping the rural residential zoning not only preserves the visually appealing aesthetic nature of the site, but also accommodates the need for additional housing. Additionally, the commenter states that the proposed project will irrevocably disturb the natural terrain, vegetation, and habitat, replacing carbon and water capturing natural areas watershed with man-made heat and pollution inducing infrastructure.

The commenter is correct that the Project site is currently designated rural residential in the City's General Plan. As a point of clarification, the land use regulations for the Project site are currently under the jurisdiction of Riverside County and set forth in the Pass Area Plan with a designation of Rural Mountainous. The Project site is located in the City's Sphere of Influence and is designated in the City's General Plan as Rural Residential 1 (refer to Pages 4.11-2 to 4.11-3 of the Draft EIR). However, the Project site has not been zoned or pre-zoned by the City and there is currently no allowed development at the Project site.

The commenter's concerns regarding the natural terrain, vegetation/habitat and the development impact have been addressed throughout the Draft EIR. As concluded in Section 4.4, *Biological Resources*, of the Draft EIR, the Project would result in less than significant impacts with the incorporation of mitigation measures and the Project has been designed and mitigated to remain in compliance with all MSHCP conservation goals and guidelines, which includes conservation of 230.82 acres of open space. Thus, no revisions to the Draft EIR are required.

- 5-19 Under Objective C,¹⁴ the commenter expresses concern with the influx of warehouse projects in the City and its impacts on residents. The commenter states that the city has a reputation of being warehouse friendly and is concerned with pollution and other negative effects that come with massive warehouse projects, residents and families' health and well-being (quiet, dark skies, clean air and lungs), and property values are under threat. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter's concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.
- 5-20 Under Objective C, the commenter further states that the type of jobs from warehouses are not sustainable in terms of upward mobility, longevity, home ownership and ensuring family financial security and wealth. The commenter suggests that the city should impose a cap on warehousing and revise zoning for more sustainable land uses to protect against an economic downturn and costs to the city. Additionally, the commenter requests evidence that tax or other revenues produced from the project will adequately offset or exceed the cities infrastructure and city service expenses (police/fire/transit/expansion of road system/infrastructure maintenance) needed to service the project and its impacted areas for the long term.

¹⁴ Objective C. Maximizing opportunities to develop land in the City's sphere of influence to provide job opportunities and economic benefit to the City and its residents, including new sales and property tax revenues that can be used for City services and providing sufficient fiscal benefit to permit annexation of the Project site into the City.



Refer to response to Comment 5-5 on the details on the Project’s economic benefits. It should be noted that a Fiscal Impact Analysis will be required as part of the proposed annexation. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter’s concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

- 5-21 Under Objective D,¹⁵ the commenter states that warehouse jobs are not sustainable in terms of upward mobility, longevity, home ownership and ensuring family financial security and wealth; and goes on to explain the poor working conditions of the warehouse industry. It does not acknowledge the Objective’s purpose to create new job opportunities in the City, improve the jobs to housing balance, and reduce the need for workers to commute long distances. Additionally, Transportation Demand Management (TDM) program strategies as part of Mitigation Measure MM 4.3-6 include promoting bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site, providing secure bicycle storage space equivalent to 2% of the automobile parking spaces provided, and providing meal options on-site or shuttles between the facility and nearby meal destinations. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter’s concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.
- 5-22 Under Objective E,¹⁶ the commenter states that the objective is misleading due to the retail/entertainment component being miniscule (around 5.5% of total project area). The commercial area is up to 246,000 sf in addition to the 90,000 square foot hotel. Nevertheless, this comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter’s concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.
- 5-23 Under Objective F,¹⁷ the commenter states that the objective is misleading because there will be no variety of future tenants in terms of a variety of land uses. Additionally, the commenter states that trucks are conflicting with streets designed for residential communities, such as Viele Avenue, California Avenue, and First Street.

The Project Objective describes that the variety of future tenants includes light manufacturing, warehouse, distribution tenants and other businesses that rely on transportation efficiency within an industrial corridor. Additionally, as stated in Section 3.0, *Project Description*, of the Draft EIR, the industrial uses in the Planning Areas (PAs) 3 through 8 of Specific Plan would

¹⁵ Objective D. Creating new job opportunities within the City of Beaumont which to improve and maximize the jobs to housing balance within the City and reduces the need for members of the existing local workforce to commute long distances

¹⁶ Objective E. Fulfilling a need in the City and region for wellness-based retail, including entertainment, recreation, hospitality, and restaurants.

¹⁷ Objective F. Developing a center that will accommodate a variety of future tenants, including light manufacturing, warehouse, distribution tenants and other businesses that rely on transportation efficiency within an industrial corridor in a location with superior access to the local and regional transportation network, thereby minimizing truck traffic on local streets and reducing vehicle miles traveled in the region.



accommodate users such as industrial incubators, light manufacturing, parcel hub, warehouse/storage, fulfillment center, high cube warehouse, cold storage warehouse (up to 100,000 sf), and e-commerce operations and includes self-storage uses permitted only on PA 3. The full list of uses permitted, conditionally permitted, and ancillary in these PAs is provided in the Specific Plan, Chapter 2, Development Plan.

All Project truck traffic will access 4th Street to the east through industrial areas. Interim regional access to the Project site is available from the SR-60 Freeway via Western Knolls and Veile Avenue/6th Street interchanges and the I-10 Freeway via the Oak Valley Parkway and Beaumont Avenue interchanges. Once the Potrero Boulevard interchange is constructed, regional access to the Project site would be available from the SR-60 Freeway/Potrero Boulevard and I-10 Freeway/Oak Valley Parkway interchanges (refer to Exhibits 4-2 and 4-4 of the Traffic Analysis, *Attachment C* of this Final EIR). Project trucks would not travel on residential streets, including residential areas adjacent to Viele Avenue, California Avenue and First Street. Trucks would travel through industrial areas and roadways that are not immediately adjacent to any noise sensitive land uses. Accordingly, no revisions to the Draft EIR are required.

- 5-24 Under Objective G,¹⁸ the commenter states the objective is misleading and states that there will be a substantial need, increase, and burden on existing infrastructure due to the need for the expansion of infrastructure. The commenter states that the applicant should disclose the required infrastructure improvements in the Beaumont area, including the expansion of sewer, water, Freeways and roadways.

As discussed in Section 3.0, *Project Description*, roadways, water, sewer, and drainage systems required for the Project are disclosed in detail (refer to Pages 3-11 to 3-15, Figures 3-18, *Conceptual Potable Water Phasing Plan*, 3-19, *Conceptual Reclaimed Water Phasing Plan*, 3-20, *Conceptual Sewer Phasing Plan*, and 3-21, *Conceptual Drainage and Water Quality Phasing Plan*, and Table 1-4 of the Project's Traffic Analysis, *Attachment C* of this Final EIR). The precise location of roadways, access points, alignments and sizing of sewer facilities identified in the Draft EIR are considered conceptual in that they may be modified to meet the requirements of the City of Beaumont Public Works Department and to address final grading requirements. Additionally, the Project Applicant would be required to pay TUMF fees, DIF fees, and fair share improvement fees that the City would use to ensure the implementation of roadway improvements in the area in order to minimize traffic congestion. Accordingly, no revisions to the Draft EIR are required.

- 5-25 Under Objective H,¹⁹ the commenter states the objective is misleading stating that there is no variation in warehouse buildings.

¹⁸ Objective G. Developing a project that utilizes existing investment in capital improvements for water, reclaimed water, sewer, storm drain and circulation facilities to further the planned development of land in the City and in its sphere of influence.

¹⁹ Objective H. Developing range of warehouse facility options, such as varying structure sizes and building configurations within the City with high quality business to facilitate local and regional distribution of goods while minimizing vehicle miles traveled, air quality and greenhouse gas impacts.



This Project Objective relates to the variety of warehouse facility operations. The building design would be required to meet the development standards and design guidelines of the Beaumont Pointe Specific Plan. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required. However, the commenter's concerns are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.

- 5-26 Under Objective I,²⁰ the commenter states the objective is misleading because vegetation landscaping is a minimal component, water needs and fire danger have not been analyzed.

The Landscape Design Guidelines of the Beaumont Pointe Specific Plan provides a plant palette for three categories: Entrance Planting, Native California Planting, and Industrial Screen Planting. Alternative plant species may be used provided that they are drought-tolerant and complement the Project's design theme. The landscaping plan serves the dual purpose of adding year-round visual appeal while being sensitive to the environment and the Southern California climate, by using drought-tolerant materials. Additionally, the Project's Fuel Modification Area and Fuel Modification Zone would be planted with drought-tolerant, less flammable plants. Water demand for the Project is analyzed in Section 4.19, *Utilities and Service Systems*, of the Draft EIR (refer to Pages 4.19-22 to 4.19-23). Additionally, wildfire impacts are discussed in Sections 4.9, *Hazards and Hazardous Materials*, and 4.20, *Wildfire*, of the Draft EIR and found to be less than significant. Accordingly, no revisions to the Draft EIR are required.

- 5-27 The commenter states CEQA requires government agencies to consider the environmental consequences of their actions before approving projects subject to CEQA's provisions.

The Draft EIR was prepared in accordance with CEQA Guidelines and is presented to the Lead Agency prior to approval of the Project. Thus, no further response is required.

- 5-28 The commenter states the EIR must evaluate all potentially significant environmental impacts of a proposed project including both direct and indirect impacts as well as cumulative impacts.

The Draft EIR evaluated all potentially significant direct, indirect, and cumulative environmental impacts of the Project. Table 2-1, *Location of CEQA Required Topics in this EIR*, of the Draft EIR, provides a reference to Draft EIR sections that the CEQA-required content is provided, including CEQA Guidelines Sections 15126, 15126.2 (a), 15130. Accordingly, no revisions to the Draft EIR are required.

- 5-29 The commenter states CEQA establishes a substantive mandate on the part of the lead agency to mitigate the significant environmental impacts of a project and a lead agency may not approve a project for which there are significant environmental impacts unless the agency makes findings that: (a) mitigation measures have been required of the project which avoid or substantially lessen the significant environmental impacts, or (b) mitigation measures are found

²⁰ Objective I. Minimizing the demand for water resources by creating a development-wide landscape concept that features drought-tolerant plant materials to provide for an aesthetically pleasing outdoor environment and developing a project where recycled water is planned to be available.



to be infeasible based on substantial evidence under CEQA Guidelines, Sections 15021 (a), 15091 (a)(b), and 15092 (b).

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible (CEQA Guidelines Section 15021). The Draft EIR was prepared in accordance to CEQA and provides feasible mitigation measures for each potentially significant environmental impact that would lessen the significant environmental impacts, or finds that mitigation measures infeasible based on substantial evidence. A summary of mitigation measures for the Project are provided under Table 1-1 *Summary of Impacts, Mitigation, and Levels of Impact*, of the Draft EIR. Accordingly, no revisions to the Draft EIR are required.

- 5-30 The commenter states mitigation measures must be certain and enforceable and the lead agency must ensure that mitigation measures are required by or incorporated into the project to ensure that the measures are actually carried out under Public Resources Code Section 21081.6 (a) and (b) and CEQA Guidelines Section 15126.6(a)(2).

As discussed in Section 2.0, *Introduction and Purpose*, of the Draft EIR, in compliance with Public Resources Code Section 21081.6, a Mitigation Monitoring and Reporting Program (MMRP) will be prepared for the Draft EIR. The MMRP is required to be adopted by the City Council concurrent with certification of the Final EIR for the proposed Project. Additionally, Project Design Features (PDFs) and Regulatory Requirements (RRs) are included in the Project's MMRP to further ensure the implementation of the PDFs and mandated RR (refer to Page 2-17). CEQA Guidelines Section 15126.6(a)(2) does not exist; the commenter may be referring to Section 15126.4(a)(2), which states that mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. Through adoption of the MMRP, the Project is compliant with CEQA Guidelines Section 15126.4(a)(2). Accordingly, no revisions to the Draft EIR are required.

- 5-31 The commenter states CEQA's provides that a lead agency must evaluate alternatives to the proposed project, or the location of the project, which would attain most of the basic objectives of the project but would avoid or substantially lessen any of the project's significant environmental effects, the lead agency has a duty to adopt a project alternative if it is feasible, and lead agency may not reject an alternative unless the agency makes findings supported by substantial evidence showing that the alternative is infeasible under CEQA Guidelines Section 15126.6 (a), 15091 (a)(3), and 15092 and Public Resources Code Section 21002, 21081, and 21081.5.

CEQA's requirements are stated in the relevant provisions and the comment does not summarize the provisions correctly. Alternatives to the Project are discussed in Section 6.0, *Alternatives*, of the Draft EIR in accordance to CEQA. Accordingly, no revisions to the Draft EIR are required.

- 5-32 The commenter states that the Draft EIR failed to adequately evaluate impacts to/from including, but not limited to, aesthetics, air quality, biology, energy, greenhouse gas emissions, land use, noise, and traffic. The commenters reasoning for these statements are provided in the subsequent portion of the commenter letter; refer to response to Comments 5-33 to 5-37, below. Thus, no further response is required.



- 5-33 The commenter states that the aesthetic impacts and construction grading activities have not been fully evaluated but does not provide supporting evidence to justify these claims.

As discussed in Section 4.1, *Aesthetics*, of the Draft EIR, although the Project would convert undeveloped hillside areas to industrial and commercial development, it would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings, because the existing hillsides surrounding the Project site would be maintained, limiting views of the development. Additionally, the Project's proposed structures, which would reach a maximum height of 60 feet above finished grade, would not block views to the San Gorgonio Mountains, San Bernardino Mountains, and San Jacinto Mountains due to Project site's orientation and topography in relation to SR-60 and Frontage Road. Views of the Project site from the SR-60 Freeway along the Project frontage will include existing landform, manufactured slopes, landscaping, and intermittent views of the proposed buildings. Therefore, the proposed development would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings. Construction grading impacts are also discussed in detail in Section 4.1 (refer to Pages 4.1-12 to 4.1-16) and project impacts from grading were not found to be significant taking into account the on-site terrain. Accordingly, no revisions to the Draft EIR are required.

