



**CITY OF BEAUMONT
PLANNING DEPARTMENT
DRAFT CONDITIONS OF APPROVAL**

PLANNING COMMISSION DATE: November 29, 2023 & January 10, 2024

CITY COUNCIL DATE: March 19, 2024

PROJECT NAME: Beaumont Pointe

PROJECT NO.: PM2022-0021 (TPM38161) in conjunction with

DESCRIPTION: To subdivide the property as follows: 622.50 gross acres into 13 numbered lots with a range of 1.66 to 70.43 acres, 10 lettered lots with a range of 0.03 to 54.50 acres and one (1) 81.30-acre remainder parcel.

APPLICANT: JRT BP 1, LLC

LOCATION: Located on the south side of the 60 Freeway, west of Jack Rabbit Trail and north of the proposed extension of Fourth Street.

APN: APNs: 422-060-002, -005, -009, -010, -016 thru -018, -021, -022, 422-170-005, -007 thru -011

PROJECT

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

STANDARD CONDITIONS

1. The following conditions of approval are for VESTING TENTATIVE PARCEL MAP NO. 38161 (PM2022-00129).
2. The subdivider shall defend, indemnify, and hold harmless the City of Beaumont, its agents, officers, and employees from any claim, action, or proceeding against the City of Beaumont, its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Beaumont, its advisory agencies, appeal boards, or legislative body concerning **VESTING TENTATIVE PARCEL MAP NO. 38161** and related documents, which action is brought within the time period provided for in California Government Code, Section 66499.37. The City of Beaumont will promptly notify the subdivider of any such claim, action, or proceeding against the City of Beaumont and will cooperate fully in the defense. If the City fails to promptly notify the subdivider of any such claim, action, or proceeding or fails to cooperate fully in the defense, the subdivider shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.

3. The subdivision shall comply with the State of California Subdivision Map Act and to all the pertinent requirements of The Beaumont Municipal Code, unless modified by the conditions listed below.
4. This conditionally approved tentative map will expire 10 years after the original approval date, per Section 1.3.1 of the Development Agreement by and between the City of Beaumont and Beaumont Pointe Partners LLC. Action on a minor change and/or revised map request will not extend the time limits of the tentative map. Approval of the final map by the City Council is required. If the Development Agreement is extended, the conditionally approved tentative map expiration shall comply with the timing of the extension, unless there is language in the extension that precludes the map.
5. The final map shall be prepared by a licensed land surveyor or registered civil engineer subject to all the requirements of the State of California Subdivision Map Act and The Beaumont Municipal Code.
6. If deemed necessary by the Community Development Director, within ten (10) days of approval by the City Council ten (10) copies of an Amended Per Final Conditions map shall be submitted to and approved by the Community Development Director prior to release of the final conditions of approval.
7. Any subsequent review/approvals required by the conditions of approval, including but not limited to grading, landscaping, plot plan and/or building plan review, shall be reviewed on an hourly basis based on, or such fee as may be in effect at the time of submittal, listed in Ordinance No. 506.
8. The subdivider shall be fully responsible for maintenance and upkeep of any and all slopes, landscaped areas, open space areas, future development areas and irrigation systems until such time as maintenance responsibilities are assumed by other as approved by the Planning Department.
9. An Environmental Impact Report EIR was prepared for the Summit Station Specific Plan, and a series of mitigation measures were adopted by the City Council to mitigate the potential impacts of the project. All of the mitigation measures set forth in the subject environmental document are herewith established as conditions of approval for Vesting Parcel No. 38161.
10. Execution of the project will necessitate the conducting of mitigation monitoring by the City to ensure that all the mitigation measures set forth in the Environmental Impact Report and Addendum are systematically implemented. The subdivider shall fund the mitigation monitoring requirements by paying an amount equal to the City's actual contracting cost for such services, plus a 20 percent administrative charge or as detailed in the Development Agreement.

11. The approval of this map shall not result in any vesting provisions relative to City of Beaumont fees and exactions.

RECORDATION CONDITIONS

Prior to the RECORDATION of any final map, all the following conditions shall be satisfied:

12. The subdivider shall submit written clearances to the Public Works Department that all pertinent requirements from the following agencies have been met:

City Fire Department
City Police Department
City Planning Department
Beaumont Cherry Valley Water District
Beaumont Unified School District

13. All public street road easements shall be offered for dedication to the public and shall continue in force until the governing body accepts or abandons such offers. All dedications shall be free from all encumbrances as approved by the Public Works Department. Street names shall be subject to the approval of the Building Official. The