- 5-34 The commenter states that the Draft EIR's analysis of the Project's energy impacts are inadequate in terms of the requirements of CEQA Guidelines, Appendix F, and failed to require sufficient analysis of the Project's energy consumption, transportation energy impacts; and does not demonstrate with substantial evidence that the Project would increase reliance on renewable energy sources and that mitigation measures are unenforceable.

The commenter does not explain how the mitigation measures are unenforceable. The Project's energy consumption, transportation energy impacts, and energy efficiency and conservation measures are discussed in Section 4.6, *Energy*, of the Draft EIR (refer to Pages 4.6-9 to 4.6-32). To further reduce energy use associated with Project operations to the extent feasible, the Project would incorporate the following features into the new facility thus also complying with the requirements of Appendix F of the State CEQA Guidelines to achieve the goal of energy conservation by decreasing reliance on fossil fuels such as coal, natural gas and oil; and increasing reliance on renewable energy sources. In accordance with Mitigation Measure 4.8-1, prior to issuance of each building permit, the Project Applicant shall provide documentation to the City as part of the plan check process, demonstrating implementation of the Riverside County Climate Action Plan (CAP), which includes solar photovoltaic panels that will meet a minimum of 20% of the power needs of the Project. Implementation of the Project would increase the demand for electricity and natural gas at the Project site and petroleum consumption in the region during operation. However, the electrical and natural gas consumption demands of the Project during operation would conform to the state's Title 24 and to CALGreen standards, which implement conservation measures and are made further efficient by application of CAP points to the Project. Note that after annexation into the City, the County CAP does not apply to the Project, but the City has exercised its discretion to comply with CAP points to increase energy efficiency of the proposed Project. Further, the proposed Project would not directly require the construction of new energy generation or supply facilities and providers of electricity and natural gas are in compliance with regulatory requirements that assist in conservation, including requirements that electrical providers



achieve state-mandated renewable energy production requirements. Accordingly, no revisions to the Draft EIR are required.

- 5-35 The commenter incorrectly states that the analysis and mitigation of the Project’s greenhouse gas emission (“GHG”) impacts is based on the County’s Climate Action Plan and Draft EIR relies upon illusory measures and uncertain mitigation in determining that the Project is compliant with the CAP.

As discussed in Section 4.8, *Greenhouse Gas Emissions*, of the Draft EIR, the Project is consistent with the County’s Climate Action Plan and exceeds the minimum number of points required to mitigate GHG impacts. Refer to response to Comment 5-34 for details related to compliance with the County’s Climate Action Plan. However, the City of Beaumont has elected to rely on compliance with a numeric threshold of significance to determine the significance of Project-related GHG emissions. Specifically, the City has selected 3,000 MTCO_{2e} per year threshold based on the research and analysis underlying the recommendation by South Coast AQMD staff for residential and commercial sector projects against which to compare Project-related GHG emissions (refer to Page 4.8-32). Moreover, the Project’s mitigation measures and project design features are included in the Project’s MMRP to further ensure their implementation. Accordingly, no revisions to the Draft EIR are required.

- 5-36 The commenter states the Project would result in significant land use impacts because the Project would (a) result in a substantial alteration of the present or planned land use of the area; (b) be incompatible with the site’s existing or proposed zoning; (c) be incompatible with existing surrounding zoning; (d) be incompatible with existing and planned surrounding land uses; and (e) be inconsistent with the land use designations and policies of the General Plan.

The Project site has not been zoned or pre-zoned by the City and there is currently no allowed development at the Project site. Without zoning and annexation, the Project cannot be considered inconsistent with the City’s General Plan and zoning. Analysis of Project consistency is provided in Section 4.10, *Land Use and Planning*, of the Draft EIR (refer to Pages 4.11-9 to 4.11-39). As discussed, although the Project would result in a change to the General Plan land use designations for the Project site to allow for implementation of the Specific Plan, these changes would not result in a conflict with applicable plans, polices, or regulations adopted for the purpose of avoiding or reducing an environmental effect. Moreover, as stated previously, since the Project site is within the City’s SOI within unincorporated Riverside County, the City has not yet adopted any zoning designations for the site. The City’s approval and implementation of Pre-Zone PLAN2019-0283 would ensure that the Project would be consistent with the proposed zoning regulations identified in the Specific Plan. Therefore, the Project would be consistent with the City’s General Plan and zoning and no revision to the Draft EIR is required.

- 5-37 The commenter incorrectly states that construction noise levels are well above ambient conditions at the nearest homes to the Project site and noise analysis omits existing ambient noise measurements at residences to the north of the Project site, or those planned south of the Project site and traffic noise on residential receptors.

As shown in Table 4.13-7, *Project Construction Noise Levels*, Project construction at all nearby receiver locations would not cause noise levels at receiver locations to exceed 75 dBA Leq.



Acceptable exterior construction noise level threshold is based on the City of Beaumont 55 dBA Leq interior noise level limit and the 20 dBA reduction in noise associated with typical sensitive receptor building construction. To assess the construction equipment noise levels, the Project construction noise analysis relies on the highest noise level impacts when the equipment with the highest reference noise level is operating at the closest point from the edge of primary construction activity (Project site boundary) to each receiver location. Additionally, the stationary noise analysis evaluates Project-related noise levels at the nearby receiver locations in the Project study area. As shown in Figure 4.13-1, *Noise Measurement Locations*, of the Draft EIR, the existing noise measurement locations included residential uses to the north of the Project site. Moreover, the roadway segments selected for the traffic noise analysis were based on Urban Crossroads, Inc. review of the Project study area evaluated in the Traffic Analysis (*Attachment C* of this Final EIR) and the off-site truck trip distributions. Accordingly, no revisions to the Draft EIR are required.

- 5-38 The commenter states that the Project removes obstacles for growth by providing infrastructure that would be needed for future growth, that Project's land use amendments also have the potential to set a precedent for similar large-scale industrial development in the rural area, and that the Draft EIR speciously states there are no growth inducing impacts because the existing land use has historically accommodated a variety of industrial and commercial uses.

As discussed in Section 5.0, *Other CEQA Considerations*, of the Draft EIR, since all proposed utility infrastructure would connect to lines at the eastern edge of the Project site and would be sized to exclusively serve the proposed development, this Project infrastructure would not indirectly induce substantial unplanned population growth (refer to Page 5-6). Additionally, the Project's potential influence on other nearby properties to redevelop at greater intensities and/or different uses than the City's General Plan and Zoning Code allow is speculative; however, it should be noted that implementation of the Project would not result in the approval of proposed uses on any other property outside of the Project site. CEQA does not require the analysis of speculative effects (State CEQA Guidelines Section 151454). Lastly, the Draft EIR does not state that the existing land use has historically accommodated a variety of industrial and commercial uses, but instead states that the Project site is currently and has historically been vacant and undeveloped, except for the eastern portion of the site that contains the paved portion of Jack Rabbit Trail (refer to Page 5-4). Accordingly, no revisions to the Draft EIR are required.

- 5-39 The commenter states that not all feasible mitigation was required of this Project, and Petitioner and others proposed feasible mitigation that has not been shown to be infeasible based on substantial evidence in the record.

The commenter's references to petitioners and proposed mitigation measures by petitioner and others appears to be referencing another project since there has been no litigation initiated by any petitioner to challenge this Project. However, all mitigation measure proposed by persons who commented on the Draft EIR have been considered and incorporated, where feasible, as documented in this Final EIR. Thus, no further response is required.

- 5-40 The commenter incorrectly states that requiring that the Project incorporate the phase-in of electric, hybrid electric, hydrogen electric, or battery operated (i.e., non-diesel) trucks is needed and the City/County has declined to adopt feasible mitigation to address significant impacts.



As stated in Mitigation Measure 4.3-7, the buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed to supply power for the future installation of electric vehicle (EV) truck charging stations on the site. Requiring zero-emission vehicles is currently economically and technologically infeasible (refer to response to Comment B-41); also, such vehicles are not available on a large enough scale to be relied upon. Therefore, the current technology required for EV truck charging stations is unknown and technologically infeasible. In addition, the County is not the lead agency on this Project and is not in a position to impose mitigation or required to make findings in connection with this EIR. Thus, the City properly determined that this mitigation is not warranted.

- 5-41 The commenter states that the Project should be limited to the assumptions of the air quality study in terms of truck trips (number and trip length) in order to ensure that significant impacts (NO_x) are not more severe than assumed by the EIR. Further, the commenter states that the County declined to adopt feasible mitigation to address significant impacts, and the County failed to make findings supported by substantial evidence that the measure is infeasible.

As shown in Table 4.3-7, *Summary of Peak Operation Emissions, of the Draft EIR*, operational emissions generated by the Project are broken down by source types including mobile source and approximately 91% of the Project's NO_x emissions are derived from vehicle usage. There are no feasible mitigation measures that would further reduce vehicular emissions at this time. As discussed in Section 4.3, *Air Quality*, of the Draft EIR, and described in the Response to Comment B-41, the Project would be subject to compliance with Rule 2305 (refer to Pages 4.3-22 and 4.3-23). Because compliance will be implemented by lessees, the specific measures that will be implemented to comply with Rule 2305 is currently not known, although they potentially would include use of electric duty trucks. Additionally, through the implementation of Mitigation Measure MM 4.3-12, compliance with Rule 2305 would be ensured. Mitigation Measure 4.3-12 requires the City's Planning Department to confirm that tenant lease agreements requiring the Project Applicant to provide \$1.00 per square foot in funding for fleet upgrade financing to be used over the term of their lease on Zero Emissions (ZE) and Near Zero Emissions (NZE) delivery vans or trucks. Compliance with Rule 2305 would reduce air quality effects associated with the warehouse industry, including the Project, throughout the air basin, although quantification of such reductions is not feasible at this time. Additionally, the Draft EIR provides an environmental analysis based on buildout of the Specific Plan. Following adoption of the Specific Plan, the Project Applicant would process Plot Plans and, if required by the terms of the Specific Plan, Conditional Use Permits, that would allow administrative review of building design and layouts that are consistent with the Development Standards and Design Guidelines. Future development accommodated by the Specific Plan would be required to demonstrate compliance with the buildout assumptions in the Specific Plan and the Draft EIR. Accordingly, no revisions to the Draft EIR are required.

As a point of clarification, the City is the Lead Agency for the Project; not the County. The Project has incorporated all feasible mitigation measures as demonstrated throughout this Final EIR.

- 5-42 The commenter states that project buildings should require to be built with an earthen roof or install solar panels sufficient to achieve "net zero," and continues to incorrectly refer to the



County as the agency declining to adopt feasible mitigation to address significant impacts when the City of Beaumont is the lead agency for the Project.

As discussed in Section 3.0, *Project Description*, of the Draft EIR, approximately 20% of the power needs of each building within the Project site shall be provided by Solar Photovoltaic panels or wind, installed on buildings or in collective arrangements (refer to Page 3-19). Additionally, Project Design Feature, PDF 8-2 would require all roofs within the Project to be rated at 0.15 aged solar reflectance and 0.75 thermal emittance or greater (refer to Page 4.6-9). Both cool and green roofs provide benefits of lower surface and air temperatures, and decreased energy demand.²¹ Additionally, it would not be feasible to provide both earthen (green) roofs and solar roofs at the same time, due to the limitation of roof space and benefits of providing solar for emission reductions over earthen roofs. Accordingly, no revisions to the Draft EIR are required.

- 5-43 The commenter states the that proposed mitigation measures are uncertain, unenforceable, ineffective and/or deferred in violation of CEQA, but provides no evidence to support the claim.

State law requires the preparation of a mitigation monitoring and reporting program (MMRP) to ensure that measures that would avoid or lessen significant environmental effects of the project are adopted as conditions of approval for the project. The mitigation measures identified in this EIR have been described in sufficient detail to provide the necessary information to identify the mitigation, the party or parties responsible for carrying out the mitigation, when the mitigation will be implemented, and why the mitigation has been required. The MMRP will be adopted by the City Council concurrent with certification of the Final EIR for the proposed Project. Accordingly, no revisions to the Draft EIR are required.

- 5-44 The commenter states the applicant fails to adequately consider alternatives to the proposed Project, including alternative sites, and unreasonably restricted criteria for analysis of alternative sites.

As discussed in response to Comment 5-4 and in Section 6.0, *Alternatives*, of the Draft EIR, the alternative sites alternative was analyzed under alternatives considered and rejected (refer to Pages 6-5 to 6-6) based on criteria under CEQA. The Draft EIR concluded that only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126.6(b)). In addition, an alternative site need not be considered when implementation is remote and speculative, such as when the alternative site is beyond the control of a project applicant. Given the size and type of the proposed development, a similarly sized project and land use elsewhere in the South Coast Air Basin would result in the same or greater project-level and cumulative air quality, GHG emission, and transportation impacts. Therefore, analysis of an alternative site for the Project is neither meaningful nor necessary, because the significant impacts resulting from the Project would not be avoided or substantially lessened by its implementation in an alternate location. Furthermore, there are no alternative sites within the City or its sphere of influence that are similarly sized that would be suitable for industrial and commercial uses proposed by the Project. Additionally, the Project Applicant does not own or control another suitable site

²¹ <https://www.epa.gov/heatislands/using-green-roofs-reduce-heat-islands>



that would achieve the underlying purpose and objectives of the Project. As a result, this alternative was rejected from further consideration and no further response is required.

- 5-45 The commenter requests an additional 30 days of public review to the Draft EIR because the notification process made it difficult for most Beaumont residents to review the DEIR.

CEQA requires that a Draft EIR have a review period lasting at least 45 days for projects that have been submitted to the SCH for review (State CEQA Guidelines, Section 15105(a)). The Draft EIR was distributed to various public agencies, organizations, and individuals on December 22, 2022; the EIR was available for public review and comment for a period of 48 days. The review period ended on February 8, 2023. The City used several methods to elicit comments on the Draft EIR. A Notice of Availability (NOA) and the Draft EIR was distributed to the SCH for distribution to State agencies. In addition, the DEIR was posted on the City's website. The NOA was posted also at the San Bernardino County Clerk's office on December 22, 2022. The NOA was mailed to responsible agencies, local government agencies, and interested parties that received the NOP, to individuals who had previously requested the NOA or EIR, and to individuals who provided NOP comments on December 22, 2022. The NOA was also published in Press-Enterprise Newspaper on December 22, 2022; the NOA and Draft EIR were made available for review, on the City's website at: <https://www.beaumontca.gov/1143/Beaumont-Pointe-Specific-Plan>. Therefore, the City has adequately provided notification in accordance to CEQA and no extension of public review period is warranted.



COMMENT LETTER 6

From: **Bob Tinker**

bobtinker@roadrunner.com

Subject: **Beaumont Point Specific Plan**

Date: **Feb 8, 2023 at 9:13:38 PM**

To: **ckendrick@beaumontca.gov**

I have completed my review of this specific plan. I found the Fire Protection component to be adequate.

I do have a problem with proximity of the primary access road and the emergency access gate and roadway. If a hazmat incident were to develop on Hwy# 60 and evacuation of employees is required there may not be adequate access. Sheltering in place is not always possible during a hazmat incident. Some type of additional access should be in planning areas 7 or 8.

If you need any additional information give a call.

Bob Tinker

[1-951-367-4904](tel:1-951-367-4904)

Sent from my iPad

←
6-1
←



Responses to Comment 6

Tinker, Bob, dated February 8, 2023.

6-1 The commenter acknowledges the adequacy of the Fire Protection component of the Beaumont Pointe Specific Plan. The commenter expresses concerns related to the location of the primary access road and the emergency access gate, in case evacuation of employees is required during a hazmat incident on SR-60. The commenter recommends a secondary access route to be established in Planning areas 7 or 8 in case of a hazmat incident along SR-60 that would require site evacuation.

In the event of a hazmat incident, the on-site employees/individuals would follow the law enforcement's direction and may evacuate using fewer vehicles, as instructed by the authority. Fewer evacuation of vehicles at any one time would reduce evacuation times. Moreover, upon reviewing the California's Governor Office of Emergency Services Hazmat Incident reports from 2018 to 2021, there are very few hazmat incidents that have occurred on the roadways/freeways within the County of Riverside that necessitated evacuation. Of all the incidents that required evacuation in the County of Riverside, none involved vehicle accidents or turnovers; rather, they all resulted from contractors striking underground utilities. Thus, the chances of a hazmat incident along SR-60 that would necessitate extensive evacuation are exceedingly slim. Furthermore, any transportation of hazardous materials, aside from common items such as gasoline, must adhere to stringent federal and state regulations, making the likelihood of a hazmat spill during transport along SR-60 very low. Most of the incidents that have occurred involving hazmat spills tend to stem from rail transport. Therefore, a secondary access route to the SR-60 Freeway from Planning Areas 7 and 8 is not required.



COMMENT LETTER 7

From: [Susan Walsh](#)
To: [Carole Kendrick](#)
Subject: Beaumont Pointe Warehouse
Date: Monday, February 6, 2023 9:56:23 AM

I just wanted to reinforce how important it is to consider ALL warehouses' environmental impact, whether right inside our city or farther out. The effect of hundreds of trucks per day cannot be minimized regardless of the location. Prioritize an industry that is not dependent on trucking but instead brings needed jobs to our area. Of particular note is this recent article: " Warehouse Boom Transformed the Inland Empire". Warehouses should be considered within a particular category. No amount of fees can repair the damage to a community after something like this is built.

Thank you so much for putting my comment into the public record.

*Susan Walsh
1282 Laguna Seca Ct
banning, CA 92220*

Sent from my iPhone

←
7-1
←



Responses to Comment 7

Walsh, Susan, dated February 6, 2023.

- 7-1 The commenter expresses general opposition to the Project and concerns related to the amount of truck traffic per day in the City of Beaumont. The commenter does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. Refer to Draft EIR Section 4.17, *Transportation*, for an analysis of the Project's impacts related to traffic. The commenter's concerns related to warehouse uses and jobs are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.



COMMENT LETTER 8

From: [Pat Wayne](#)
To: [Carole Kendrick](#)
Subject: Beaumont Pointe Specific Plan
Date: Sunday, February 5, 2023 12:55:42 PM

I just wanted to reinforce how important it is to consider environmental impact of ALL warehouses whether right inside our city or farther out. The impact of hundreds of trucks per day cannot be minimized regardless of the location. Prioritize industry that is not dependent on trucking but instead brings needed jobs to our area. Of special note is this recent article: "Warehouse Boom Transformed the Inland Empire". Warehouses should be considered within a special category. No amount of fees can repair the damage to a community after something like this is built.

Thank you so much for putting my comment into the public record.

Pat Wayne
412 Saddlerock
Beaumont

<https://www.latimes.com/california/story/2023-02-05/warehouses-big-rigs-fill-inland-empire-streets>



Warehouse boom transformed Inland Empire. Are jobs worth the environmental degradation?

As toxic emissions from diesel traffic choke the air, activists are calling for a moratorium on new warehouses and for the governor to declare a state of emergency.

www.latimes.com

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8-1
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Responses to Comment 8

Wayne, Pat, dated February 5, 2023.

- 8-1 The commenter expresses general opposition to the Project and concerns related to the amount of truck traffic per day in the City of Beaumont. The commenter does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. Refer to Draft EIR Section 4.17, *Transportation*, for an analysis of the Project's impacts related to traffic. The commenter's concerns related to warehouse uses and jobs are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.



COMMENT LETTER 9

From: sw072153@aol.com
To: [Christina Taylor](#)
Subject: Beaumont Pointe warehouses
Date: Monday, February 6, 2023 12:54:28 PM

Dear Christina, please pass on my opposition to the latest catastrophic proposed warehouse, Beaumont Pointe.

My main objections are, damage to air quality caused by concentrations of mega trucks in a small area giving off deadly diesel particulate matter, which is proven to cause children's brains not to develop and increase lung cancer and breathing difficulties for residents.

The vast increase of truck traffic on I-10 freeway which looks close to capacity already.

The destruction of wildlife habitat with no regard for needed open space not just parks surrounded by traffic.

There is space further along I-10 to the east , away from Beaumont/Banning where a warehouse could be built but, will they all be needed or just remain empty for years to come?

Do we have the water and other services ,like fire fighting if one of these structures goes cup in flames. I would suggest the risk/reward is not in favor of the community and anymore warehouses or "logistic centers" as they try to name them, should not be built.

Geoffrey Wilson,Beaumont.

p.s. please share this e-mail with all members of the City Council.

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9-1
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Responses to Comment 9

Wilson, Geoffrey, dated February 6, 2023.

- 9-1 The commenter expresses general opposition to the Project and concerns related to air quality, truck traffic, wildlife, water supply, and wildfire. The commenter does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. Refer to Draft EIR Sections 4.3, *Air Quality*, 4.4, *Biological Resources*, 4.17, *Transportation*, 4.19, *Utilities and Service Systems*, and 4.20, *Wildfire*, for an analysis of the Project's impacts related to those environmental topics. The commenter's concern related to warehouse uses are acknowledged and will be forwarded to decision-makers for their review and consideration of the Project.



SECTION 3.0 CLARIFICATIONS AND REVISIONS

Corrections to the Draft Environmental Impact Report (EIR) text generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The information included in this section does not constitute substantial new information that requires recirculation of the Draft EIR. Section 15088.5 of the State CEQA Guidelines states in part:

- (a) *A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:*
- (1) *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
 - (2) *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
 - (3) *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.*
 - (4) *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*
- (b) *Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.*

None of the information contained in this section constitutes significant new information or changes to the analysis or conclusions of the Draft EIR. There were no new significant environmental impacts identified following circulation of the Draft EIR. Likewise, there were no substantial increases in the severity of environmental impacts identified after circulation of the Draft EIR. Therefore, recirculation of the Draft EIR is not required because no new information was added to the EIR.

CLARIFICATIONS AND REVISIONS TO THE DRAFT EIR

This section includes recommended clarifications and revisions to the Draft EIR. This section is organized by respective sections of the Draft EIR. Deleted text is shown as ~~strikeout~~ and new text is underlined.



Title Page

1. The land use entitlement names and application numbers have been updated, as follows:

Lead Agency Discretionary Permits

General Plan Amendment PLAN2019-0284

Pre-Zone PLAN2019-0283

~~Adoption of the~~ Beaumont Pointe Specific Plan SP2019-0003

Beaumont Pointe Sign Program PLAN2022-0856

Vesting Tentative Parcel Map No. 3816182551

~~Annexation and~~ Development Agreement PLAN2023-0906DA; No. 01-2017

Minor Amendment to the Western Riverside County Multiple Species Habitat Conservation Plan

Section 1.0 – Executive Summary

1. Page 1-1 is hereby modified due to updated land use entitlement names and application numbers.

Governmental approvals requested from the City of Beaumont by the Project Applicant to implement the Project include a General Plan Amendment (GPA; PLAN2019-0284); Pre-zoning (PLAN2019-0283); Adoption of the Beaumont Pointe Specific Plan; Beaumont Pointe Sign Program (PLAN2022-0856); Vesting Tentative Parcel Map No. 3816182551; ~~Pre-Annexation and~~ Development Agreement (PLAN2023-0906DA; No. 01-2017); approval by the City and LAFCO of annexation to the City of Beaumont and approval by BCVWD and LAFCO of annexation to the Beaumont-Cherry Valley Water District; and Minor Amendment to the MSHCP. All other related discretionary and administrative actions that are required of the City of Beaumont and other public agencies and entities to construct and operate the Project described in this EIR also are

Section 2.0 – Introduction and Purpose

1. Page 2-6 is hereby modified for clarification.

This EIR has been prepared as a Project EIR, pursuant to CEQA Guidelines Section 15161, which states that a Project EIR should “...focus primarily on the changes in the environment that would result from the development project,” and “...examine all phases of the project including planning, construction, and operation.” As the first step in the CEQA compliance process, the City prepared an NOP pursuant to CEQA Guidelines Section 15082. When the Lead Agency determines that an EIR will clearly be required for the project, an Initial Study is not required (CEQA Guidelines Section 15063). Since it was determined that the Project could have a significant effect on the environment, the Lead Agency determined that an EIR was required and an Initial Study was not prepared. Public comments were received on the NOP, and the EIR will address all environmental topics provided in the CEQA Guidelines Appendix G and listed below in Section 2.9, *Potential Impacts of the Project Discussed in the EIR*.



Section 3.0 – Project Description

1. Page 3-2 is hereby modified as follows in response to City’s request and updates to the Specific Plan.
 - Pre-zone (PLAN2019-0283) to “Specific Plan”
 - Adoption of the Beaumont Pointe Specific Plan (herein referred to as Specific Plan; SP2019- 0003) that would create 10 planning areas allowing for General Commercial, Industrial, Open Space, and Open Space – Conservation land uses;
 - Beaumont Pointe Sign Program (PLAN2022-0856);
 - Vesting Tentative Parcel Map (TPM) No. 38161 (PM2022-0012)82554 to subdivide the Project site;
 - Development Agreement (PLAN2023-0906DA; No. 01-2017); and
 - Approval by the City and LAFCO of annexation agreement to the City of Beaumont and approval by BCVWD and LAFCO of annexation to the Beaumont-Cherry Valley Water District.

In order to assess the impacts of development of the Project under the Specific Plan and accompanying entitlements, the DEIR includes analysis of a conceptual site plan (see Subsection 3.6.6 and Figure 3- 16) that establishes building footprints that collectively achieve the maximum development square footage for each of the General Commercial and Industrial components of the Project and include a 125-room hotel. As indicated in the Specific Plan and in more detail below, the size of the individual PAs and the square footage of development within individual General Commercial and Industrial PAs may increase or decrease by up to 15.4–25% but the maximum square footage for the commercial and industrial components of the Project as a whole may not be exceeded and the floor area ratio for each individual General Commercial and Industrial PA may not exceed 0.75. Therefore, the conceptual site plan provides an analysis of a full buildout scenario.

2. Page 3-8 is hereby modified due to updated land use entitlement names and application numbers.

(PLAN2019-0284), Beaumont Pointe Specific Plan (SP2019-0003), Pre-Zone (PLAN2019-0283), Beaumont Pointe Sign Program (PLAN2022-0856), Vesting Tentative Parcel Map (TPM) No. 3816182554) and Development Agreement (PLAN2023-0906DA) No. 01-2017. The individual components of the Project are discussed below.

3. Page 3-9 is hereby modified as follows in response to City’s request.

The net acreage of each PA may vary by as much as 15.4–25%, provided that the overall maximum acreages for the Industrial PAs and for the General Commercial PAs within this Specific Plan are not exceeded.



4. Pages 3-13 and 3-14 are hereby modified as follows in response to the changes made in the Beaumont Pointe Specific Plan.

Sewer service is provided by Eastern Municipal Water District (EMWD). As shown on Figure 3-11, *Conceptual Sewer Plan*, the Project utilizes a gravity sanitary system that services the entire Project site and connects to the City of Beaumont's sanitary system. Due to the grading limitations of the Specific Plan, the sewer system ~~does not provide gravity flow to the proposed point of connection, which is a 12-inch PVC line and a sewer manhole, located at the end of the extension of 4th Street 350 feet east of the Project site.~~ Instead, the gravity system will flow to the proposed sewer lift station located at the northwest corner of PA 5. From there the sewer flow would be conveyed via the proposed Dual Force Main within Industrial Way and Entertainment Avenue, and Jackrabbit Trail towards a connection at 4th Street with an existing 12-inch gravity sewer line utilizes 8" gravity sewer main lines, located within Industrial Way, to move wastewater flows from the project's high points (at PA 8 and PA 1), to the lift station constructed at the low point between PA 5 and 6. Flows from the lift station are then conveyed in dual 6" force main lines located within Industrial Way, Entertainment Way, Jack Rabbit Trail, and 4th Street, to the point of connection at the existing 12" gravity main line at the manhole located at the eastern boundary of the site. The on-site lift station will be designed to the Project's ultimate capacity with no interim condition except potential pump quantity.

Beyond the point of connection, the existing 12-inch gravity line continues to the east within 4th Street, downstream approximately 2,500 feet, where it connects to the existing Hidden Canyon lift station (also known as the Beaumont Crossroads Lift Station). From there, the existing 6" and 16" force mains within 4th Street continue conveyance.

Although there is some capacity remaining that can be utilized for the Project, buildout of the Project will require upgrades to improvements at the Hidden Canyon Lift Station requiring that the existing sewage pumps to be upsized, including the associated electrical and mechanical improvements for the larger pumps, as well as installation of the ultimate buildout wet well, which is rated for 300-gallon per minute operation. The existing Hidden Canyon Lift Station is currently approaching its Phase 1 pumping capacity. As a result, a lift station upgrade would be required to serve the Project and would consist of installing a new larger below-ground precast wet well sized for the full buildout flows of the service area. The lift station upgrade will add multiple submersible solids handling pumps designed to provide redundant pumping capacity of the wastewater flows. The Project will design and construct the expansion of the Hidden Canyon Lift Station per the City's requirements.

5. Page 3-20 is hereby modified as follows to change the Tentative Parcel Map to a vesting map.

3.6.5 VESTING TENTATIVE PARCEL MAP NO. 3816182551

The Project would include a Vesting Tentative Parcel Map. Additional, subdivision maps (parcel and/or tract maps, ~~including vesting maps~~) could be processed in conjunction with this Specific Plan to subdivide the site into smaller parcels and to regulate development of the physical components of the Project.



6. Page 3-21 is hereby modified due to updated land use entitlement names and application numbers.

3.6.5 DEVELOPMENT AGREEMENT (PLAN2023-0906DA No. 01-2017)

7. Pages 3-31 and 3-22 are hereby modified as follows in response to updated land use entitlement names and application numbers.

Table 3-7 Project Related Approvals/Permits

Public Agency	Approvals and Decisions
City of Beaumont	
Proposed Project – City of Beaumont Discretionary Approvals	
Planning Commission	<ul style="list-style-type: none"> • Provide recommendation to the Beaumont City Council regarding whether to certify the Project’s EIR. • Provide recommendations to the Beaumont City Council regarding whether to approve: <ul style="list-style-type: none"> ○ General Plan Amendment (PLAN2019-0284), ○ Pre-Zone (PLAN2019-0283). ○ Beaumont Pointe Specific Plan (SP2019-0003), ○ <u>Beaumont Pointe Sign Program (PLAN2022-0856)</u> ○ <u>Vesting Tentative Parcel Map</u> ○ Development Agreement
City Council	<ul style="list-style-type: none"> • Certify the Project’s EIR (ENV2019-0008) -and adopt the Mitigation Monitoring and Reporting Program and Findings and Statement of Overriding Considerations. • Approval or Adoption of: <ul style="list-style-type: none"> ○ General Plan Amendment (PLAN2019-0284), ○ Pre-Zone (PLAN2019-0283). ○ Beaumont Pointe Specific Plan (SP2019-0003), ○ <u>Beaumont Pointe Sign Program (PLAN2022-0856)</u> ○ <u>Vesting Tentative Parcel Map</u> ○ Development Agreement
City of Beaumont	<ul style="list-style-type: none"> • Annexation Application • Joint Project Review (as Permittee) • Minor Amendment to the MSHCP (submitted by the City with approval by the Wildlife Agencies)
Subsequent City of Beaumont Discretionary and Ministerial Approvals	
City of Beaumont Subsequent Implementing Approvals	<ul style="list-style-type: none"> • Approve Final Phased Parcel Maps • Approve Plot Plans • Approve Landscaping/Irrigation Plan • Approve Conditional or Temporary Use Permits, if required. • Issue Grading Permits • Issue Building Permits • Approve Road Improvement Plans



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Final Environmental Impact Report**

Public Agency	Approvals and Decisions
	<ul style="list-style-type: none"> • Approve Infrastructure Plans • Issue Encroachment Permits • Approve public right-of-way dedications • Approve Water Quality Management Plan • Approve connections to the municipal sewer system
Responsible Agencies – Approvals and Permits	
Beaumont-Cherry Valley Water District (BCVWD)	<ul style="list-style-type: none"> • Annexation • Adoption of the Water Supply Assessment • Approvals for construction of water infrastructure and connection to water distribution system.
California Department of Fish and Wildlife	<ul style="list-style-type: none"> • Approval of Criteria Refinement • Minor Amendment to the MSHCP • Determination of Biologically Equivalent or Superior Preservation • Issuance of a Section 1602 Streambed Alteration Agreement
Eastern Municipal Water District	<ul style="list-style-type: none"> • Approvals for construction of sewer infrastructure and connection to sewer distribution system.
Riverside County Local Agency Formation Commission (LAFCO)	<ul style="list-style-type: none"> • Approval of the BCVWD and City annexations.
Western Riverside County Regional Conservation Authority	<ul style="list-style-type: none"> • Approval of Criteria Refinement • Minor Amendment to the MSHCP • Approval of Habitat Evaluation and Negotiation Strategy • Determination of Biologically Equivalent or Superior Preservation
Regional Water Quality Control Board (RWQCB)	<ul style="list-style-type: none"> • Issuance of a Construction Activity General Construction Permit. • Issuance of a National Pollutant Discharge Elimination System (NPDES) Permit. • Issuance of a Section 401 Permit pursuant to the Clean Water Act
Riverside County Flood Control and Water Conservation District	<ul style="list-style-type: none"> • Approval of master plan of drainage infrastructure
Southern California Gas Company and Southern California Edison	<ul style="list-style-type: none"> • Issuance of approvals necessary for the installation of new SoCalGas and SCE facilities/connections to service the Project.
South Coast Air Quality Management District	<ul style="list-style-type: none"> • Issuance of permits that allow for the construction and operation of the proposed Project.
U.S. Fish and Wildlife Service	<ul style="list-style-type: none"> • Approval of Criteria Refinement • Minor Amendment to the MSHCP • Determination of Biologically Equivalent or Superior Preservation • Issuance of a Section 404 Permit pursuant to the Clean Water Act
Trustee Agencies – Approvals and Permits	



Public Agency	Approvals and Decisions
Native American Heritage Commission	<ul style="list-style-type: none"> • Ensuring California Native American tribes have accessibility to ancient Native American cultural resources on public lands overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act.
<u>California Department of Fish and Wildlife</u>	<ul style="list-style-type: none"> • <u>Approval of Criteria Refinement</u> • <u>Minor Amendment to the MSHCP</u> • <u>Determination of Biologically Equivalent or Superior Preservation</u> • <u>Issuance of a Section 1602 Streambed Alteration Agreement</u>

8. Page 3-49, Figure 3-16, *Conceptual Site Plan*, has been updated.

Section 4.3 – Air Quality

1. Page 4.3-36 is hereby modified as follows in response to Comments D-12 and D-21 and typographical error.

4.3.6 REGULATORY REQUIREMENTS AND PROJECT DESIGN FEATURES

The following Regulatory Requirements (RRs) are applicable regardless of CEQA and would apply to any project under similar circumstances and, therefore, do not constitute mitigation measures. However, they will nonetheless be included in the Project’s Mitigation Monitoring and Reporting Program to further ensure the implementation of the mandated RRs.

RR 3-1 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 403, “Fugitive Dust.” Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads, including limiting vehicle speeds to 15 miles per hour.

RR 3-2 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 1186 “PM₁₀ Emissions from Paved and Unpaved Roads and Livestock Operations” and Rule 1186.1, “Less-Polluting Street Sweepers.” Adherence to Rule 1186 and Rule 1186.1 reduces the release of criteria pollutant emissions into the atmosphere during construction.

RR 3-3 The Project shall comply with the provisions of South Coast Air Quality Management District Rule 402 “Nuisance.” Adherence to Rule 402 reduces the release of odorous emissions into the atmosphere.



Source(s): Herdman (06-15-2023)

Figure 3-16





4.3.67 IMPACT ANALYSIS

Consistency Criterion No. 2 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if LSTs or regional significance thresholds were exceeded. As evaluated under Thresholds b) and c) below, the Project's localized construction-source emissions would not exceed applicable LST thresholds after implementation. However, the Project's regional construction-source emissions would exceed the applicable regional thresholds for emissions of VOCs and NO_x. As such, the ~~the~~ Project has the potential to result in a significant impact with respect to this criterion and the Project would have the potential to conflict with the AQMP according to this criterion, and could be potentially significant.

As evaluated under Thresholds b) and c) below, the Project would not exceed the LST thresholds for operational activity. However, the regional operational-source emissions are anticipated to exceed the regional thresholds of significance for NO_x, VOC, CO, PM₁₀, and PM_{2.5} emissions and would not be reduced to less than significant with imposition of mitigation measures. As such, the Project has the potential to result in a significant impact with respect to this criterion and the Project would have the potential to conflict with the AQMP according to this criterion.

2. Page 4.3-42 is hereby modified as follows due to typographical error.

A. Construction Localized Emissions Impact Analysis

1. Criteria Pollutant Emissions

Table 4.3-9, *Localized Significant Summary - Construction*, identifies the localized impacts at the nearest receptor location in the vicinity of the Project. For analytical purposes, emissions associated with peak grading activities are considered for purposes of LSTs since these phases represents the maximum localized emissions that would occur. Any other construction phases of development that overlap would result in lesser emissions and consequently lesser impacts than what is disclosed herein. As shown in Table 4.3-9, Project-related construction emissions would not exceed the applicable South Coast AQMD LSTs for CO, NO_x, PM₁₀, or PM_{2.5} at the maximally impacted receptor location. All other modeled locations in the study area would experience a lesser concentration and consequently a lesser impact.

3. Page 4.3-49 is hereby modified as follows due to typographical error.

As previously shown in Table 4.3-6, *Maximum Daily Peak Construction Emission Summary*, construction activities associated with the Project would exceed the significance thresholds results established by the South Coast AQMD for VOC and NO_x. However, as discussed below, with the implementation of Mitigation Measure MM

4. Page 4.3-50 is hereby modified as follows to add the odor analysis in the Draft EIR to the cumulative impact section.

As previously shown in Table 4.3-10, *Localized Significant Summary – Operation*, under long-term operating conditions, the Project's localized operational emissions would not exceed any of the South Coast AQMD LST thresholds. Pursuant to the South Coast AQMD's CEQA Air



Quality Significance Thresholds, the Project would have a less-than-cumulatively considerable LST impact during long term operation. Additionally, the Project would have no potential to result in or contribute to a CO “Hot Spot.” Accordingly, impacts associated with CO “Hot Spots” would be less than cumulatively considerable.

The Project would not result in a source of odors that would adversely affect a substantial number of people during construction or operation. Compliance with these standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction. Further, potential sources of operational odors generated by the Project would include disposal of commercial and industrial refuse and the use of diesel equipment. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with City’s solid waste regulations, thereby precluding substantial generation of odors due to temporary holding of refuse on site. Additionally, the Project includes the construction of a sewer lift station; however, the location of the sewer lift station, which is located more than ¼ mile or 1,320 feet from the nearest residential land use, would not result in the potential odor source affecting a substantial number of people. The Project also would be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed Project would not adversely affect a substantial number of people, and Project impacts during short-term construction or long-term operations would be less than significant. (DEIR, pp. 4.3-49 to 4.3-49) There are no nearby projects with sources of odors that the Project odors would combine with to adversely affect a substantial number of people; therefore, impacts would be less than cumulatively considerable.

5. Page 4.3-52 is hereby modified as follows in response to Comment D-23.

MM 4.3-4 Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. At a minimum, each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than three (3) ~~five (5)~~ minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and 3) telephone numbers of the building facilities manager and the CARB to report violations. Prior to the issuance of an occupancy permit, the City shall conduct a site inspection to ensure that the signs are in place.

MM 4.3-5 Prior to tenant occupancy, the Project Applicant or successor in interest shall provide documentation to the City demonstrating that occupants/tenants of the Project site have been provided documentation on funding opportunities, such as the Carl Moyer Program and other Programs promulgated by South Coast AQMD (which can be found at the SCAQMD Incentives & Programs landing page, <http://www.aqmd.gov/home/programs>) that provide incentives for using cleaner-than-required engines and equipment.



6. Page 4.3-54 is hereby modified as follows in response to Comments B-35, B-39, B-60, and D-7.

MM 4.3-13 Plans submitted for grading permit issuance and building permit issuance shall specify a designated area of the construction site where electric or non-diesel vehicles, equipment, and tools can be fueled or charged. The provision of temporary electric infrastructure for such purpose shall be approved by the utility provider, Southern California Edison (SCE). If SCE will not approve the installation of temporary power for this purpose, the establishment of a temporary electric charging area will not be required. If electric equipment will not be used on the construction site because the construction contractor(s) does not have such equipment in its fleet (as specified in Mitigation Measure MM 4.3-14), the establishment of a temporary electric charging area also will not be required. If electric powered equipment is in the contractor(s) equipment fleet, and SCE approval is secured, the temporary charging location is required to be established upon issuance of grading permits and building permits.

MM 4.3-14 If electric or non-diesel off-road trucks and construction support equipment, including but not limited to hand tools, forklifts, aerial lifts, materials lifts, hoists, pressure washers, plate compactors, and air compressors are available in the construction contractor's equipment fleet and can fulfill the Project's construction requirements during the building construction, paving, and architectural coating phases of Project construction, such equipment shall be used during Project construction. This requirement shall be noted on plans submitted for building permit issuance.

MM 4.3-15 Project construction contractors shall maintain records of all off-road diesel construction equipment associated with Project construction to document that each off-road diesel construction equipment used meets emission standards. Records shall be kept on-site for the duration of construction activities and shall be made available for periodic inspection by City of Beaumont staff or their designee.

MM 4.3-16 During construction activities, the City shall conduct periodic inspections to verify compliance with construction-related mitigation measures pursuant to the Mitigation Monitoring and Reporting Program.

MM 4.3-17 Prior to building final, the Project Applicant or successor in interest shall install signs at each truck exit driveway that provides directional information to the City's truck route. Text on the sign shall read "To Truck Route" with a directional arrow.



7. Page 4.3-55 is hereby modified as follows due to typographical error.

B. Operational Emissions Impact Analysis

The Project would exceed regional thresholds of significance established by the South Coast AQMD for emissions of CO, VOC, NO_x, PM₁₀, and PM_{2.5}. During Phase 1, the Project would exceed the numerical

Section 4.5 – Cultural Resources

1. Page 4.5-14 is hereby modified as follows for clarification purposes.

BFSA reviewed the NRHP Index and Office of Historic Preservation, Built Environment Resources Directory, which did not indicate the presence of any historical resources within the Project boundaries. As described under Section 4.5.1B.2, the Project site contains the following six potentially historic resources: RIV-5060 (historic trash scatter), RIV-5061 (historic trash scatter), P-33-006229 (historic Jack Rabbit Trail Road alignment), P-33-009027 (prehistoric isolate), P-33-015672 (potentially historic water storage tank and valves), and P-33-015673 (concrete pads and trash scatter). As previously stated, Phase II significance testing consisted of archaeological testing at the two archaeological sites, RIV-5060 and RIV-5061, which was previously identified as having historic trash scatter, while survey information and the already presented archival data was utilized for the remaining resources. Results of the Phase I and Phase II study determined that the six potentially historic resources were not eligible for listing under the CRHR or NRHP. The results of the testing are presented below; however, further detail can be found in *Technical Appendix D*.

2. Page 4.5-20 is hereby modified as follows due to typographical error.

4.5.10 SIGNIFICANCE OF IMPACTS AFTER MITIGATION

Threshold b: Less Than Significant Impact with Mitigation Incorporated. Implementation of Mitigation Measures MM 4.5-1 and MM 4.5-2 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with implementation of the Project. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less than significant.

Section 4.6 – Energy

1. Page 4.6-9 is hereby modified as follows due to typographical errors.

PDF 8-1 Office space within the warehouses shall be insulated with a minimum R-13 value in the walls and R-30 in the attic, and all windows will have a minimum 0.57 U-factor and 0.32 SHGC or greater.

PDF 8-3 Occupant sensing lighting that dims to at least 50% when unoccupied shall be installed within the interior areas of warehouses. All interior lighting shall be



LED lighting with 40 lumens/watt for 15 watt or less fixtures, 50 lumens/watt for 15-40 watt fixtures, and 60 lumens/watt for all fixtures exceeding 40 watts.

Section 4.7 – Geology and Soils

1. Page 4.7-18 is hereby modified as follows due to typographical error.

Furthermore, the Project would be required to be designed and constructed in accordance with applicable seismic safety guidelines, including the requirements of the CBSC and City of Beaumont Municipal Code and Building Code. As stated previously, the City will condition the Project to comply with the site-specific ground preparation and construction recommendations contained in Section 5 of *Technical Appendix F1* of this EIR, which will further reduce the risk of seismic-related ground failure due (see Regulatory Requirement RR 7-1). Mandatory compliance with the recommendations contained within the Project's Geotechnical Report (as required by the CBSC and Beaumont Municipal Code and Building Code) would ensure that the impact remains less than significant. As such, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.

2. Page 4.7-26 and 1-27 is hereby modified as follows due to typographical error.

- c) In the laboratory, individual fossils shall be cleaned of extraneous matrix, any breaks ~~are~~ repaired, and the specimen, if needed, ~~is~~ stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B72).

Section 4.8 – Greenhouse Gas Emissions

1. Page 4.8-34 is hereby modified as follows in response to Comment B-43.

PDF 8-1 Office space within the warehouses shall be insulated with a minimum R-13 value in the walls and R-30 in the attic, and all windows will have a minimum 0.57 U-factor and 0.32 SHGC or greater.

PDF 8-3 Occupant sensing lighting that dims to at least 50% when unoccupied shall be installed within the interior areas of warehouses. All interior lighting shall be LED lighting with 40 lumens/watt for 15 watt or less fixtures, 50 lumens/watt for 15-40 watt fixtures, and 60 lumens/watt for all fixtures exceeding 40 watts.

PDF 8-5 Tenant lease agreements for the Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 3 ~~5~~ minutes while on site in exceedance of the City of Beaumont Idling Ordinance.

2. Table 4.8-7, *SCAG Connect SoCal Applicability Analysis*, on Page 4.8-42 is hereby modified as follows in response to Comment B-7.



5	Reduce greenhouse gas emissions and improve air quality.	<p>No Conflict. An analysis of the Project’s environmental impacts is provided throughout this EIR and mitigation measures are specified where warranted. Air quality impacts are addressed in Section 4.3, <i>Air Quality</i>. Impacts would be reduced to the maximum extent feasible through the implementation of Mitigation Measures and Project Design Features, which limit truck idling, provide incentives for using clean engines and equipment, require installation of conduit for EV truck charging stations, electric indoor material handling equipment and off-road equipment, preferential parking for fuel-efficient and carpool/van vehicles, EV charging stations.</p> <p>Additionally, as discussed herein, the Project would incorporate measures related to building design, landscaping, and energy systems to promote the efficient use of energy. The Project would be consistent with the <u>County of Riverside CAP requirement by achieving 581 points, which is significantly more than the required minimum of 100 points to determine consistency.</u> <u>Furthermore, as demonstrated in Table 4.8-5 of the Draft EIR, the Project would not conflict with the City’s Sustainable Beaumont: The City’s Roadmap to Greenhouse Gas Reductions, which serves as a long-term plan to achieve sustainability in the City by reducing GHG emissions from existing and future development. Although the Project would exceed the City’s GHG significance threshold of 3,000 MTCO₂e per year, all feasible mitigation measures have been included to reduce GHG impacts. Specifically, Mitigation Measures 4.3-3 through 4.3-13 relating to air quality would also reduce GHG impacts and Mitigation Measure 4.8-1 requires verification that the Project would achieve 581 points from the County CAP Screening Table for GHG Implementation Measures CAP’s requirement to achieve at least 100 points and would have less than significant individual and cumulatively considerable impact on GHG emissions.</u></p> <p>Moreover, the City of Beaumont is identified as one of the priority growth areas for job centers in the region under the Connect SoCal Plan. When growth is concentrated in Job Centers, the length of vehicle trips for residents can be reduced, thereby reducing greenhouse gas emissions and improving air quality.</p>
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Section 4.9 – Hazards and Hazardous Materials

1. Page 4.9-5 is hereby modified due to CalFire’s update to the Fire Hazard Severity Zones Maps.

C. Wildland Fire Hazards

The Project site is in the SOI for the City of Beaumont and within the San Timoteo Badlands, which are considered wildlands. As shown on Figure 4.9-1, *Fire Hazard Severity Zones*, the Riverside County Information Technology (RCIT) and California Department of Forestry and Fire Protection (Cal Fire) designates the Project site as located within a State Responsibility Area (SRA) for “High” and “Very High” fire hazard severity (Cal Fire, 2007; RCIT, 2021) CalFire has released an updated version of their fire hazard severity zone maps that, if adopted,



would revise the fire hazard designation of the Project and its surroundings to all Very High rather than the current combination of Very High and High. (CalFire, 2023).

2. Page 4.9-17 is hereby modified to add in a description of the City’s new fire station. The new fire station was not needed for the Project nor relied upon for the analysis of impacts to fire protection services, and the EIR concluded that the existing facilities would provide adequate protection even with the increase in call volume. Modifications are as follows:

The Project’s proposed industrial/commercial development is anticipated to increase the call volume at a rate of up to 191 calls per year (4 calls per week or 16 calls per month). Fire Stations 66 and 20 combined emergency responses in 2017 totaled 4,943 calls per year or 5.43 and 8.11 calls per day per station, respectively. The level of service demand for the Project would increase overall call volume; however, the increase is not anticipated to impact the existing fire stations to a point that they cannot meet the demand. (Dudek, 2022, p. 37)

In September 2022, the City commenced the construction of new Fire Station No. 106 (the “West Side Fire Station”) along Potrero Boulevard across from Olivewood Avenue. Construction is expected to take approximately twelve months. The new fire station will be approximately 10,000 sq. ft. and will include living quarters, offices, a fitness center and large bays to house multiple fire apparatus. Staffing will include three to four personnel, including a paramedic to provide advanced life support care. Services from the facility will be provided 24 hours a day, 7 days a week and 365 days of the year. Personnel at this station will be equipped with cardiac monitors, advanced life support medications, intubation equipment, trauma life support equipment, auto extrication tools, and more. The apparatus which will be housed in the facility will be capable of suppressing structure, wildland, vehicle, and other types of fires. The new station will decrease response times for the City’s west side communities, including Olivewood, Tournament Hills, Tukwet and the new logistics centers located off of SR-60. Furthermore, it should be noted that the Project would be required by City of Beaumont Chapter 3.36, *Emergency Preparedness Facilities Fees*, to contribute costs to improve Emergency Preparedness Centers.

3. Page 4.9-20 is hereby modified due to CalFire’s draft update to the Fire Hazard Severity Zones Maps.

As shown in Figure 4.9-1, the Project site is designated within a “High” and “Very High” Fire Hazard Severity Zone within an SRA by the Riverside County General Plan and CalFire (RCIT, 2021; CalFire, 2021). CalFire has released an updated version of their fire hazard severity zone maps that, if adopted, would revise the fire hazard designation of the Project and its surroundings to all Very High rather than the current combination of Very High and High. (CalFire, 2023). Because of these designations, a Fire Protection Plan (FPP) was prepared. Adoption of CalFire’s new fire hazard zone maps would not change the findings in the FPP, which was planned and prepared for the Project as if it was entirely within the Very High Fire Hazard Severity Zone. After being annexed into the City of Beaumont, it is possible that Project could be re-designated as Local Responsibility Area (LRA) in a future update of CalFire’s hazard severity zone maps, which would mean the City of Beaumont would have the primary responsibility for the prevention and suppression of wildland fires at the Project site.



Section 4.10 – Hydrology and Water Quality

1. Page 4.10-14 is hereby modified as follows due to typographical error.

RR 10-5 Prior to the issuance of each building permit for the Project, the Project proponent shall provide evidence to the City that the Project complies with the requirements of the RWQCB Municipal Permit General MS4 Permit. The MS4 Permit requirements for new development calls for compliance with water quality regulatory requirements applicable to stormwater runoff and waste discharge. Specifically, the MS4 permit would require the Project proponent to develop and implement a comprehensive Stormwater Management Program (SWMP) that must include pollution prevention measures, treatment or removal techniques, monitoring, use of legal authority, and other appropriate measures to control the quality of stormwater discharged to the storm drains.

2. Page 4.10-17 is hereby modified as follows due to updated Project Specific Water Quality Management Plan (see *Attachment B* of this Final EIR).

Additionally, the Project’s Preliminary WQMP identifies site-design and structural and non-structural source-control BMPs that would be implemented for the Project. Furthermore, as described under Section 3.8, Phasing, of this EIR, Phase 1 of the Project includes mass grading of PAs 1 and 2, which will remain graded and undeveloped until construction of the commercial uses in Phase 3. Under this interim condition, the mass graded pads are considered self-treating areas (no impervious area and gentle slopes) and storm drain lateral stub outs will be provided to connect the future onsite storm drain to the infrastructure storm drain system proposed by this project ~~temporary bioretention basins would be required to capture debris flows and ensure SWPPP compliance.~~

The Project would maintain the 16 existing culverts as the ultimate discharge locations for the property; however, runoff from the impervious surfaces (i.e., proposed buildings, parking lots, and road improvements) would be collected by the Project’s proposed drainage system. As shown on Figure 4.10-2, *Proposed Hydrology Map and Water Quality Plan*, the Project site would be divided into 17 drainage management areas (DMAs). The proposed drainage system would consist of catch basins, parking inlets, storm drain pipes with sizes varying from 18 inches to 48 inches, outlet structures, and four detention basins (Basins 1 – 4), one for each tributary area. The drainage system would route the runoff from the proposed impervious surfaces to the four detention basins. Where possible, runoff from impervious areas drain towards landscaped areas and ~~bioretention~~BMP basins through curb cutouts. All runoff from PAs 1 through 8 will enter the basins (Basins 1, 2, 3 & 4) for treatment and mitigation before discharging into their respective culverts. Runoff from streets and sidewalks from PAs 1 and 2

3. Page 4.10-18 is hereby modified as follows due to updated Preliminary Hydrology and Hydraulic Study (see *Attachment A* of this Final EIR).

will enter Basin 5 located at the northeast corner of the property, adjacent to Jackrabbit Trail. Each culvert has natural depressed areas upstream which also acts as a natural detention area. Each basin would provide stormwater treatment for each of their respective tributaries. The proposed stormwater treatment basins will provide peak runoff mitigation before discharging



to the culverts, with the exception of Basin 1. Basin 1 within PA 1 discharges into a detention located at the southwest corner of the property that is tucked in the existing foothills. This detention area was the result of the required grading for the proposed improvements which will serve as a detention basin for off site flows originating from the southern hills and runoff discharged from Basin 1. The detention basins would remove pollutants from runoff and filter the water to meet the water quality standards of the SARWQCB pursuant to the design requirements of the LID BMP Design Manual. The LID BMP Design Manual requires that basins are designed to capture runoff from the 0.75 inch, 24-hour rainfall event or the 85th percentile, 24-hour rainfall event, whichever is greater; thereby providing first-flush capture, detention, and filtration of stormwater runoff before it is discharged from the Project site.

4. Figure 4.10-1, *Existing Hydrology Map*, and Figure 4.10-2, *Proposed Hydrology Map and Water Quality Plan*, are hereby modified as follows due to updated Preliminary Hydrology and Hydraulic Study (*Attachment C* of this Final EIR).
5. Page 4.10-21 is hereby modified as follows due to updated Preliminary Hydrology and Hydraulic Study (*Attachment C* of this Final EIR).

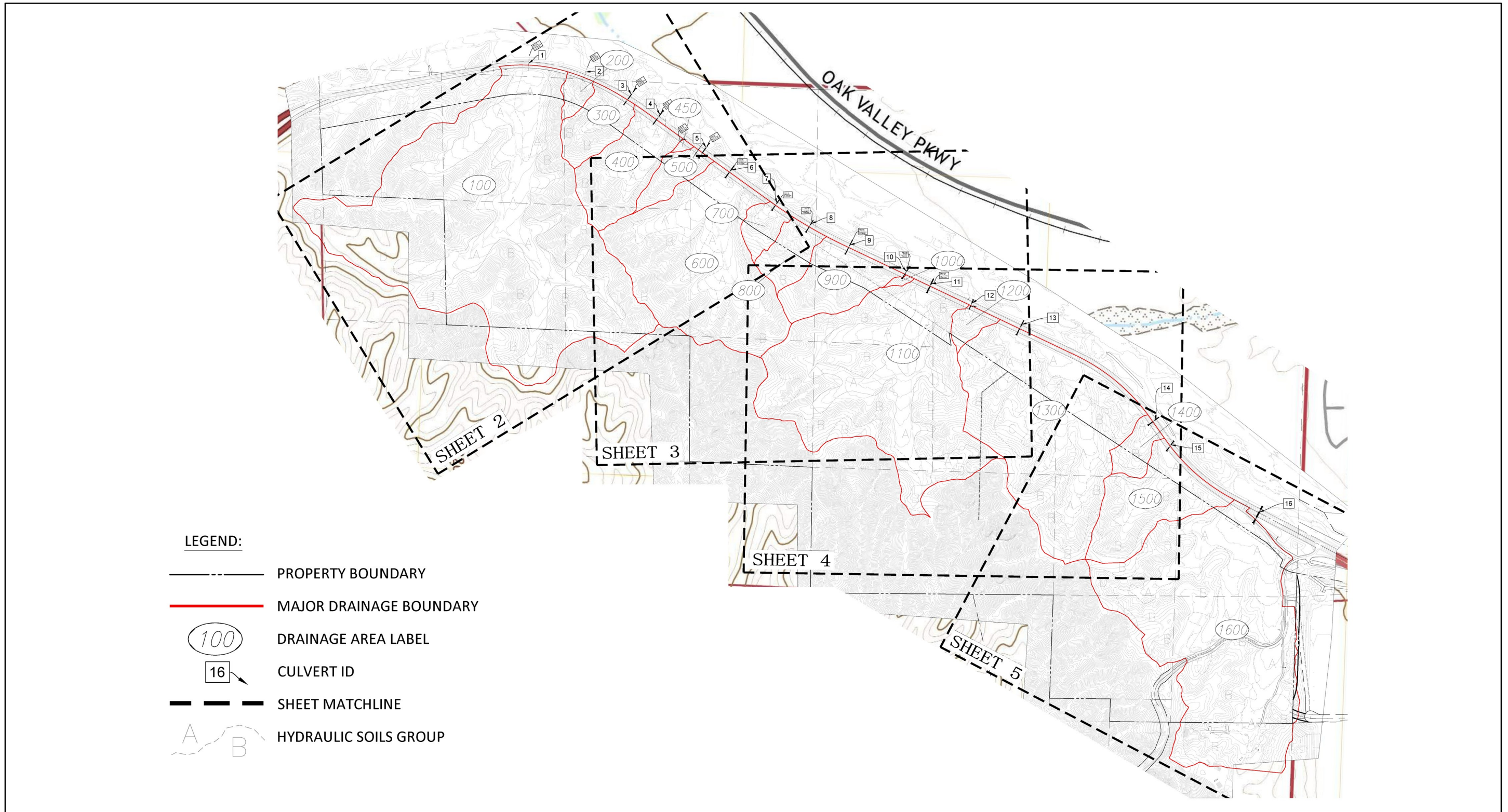
A. Erosion and Siltation (Threshold c.i)

The Project would include the installation of an integrated, on-site storm drain system consisting of catch basins, grated inlets, storm drain pipes with varying sizes, and four detention basins. The on-site storm drain system is designed to capture the on-site stormwater runoff flows, convey the runoff to the proposed detention basins, and treat the runoff to minimize water-borne pollutants transported from the Project site. ~~As discussed previously, Basin 1 in PA 1 will also serve as a detention basin for offsite flows originating from the southern hills.~~

6. Page 4.10-22 is hereby modified as follows due to typographical error and the updated Preliminary Hydrology and Hydraulic Study (see *Attachment A* of this Final EIR).

B. Stormwater Runoff (Threshold c.ii and c.iii)

As described above, the Project's proposed grading, earthwork activities, and the addition of impervious surfaces on the Project site would alter the site's existing interior drainage characteristics. Although the Project would introduce impervious surfaces to the Project site, the Project would maintain a similar drainage pattern as compared to existing conditions. Under post-development conditions, the Project site would be divided into 17 DMAs, similar to pre-development conditions. The pre-development (existing) and post-development (proposed) DMAs represent different tributary areas but were created to maintain similar or less peak flows for each area which ultimately flow to its corresponding culvert, as shown on Figure 4.10-2.

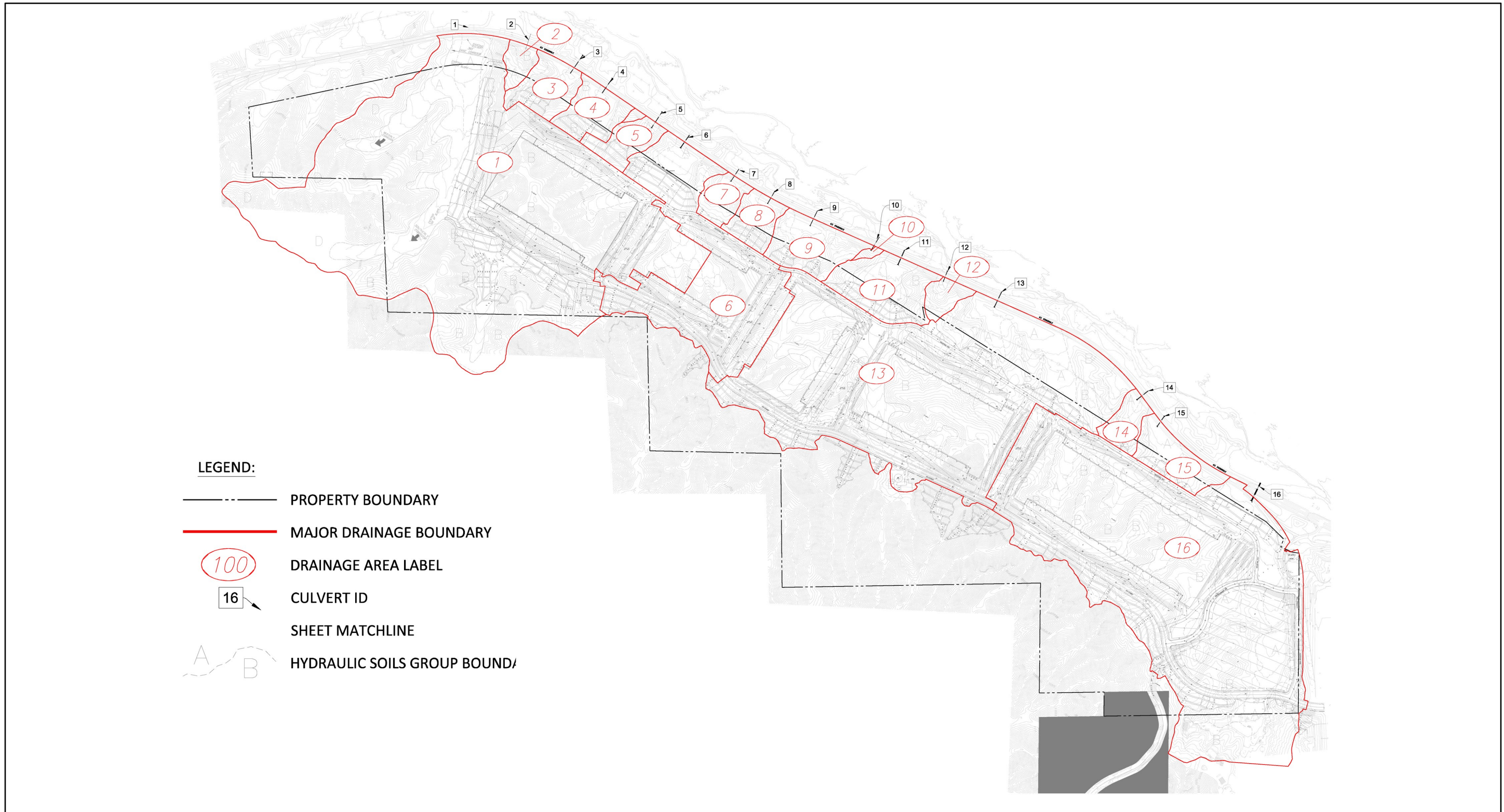


Source(s): Proactive Engineering Consultants (February 2023)

Figure 4.10-1



Existing Hydrology Map



Source(s): Proactive Engineering Consultants (February 2023)

Figure 4.10-2



Proposed Hydrology Map and Water Quality Plan



The 16 existing culverts would remain as the ultimate discharge locations for the Project site except for culverts 1 and 2, which will be replaced with a 20 foot² by x 20² foot reinforced concrete box (RCB) to be installed west of culvert 1 as part of the Caltrans SR-60 improvements. Additionally, runoff from the Project site would be captured by the proposed storm drainage system prior discharging to the existing culverts.

As shown in previous Table 4.10-1, under existing conditions, the Project site has a peak runoff volume of 1,482.4 cfs. Table 4.10-5, *Developed 100-Year Peak Flow Rates*, identifies the peak flow rates discharges from each DMA under Project conditions, which results in a total peak runoff volume of ~~1,379.5~~1384.4 cfs. Therefore, the implementation of the Project would result in an overall ~~100.998~~ cfs reduction in peak runoff

- Table 4.10-5, *Developed 100-Year Peak Flow Rates*, on Page 4.10-22 is hereby modified as follows due to the updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).

Table 4.10-5 Developed 100-Year Peak Flow Rates

Area ID	Acreage	Existing Peak Runoff	Proposed Peak Runoff (cfs)	Basin ID	Culvert Size (in)	Culvert Capacity (cfs)
1	178.1 177.4	376.7	389.7 28.1	Basin 4	54 CMP*	483.4**
2	2.6	9.0	9.0		30 CMP*	
3	6.7 7.0	28.4	20.0 21.0		30CMP	96.0
4	6.7	54.5	21.6		36 CMP	154.1
45	0.4	1.8	1.8		Not Applicable	Not Applicable
5	5.1	16.4	15.6		30 CMP	71.8
6	43.7 9	160.5	113.9 114.2	Basin 3	42CMP	132.0
7	4.2	14.3	15.2		24 CMP	59.5
8	5.2	22.6	16.9		24 CMP	51.5
9	9.6	49.7	31.3		24 CMP	38.7
10	0.5	2.2	2.1		24 CMP	77.8
11	12.1	212.6	36.7		48 CMP	79.2
12	2.9	10.5	10.2		24 CMP	54.1
13***	117.9	191.2	313.1	Basin 2	36 CMP	138.8
14	4.2	8.7	13.7		36 CMP	118.6
15	7.7	88.4	22.2		36 CMP	119.6
16	136.3 137.3	234.7	311.7	Basin 1	(2) 48 CMP	476.9
Total	543.5 544.9	1,482.4	1,379.5			

- Table 4.10-6, *Detention Basin 100-Year Peak Flow Capacity*, on Page 4.10-24 is hereby modified as follows due to the updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).



Table 4.10-6 Detention Basin 100-Year Peak Flow Capacity

Area ID	Acreage	100-Yr 1-Hr Volume (ac-ft)	100-Yr 24-Hr Volume (ac-ft)	100-Yr 1-Hr Peak Flow (Q, cfs)	100-Yr 24-Hr Peak Flow (Q, cfs)	Basin ID	Basin Capacity (ac-ft)
1	70.851.6	8.46.1	23.517.1	268.0197.5	51.337.5	4	9.4
6	33.834.0	4.04.1	12.512.6	120.0120.9	24.025.2	3	9.5
13	88.7	10.6	32.7	333.7	65.0	2	11.1
16	85.6	10.2	32.8	320.3	63.3	1	10.3

- Page 4.10-27 is hereby modified as follows due to updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).

Threshold c: Less-than-Significant Impact. The Project would not alter the drainage pattern of a stream or river. The Project would result in the introduction of impervious surfaces on site; however, the drainage pattern of the Project site under developed conditions would be similar as compared to existing conditions. Overall, the Project would result in a ~~40098~~ cfs reduction in peak flow rates. The Project’s drainage system, which include detention basins, is designed to ensure that all runoff is conveyed by facilities to bypass off-site tributary flows from the south, intercept and treat runoff from the development, and provide peak flow mitigation for the 100-year storm events, as required by RCFC&WCD. Accordingly, the Project would not contribute runoff that would exceed the capacity of existing or planned stormwater drainage systems and would not result in flooding on- or off-site, and a less-than-significant impact would occur. Implementation of the Project’s proposed BMPs (include on-site water quality detention basins) also would ensure the Project does not contribute substantial

- Page 4.10-26 is hereby modified as follows for additional analysis.

Operational activities on the Project site would be required to comply with the Project’s WQMP to minimize the amount of waterborne pollution discharged from the site. Other development projects within the watershed would similarly be required by law to prepare and implement site-specific WQMPs to ensure that runoff does not substantially contribute to water quality violations for surface water or groundwater. Compliance with the Santa Ana Region MS4 Permit, the Riverside County Drainage Area Management Plan – Santa Ana Region (DAMP) would ensure that the cumulative contribution of pollutants in the Santa Ana River Basin and the Upper Santa Ana Valley – San Timoteo Groundwater Basin would not be cumulatively considerable. Accordingly, operation of the Project would not contribute to cumulatively considerable water quality effects.

Section 4.11 – Land Use and Planning

- Page 4.11-8 is hereby modified due to updated land use entitlement names and application numbers.

This EIR analyzes the physical environmental effects associated with all components of the Project, including Project construction and operation. Governmental approvals requested from the City of Beaumont include a General Plan Amendment (GPA; PLAN2019-0284), Pre-zoning (PLAN2019- 0284) to “Specific Plan,” ~~Adoption of the~~ Beaumont Pointe Specific Plan



**Beaumont Pointe Specific Plan
Final Environmental Impact Report**

(SP2019-0003), ~~Vesting~~ Tentative Parcel Map (TPM) No. ~~3816182551~~, and a ~~Pre-Annexation~~ and Development Agreement (PLAN2023-0906DA; No. ~~01-2017~~). The Beaumont Pointe Specific Plan is referred to herein as Specific Plan.

- Table 4.11-1, *General Plan Applicability Analysis*, on Page 4.11-12 is hereby modified to updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).

<p>Policy 3.10.7: Support practices that promote low impact development, including water resilient communities, prevention of urban runoff, and mitigation of industrial pollution.</p>	<p>No Conflict. No Conflict. In accordance with the Project’s WQMP, the Project would install LID BMPs (e.g., bioretention and biotreatment) to detain stormwater on site for runoff mitigation. The Project proposes to install four detention basins within drainage management areas. The detention basins would remove pollutants from runoff and filter the water, thereby providing first-flush capture, detention, and filtration of stormwater runoff before it is discharged from the Project site. Additionally, the Project proposes structural and non-structural source control BMPs (see Table 4.10-4 of this EIR) to mitigate industrial pollution. Furthermore, the Project would slightly reduce peak stormwater flows by approximately 40098 cfs and would not cause adverse hydrologic or biologic impacts to downstream receiving waters, including groundwater. As such, the Project would not conflict with General Plan Policy 3.10.7.</p>
<p>Policy 3.11.5: Preserve watercourses and washes necessary for regional flood control, ground water recharge areas and drainage for open space and recreational purposes. These include San Timoteo Creek, Little San Gorgonio Creek and Noble Creek, among others.</p>	<p>No Conflict. As further discussed in Section 4.10, <i>Hydrology and Water Quality</i>, of this EIR, the Project site is not within the recharge area for Little San Gorgonio Creek. The Project Applicant proposes to preserve 124.7 acres on site as Open Space and 152.4 acres as Open Space – Conservation. The Project would result in a 40098 cfs reduction in peak stormwater runoff rates, and drainage from the development areas would continue to flow to San Timoteo Creek.</p> <p>The implementation of the Project would not interfere with the City’s ability to preserve watercourses and washes necessary for regional flood control, groundwater recharge areas and drainage for open space and recreational purposes. Therefore, the Project would not conflict with General Plan Policy 3.11.5.</p>

- Table 4.11-1, *General Plan Applicability Analysis*, on Page 4.11-17 is hereby modified as follows due to typographical error.

<p>Policy 4.6.1: Prioritize goods movement along specific routes in the City, consistent with the adopted layered network, to foster efficient freight logistics.</p>	<p>No Conflict. The Project site is situated in close proximity to the regional transportation network which connects the site to the Ports of Long Beach and Los Angeles, both major gateways for international trade, the Inland Empire and the Western United States. Located along the south side of the SR-60 and I-10 Freeway, access to the regional transportation system from the site is provided via 4th Street <u>through an industrial area to the east.</u> Interim regional access to the Project site is available</p>
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	<p>from the SR-60 Freeway via Western Knolls and Veile Avenue/6th Street interchanges and the I-10 Freeway via the Oak Valley Parkway and Beaumont Avenue interchanges. Once the Potrero Boulevard interchange is constructed, regional access to the Project site would be available from the SR-60 Freeway/Potrero Boulevard and I-10 Freeway/Oak Valley Parkway interchanges, and access to the SR-60 and I-10 Freeway from 4th Street is provided at the Potrero Boulevard interchange, approximately 1.25 miles to the east. Truck trips would be routed through an industrial area to Potrero Boulevard, also identified as a potential City Truck Priority roadway [City to confirm]. Due to the Project site's proximity to SR-60, trucks accessing the Project site would efficiently reach the State highway system to facilitate the movement of goods throughout the region. In addition, the Project would be consistent with SCAG's Connect SoCal goals, which are described in detail in EIR Section 4.11, <i>Land Use and Planning</i>. Based on the foregoing, the Project would not conflict with General Plan Policy 4.6.1.</p>
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4. Table 4.11-1, *General Plan Applicability Analysis*, on Page 4.11-20 is hereby modified to updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).

<p>Policy 7.4.1: Incorporate low-impact development (LID) techniques to improve stormwater quality and reduce run-off quantity</p>	<p>No Conflict. In accordance with the Project's WQMP, the Project would install LID BMPs (e.g., bioretention and biotreatment) to detain stormwater on site for runoff mitigation. The Project proposes to install four detention basins within drainage management areas. The detention basins would remove pollutants from runoff and filter the water, thereby providing first-flush capture, detention, and filtration of stormwater runoff before it is discharged from the Project site. Additionally, the Project proposes non-structural BMPs to mitigate industrial pollution. Furthermore, the Project would slightly reduce peak stormwater flows by approximately 10098 cfs and would not cause adverse hydrologic or biologic impacts to downstream receiving waters, including groundwater. As such, the Project would not conflict with General Plan Policy 7.4.1</p>
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5. Table 4.11-1, *General Plan Applicability Analysis*, on Page 4.11-20 is hereby modified to updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).

<p>Policy 7.5.5: Require hydrological/hydraulic studies and WQMPs to ensure that new developments and redevelopment projects will not cause adverse hydrologic or biologic impacts to downstream receiving waters, including groundwater.</p>	<p>No Conflict. As further discussed in EIR Section 4.10, <i>Hydrology and Water Quality</i>, a Project-specific WQMP and a Project-specific Hydrology Study was prepared by Proactive Engineering Consultants West, Inc. (PECW). The WQMP identified BMPs that would be installed to mitigate water quality impacts and the Hydrology Study identified that the implementation of the Project would not result in substantial</p>
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	<p>flooding on or off site. The detention basins to be installed on site would remove pollutants from runoff and filter the water, thereby providing first-flush capture, detention, and filtration of stormwater runoff before it is discharged from the Project site. Furthermore, the Project would slightly reduce peak stormwater flows by approximately 10098 cfs and would not cause adverse hydrologic or biologic impacts to downstream receiving waters, including groundwater. As such, the Project would not conflict with General Plan Policy 7.5.5.</p>
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6. Table 4.11-2, *SCAG Connect SoCal Consistency Analysis*, on Page 4.11-41 is hereby modified as follows in response to Comment B-7.

<p>5</p>	<p>Reduce greenhouse gas emissions and improve air quality.</p>	<p>No Conflict. An analysis of the Project’s environmental impacts is provided throughout this EIR and mitigation measures are specified where warranted. Air quality impacts are addressed in Section 4.3, <i>Air Quality</i>. Impacts would be reduced to the maximum extent feasible through the implementation of Mitigation Measures and Project Design Features, which limit truck idling, provide incentives for using clean engines and equipment, require installation of conduit for EV truck charging stations, electric indoor material handling equipment and off-road equipment, preferential parking for fuel-efficient and carpool/van vehicles, EV charging stations.</p> <p>Additionally, as discussed herein, the Project would incorporate measures related to building design, landscaping, and energy systems to promote the efficient use of energy. The Project would be consistent with the <u>County of Riverside CAP requirement by achieving 581 points, which is significantly more than the required minimum of 100 points to determine consistency.</u> Furthermore, as demonstrated in Table 4.8-5 of the Draft EIR, the <u>Project would not conflict with the City’s Sustainable Beaumont: The City’s Roadmap to Greenhouse Gas Reductions, which serves as a long-term plan to achieve sustainability in the City by reducing GHG emissions from existing and future development. Although the Project would exceed the City’s GHG significance threshold of 3,000 MTCO₂e per year, all feasible mitigation measures have been included to reduce GHG impacts. Specifically, Mitigation Measures 4.3-3 through 4.3-13 relating to air quality would also reduce GHG impacts and Mitigation Measure 4.8-1 requires verification that the Project would achieve 581 points from the County CAP Screening Table for GHG Implementation Measures CAP’s requirement to achieve at least 100 points and would have less than significant individual and cumulatively considerable impact on GHG emissions.</u></p> <p>Moreover, the City of Beaumont is identified as one of the priority growth areas for job centers in the region under the Connect SoCal Plan. When growth is concentrated in Job Centers, the length of vehicle trips for residents can be reduced, thereby reducing greenhouse gas emissions and improving air quality.</p>
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Section 4.13 – Noise

1. Page 4.13-22 is hereby modified as follows due to typographical error.

Acceptable exterior construction noise level threshold is based on the City of Beaumont 55 dBA Leq interior noise level limit and the 20 dBA noise reduction associated with typical building construction. As shown in Table 4.13-7, Project construction would not cause noise levels at receiver locations to exceed 75 dBA Leq. Accordingly, Project construction would not result in substantial noise-related health safety hazards and impacts would be less than significant.

2. Page 4.13-39 is hereby modified as follows for clarification purposes.

Threshold a: Significant Direct and Cumulative Impact. The Project would not generate a substantial temporary or permanent increase in ambient noise levels during construction or on-site operation, in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The Project would result in a significant impact from traffic noise at four roadway segments (#1, #4, #5, and #6). Therefore, the Project-related construction and off-site traffic noise level increases at adjacent noise-sensitive land uses are considered a significant impact.

3. Page 4.13-41 is hereby modified as follows due to typographical error.

Both rubberized asphalt and off-site noise barriers are considered as potential noise mitigation measures to reduce the potentially significant off-site traffic noise level increases. However, due the reasons outlined above~~ut~~ neither form of mitigation is recommended for implementation since they would not eliminate the off-site traffic noise level increases at the adjacent land uses to the impacted roadway segments. Therefore, Project-related off-site traffic noise level increases are considered significant and unavoidable under Project-level and cumulative conditions.

Section 4.14 – Population and Housing

1. Page 4.14-8 is hereby modified as follows in response to Comment B-17.

According to the Bureau of Labor Statistics (BLS), in August 2021, the Riverside-San Bernardino-Ontario region’s civilian labor force exceeded 2,090,800 persons with more than 1,931,500 people employed and an unemployment rate of 7.6% (or 159,300 persons) (BLS, 2021). Accordingly, the Riverside-San Bernardino-Ontario region contains an ample supply of potential employees under existing conditions and the Project’s labor demand is not expected to draw a substantial number of new, unplanned residents to the area. Furthermore, approximately 91.1% of Beaumont residents commute outside of the City for work and more housing units are expected to be built within the City over the next 20 years (City of Beaumont, 2020b). The Project would provide job opportunities close to home for existing and future Beaumont residents, which would subsequently help achieve a better job-to-housing balance within the City, as analyzed below.



2. Page 4.14-11 is hereby modified as follows due to typographical error.

With the related projects (see Section 4.0, for the related projects list), there would be an increase of 13,317 residential units, 6,318,000 square feet of industrial uses, and 60,899 square feet of commercial uses. The related projects' industrial and commercial uses would generate approximately 6,370 jobs, which when combined with the Project, results in 11,826 jobs.³ As shown in Table 4.14-5, *Cumulative Projects Population, Housing, and Employment Growth Trends in Beaumont*, the projected population, housing units, and employment growth generated by the Project and related projects would be within the anticipated growth for the City. Additionally, by adding housing and non-residential uses in the City, the Project, along with related projects, would increase the City's jobs-housing ratio from 0.66 (Buildout Year Without Project) to 0.75 (Buildout Year With Project Plus Related Projects), which is within the City's projected ~~growth~~ jobs-housing of 0.93 in 2040. The increase in housing and jobs from the related projects and jobs generated by the Project would contribute to the City's projected growth and jobs-housing ratio. Therefore, the Project with related projects would improve the City's jobs-housing balance and impacts would be less than significant.

Section 4.15 – Public Services

1. Page 4.15-2, Subsection 4.15.1, Existing Conditions, is hereby modified to describe a new fire station that is in the process of being constructed in the City. The new fire station was not needed for the Project nor relied upon for the analysis of impacts to fire protection services, and the EIR concluded that the existing facilities would provide adequate protection even with the increase in call volume. Modifications are as follows:

Within the area's emergency services system, fire and emergency medical services are also provided by other Riverside County Fire Stations. Generally, each agency is responsible for structural fire protection and wildland fire protection within their area of responsibility. However, mutual aid agreements enable non-lead fire agencies to respond to fire emergencies outside their district boundaries. In the Project area, fire agencies cooperate under a statewide master mutual aid agreement for wildland fires. There are also mutual aid agreements in place with neighboring fire agencies and typically interdependencies that exist among the region's fire protection agencies for structural and medical responses; these are primarily associated with the peripheral "edges" of each agency's boundary (Dudek, 2022).

In September 2022, the City kicked off the construction of new Fire Station No. 106 (the "West Side Fire Station") along Potrero Boulevard across from Olivewood Avenue. Construction is expected to take approximately twelve months. The new fire station will be approximately 10,000 sq. ft. and will include living quarters, offices, a fitness center and large bays to house multiple fire apparatus. Staffing will include three-four personnel, including a paramedic to provide advanced life support care. Services from the facility will be provided 24 hours a day, 7 days a week and 365 days of the year. Personnel at this station will be equipped with cardiac monitors, advanced life support medications, intubation equipment, trauma life support equipment, auto extrication tools, and more. The apparatus which will be housed in the facility will be capable of suppressing structure, wildland, vehicle, and other types of fires. The new station will decrease response times for the City's west side communities, including Olivewood, Tournament Hills, Tukwet and the new logistics centers located off of SR-60.



Section 4.17 – Transportation

1. Table 4.17-1, *General Plan Applicability Analysis*, on Page 4.17-14 is hereby modified as follows due to typographical error.

<p>Policy 4.6.2: Minimize or restrict heavy vehicle traffic near sensitive areas such as schools, parks, and neighborhoods.</p>	<p>No Conflict. The closest sensitive area to the Project site is an existing single-family residence located approximately 483 feet south of the Project site’s southernmost boundary. Other residential uses are located north across Frontage Road (1,253 feet) and beyond SR-60. However, the Project would not restrict access to or from the existing residence; the Project would provide private residential access on-site to the existing residence, cars and trucks will not pass by this residence under the proposed roadway plan. Truck trips would be routed through an industrial area to <u>SR-60 and I-10 Potrero Boulevard</u> and would not pass by sensitive areas. Based on these restrictions, the Project would not conflict be consistent with General Plan Policy 4.6.2.</p>
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2. Page 4.17-22 is hereby modified as follows due to typographical error.

The Technical Advisory relies on the Quantifying Greenhouse Gas Mitigation Measures, (CAPCOA) 2010 resource document to help justify the 15 percent reduction in VMT threshold stating, “. . . fifteen percent reduction in VMT are achievable at the project level in a variety of place types . . .”. A more accurate reading of the CAPCOA document is that a fifteen percent is the maximum reduction when combining multiple mitigation strategies for the suburban center⁴ place type. For suburban ~~5~~ place types 10 percent is the maximum and requires a project to contain a diverse land use mix, workforce housing, and project-specific transit. It is also important to note that the maximum percent reductions were not based on data or research comparing the actual performance of VMT reduction strategies in these place types. Instead, the percentages were derived from a limited comparison of aggregate citywide VMT performance for Sebastopol, San Rafael, and San Mateo where VMT performance ranged from 0 to 17 percent below the statewide VMT/capita average based on data collected prior to 2002. Little evidence exists about the long-term performance of similar TDM strategies in different land use contexts. As such, VMT reductions from TDM strategies cannot be guaranteed in most cases (Fehr & Peers, 2019, pp. 65-66).

3. Page 4.17-23 and 1-33 hereby modified as follows due to typographical error.

MM 4.17-1 Prior to the issuance of building permits, the Project Applicant shall incorporate the TDM measures identified below. Verification that the TDM measures ~~were~~ completed shall be verified by the City’s Public Works Director.

- a. Where applicable ensure design of key intersections and roadways encourage the use of walking, biking and, where applicable, transit.



- b. Collaborate with the Riverside Transit Authority (RTA) to determine the feasibility of providing new or re-route existing transit services to the site.
- c. Commute trip reduction (CTR) programs offered to encourage the use of biking.
- d. Encourage CTR programs may also provide for alternative work or compressed work schedules to reduce the number of days an employee commutes to work.

Section 4.19 – Utilities and Service Systems

1. Page 4.19-5 is hereby modified to update the closure date of the Badlands Landfill.
 - **Badlands Landfill** – Located approximately 4.3 miles northwest of the Project site in the City of Moreno Valley at 31125 Ironwood Avenue. The landfill is operated by the RCDWR. The landfill has permitted tonnage of 4,800 tpd, has a remaining capacity of 15,748,799 cy as of January 2015, and has an estimated closure date of January ~~2059~~2022.
2. Page 4.19-20 is hereby modified as follows in response to the changes made in the Beaumont Pointe Specific Plan.

The Project is anticipated to have a wastewater generation rate of 0.26 million gallons of wastewater per day. The Project would construct a wastewater conveyance system to service the Project site and connect to the City’s sanitary system. The Project utilizes a gravity sanitary system. However, due to the grading limitations, the sewer system ~~does not provide gravity flow to the proposed point of connection, which is a 12-inch PVC line and a sewer manhole, located at the end of the extension of 4th Street 350 feet east of the Project site in 4th Street in the existing right of way. Instead, the gravity system will flow to the proposed sewer lift station located at the northwest corner of PA 5. From there the sewer flow will be conveyed via the proposed Dual Force Main within Industrial Way and Entertainment Avenue, and Jackrabbit Trail towards a connection at 4th Street with an existing 12-inch gravity sewer line~~ utilizes 8” gravity sewer main lines, located within Industrial Way, to move wastewater flows from the project’s high points (at PA 8 and PA 1), to the lift station constructed at the low point between PA 5 and 6. Flows from the lift station are then conveyed in dual 6” force main lines located within Industrial Way, Entertainment Way, Jack Rabbit Trail, and 4th Street, to the point of connection at the existing 12” gravity main line at the manhole located at the eastern boundary of the site. The on-site lift station shall be designed and limited to the Project’s ultimate capacity with no interim condition except potential pump quantity.

3. Page 4.19-3 is hereby modified as follows to disclose additional imported water available to the Beaumont-Cherry Valley Water District (BCVWD) from the San Geronio Pass Water Agency (SGPWA).

In 2022, SGPWA entered into a 20-year Agreement with the City of San Buenaventura (Ventura) and the Casitas Municipal Water District (Casitas). Together, the City of Ventura and the Casitas Municipal Water District have a combined Table A water allocation of 20,000



acre-feet. Ventura and Casitas do not plan to take direct delivery of their respective Table A water. The Ventura Water Agreement allows SGPWA to purchase water from Ventura and Casitas through its contractual arrangement. Of the 20,000 acre-feet total Table A allocation, the agreement allows for SGPWA to receive up to 10,000 acre-feet in addition to the existing 17,300 acre-feet Table A allocation for SGPWA. The average percentage of SGPWA Table A water available to BCVWD can be found in Tables 9-5 and 9-6 in the WSA Addendum #1 (*Technical Appendix L2* of the Draft EIR). It is expected that BCVWD will receive the same percentage of water from the Ventura Water Agreement as it receives from SGPWA's Table A allocation. The average percentage of BCVWD's historical SWP water from SGPWA can be found in Table 9-9 in the WSA Addendum #1 (*Technical Appendix L2* of the Draft EIR). The Table below shows the normal year, single dry year, and five consecutive dry years planned SWP Ventura Water Allocations for San Gorgonio Pass Water Agency through 2045.

Future Ventura Allocations by Year Type Through 2045 (AFY)						
Total Supply	2025	2030	2035	2040	2045	
Normal	5800	5800	5800	5800	0	
Single Dry Year	500	500	500	500	0	
Multi-Year Drought	Year 1	3500	3500	3500	3500	0
	Year 2	500	500	500	500	0
	Year 3	500	500	500	500	0
	Year 4	2000	2000	2000	2000	0
	Year 5	3500	3500	3500	3500	0

- Page 4.19-26 is hereby modified as follows due to typographical error.

Hazardous waste generated during construction would be disposed of per existing legal requirements regulations (discussed in Section 4.9, *Hazards and Hazardous Materials*, of this EIR). Similarly, hazardous materials used during the construction and operation of the warehouse uses, including maintenance activities, would be disposed of~~conducted~~ in compliance with applicable regulations. Further, as discussed above, solid waste generated during construction activities would adhere to the diversion requirements outlined in the CalGreen Code, and would not exceed the required 65% diversion rate. The Project would participate in established programs for commercial development projects to reduce solid waste generation, in accordance with the provisions of the Riverside Countywide Integrated Waste Management Plan.

Section 4.20 – Wildfire

- Page 4.20-7 is hereby modified due to CalFire’s update to the Fire Hazard Severity Zones Maps.

As shown in Figure 4.20-1, *Fire Hazard Severity Zone*, the Project site is designated within a Very High Fire Hazard Severity Zone (VHFHSZ) and High Fire Hazard Severity Zone within an SRA by the Riverside County General Plan and CalFire. Adjacent to the Project site, within the City of Beaumont’s jurisdictional boundary, the land is primarily designated as a Very High



Fire Hazard Severity Zone (VHFHSZ) and High Fire Hazard Severity Zone (HFHSZ) local responsibility area (LRA). Additionally, CALFire has released an updated version of their draft fire hazard severity zone maps that, if adopted, would revise the fire hazard designation of the Project site and its surroundings to all Very High rather than the current combination of Very High and High. Adoption of CALFire’s new fire hazard zone maps would not change the findings in the Fire Protection Plan (*Technical Appendix M1*), which was planned and prepared for the Project as if it was entirely within the VHFHSZ. After being annexed to the City of Beaumont, it is possible that the Project site could be re-designated as LRA in a future update of CAL FIRE’s Hazard Severity Zone, which would mean the City of Beaumont would have the primary responsibility for the prevention and suppression of wildland fires at the Project (RCIT, 2021; CalFire, 2021; Dudek, 2022).

2. Page 4.20-9 is hereby modified to add in a description of the City’s new fire station. The new fire station was not needed for the Project nor relied upon for the analysis of impacts to fire protection services, and the EIR concluded that the existing facilities would provide adequate protection even with the increase in call volume. Modifications are as follows:

As discussed in Section 4.15, *Public Services*, the Project’s proposed industrial/commercial development is anticipated to increase the call volume at a rate of up to 191 calls per year (4 calls per week or 16 calls per month). Fire Stations 66 and 20 combined emergency responses in 2017 totaled 4,943 calls per year or 5.43 and 8.11 calls per day per station, respectively. The level of service demand for the Project would increase overall call volume; however, the increase is not anticipated to impact the existing fire stations to a point that they cannot meet the demand. (Dudek, 2022)

In September 2022, the City commenced the construction of new Fire Station No. 106 (the “West Side Fire Station”) along Potrero Boulevard across from Olivewood Avenue. Construction is expected to take approximately twelve months. The new fire station will be approximately 10,000 sq. ft. and will include living quarters, offices, a fitness center and large bays to house multiple fire apparatus. Staffing will include three to four personnel, including a paramedic to provide advanced life support care. Services from the facility will be provided 24 hours a day, 7 days a week and 365 days of the year. Personnel at this station will be equipped with cardiac monitors, advanced life support medications, intubation equipment, trauma life support equipment, auto extrication tools, and more. The apparatus which will be housed in the facility will be capable of suppressing structure, wildland, vehicle, and other types of fires. The new station will decrease response times for the City’s west side communities, including Olivewood, Tournament Hills, Tukwet and the new logistics centers located off of SR-60. Furthermore, it should be noted that the Project would be required by City of Beaumont Chapter 3.36, *Emergency Preparedness Facilities Fees*, to contribute costs to improve Emergency Preparedness Centers.

3. Page 4.20-11 is hereby modified to updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).

According to RCIT and FEMA, the Project site is within an area of minimal flooding (RCIT, 2021; FEMA, 2014). As further discussed under Threshold c of EIR Section 4.10, Hydrology and Water Quality, the Project would maintain a similar drainage pattern as compared to



existing conditions. It should be noted that the overall development pad would be elevated by the proposed design grading to be situated above local drainage courses. As such, the risk of flooding is low. (KCG, 2019) Additionally, the implementation of the Project would result in a ~~400~~98 cfs reduction in peak flows discharging from the Project site. As such, impacts related to downslope/downstream flooding and drainage changes would be less than significant.

4. Page 4.20-24 is hereby modified to updated Preliminary Hydrology and Hydraulic Study (refer to *Attachment A* of this Final EIR).

Threshold d: Less-than-Significant Impact. The Project site is within an area of minimal flooding. Additionally, the Project would maintain a similar drainage pattern as compared to existing conditions and would reduce peak flow rates by ~~400~~98 cfs. Additionally, portions of the Project site have a “low” to “moderate” susceptibility for landslides. The Project would be required by the CBC and Beaumont Building Code to comply with the recommendations identified in the Project’s Preliminary Geotechnical Investigation and constructed to maximize stability in order to preclude safety hazards to on-site areas. The implementation of the Project is not anticipated to directly or indirectly cause potential substantial risks, including landslides, as a result of runoff, post-fire instability or drainage change. Impacts would be less than significant.

Section 6.0 – Alternatives

1. Page 6-26 is hereby modified due to updated land use entitlement names and application numbers.

K **Land Use and Planning**

Similar to the Project, the Reduced Development Area and Intensity Alternative would require a General Plan Amendment, Pre-zoning to “Specific Plan, Adoption of the Beaumont Pointe Specific Plan, Vesting Tentative Parcel Map and Development Agreement ~~a Pre-Annexation~~ to implement the development. Similar to the Project, this alternative would be consistent with the SCAG’s Connect SoCal policies, the City’s General Plan and Zoning Ordinance, and Western Riverside County MSHCP. While, like the Project, this alternative would not conflict with the SCAG’s Connect SoCal policies, it would impede the Connect SoCal goal of growing the Beaumont area as a job center to a greater extent than would the Project. Therefore, the Reduced Development Area and Intensity Alternative would still result in a less than significant impact related to land use and planning and similar to the Project.

2. Page 6-33 is hereby modified due to updated land use entitlement names and application numbers.

K **Land Use and Planning**

The Reduced Intensity Alternative would require a General Plan Amendment, Pre-zoning to “Specific Plan, Adoption of the Beaumont Pointe Specific Plan, Vesting Tentative Parcel Map and Development Agreement ~~a Pre-Annexation~~ to implement the development similar to the Project. Similar to the Project, this alternative would be consistent with the SCAG’s Connect



SoCal policies, the City’s General Plan and Zoning Ordinance, and Western Riverside County MSHCP. Therefore, the Reduced Development Area and Intensity Alternative would result in a less than significant impact related to land use and planning and impacts would be similar compared to the Project.

3. Page 6-40 is hereby modified due to updated land use entitlement names and application numbers.

K Land Use and Planning

The Truck Storage Yard Alternative would require a General Plan Amendment, Pre-zoning to “Specific Plan, Adoption of the Beaumont Pointe Specific Plan, Vesting Tentative Parcel Map and Development Agreement ~~a Pre-Annexation~~ to implement the development similar to the Project. This alternative would have the same type of consistency with the SCAG’s Connect SoCal policies, the City’s General Plan and Zoning Ordinance, and Western Riverside County MSHCP. While, like the Project, this alternative would not conflict with the SCAG’s Connect SoCal policies, it would impede the Connect SoCal goal of growing the Beaumont area as a job center to a greater extent than would the Project. Nevertheless, the Truck Storage Yard Alternative would result in a less than significant impact related to land use and planning and similar compared to the Project.

Technical Appendices

The following technical appendices have been updated and do not contain new significant information or change the findings of the Draft EIR. These technical appendices are incorporated herein as *Attachments A – D* of this Final EIR:

- Draft EIR Appendix I1, Hydrology and Hydraulic Study
- Draft EIR Appendix I2, Preliminary Water Quality Management Plan
- Draft EIR Appendix K1, Traffic Analysis
- Draft EIR Appendix M1, Fire Protection Plan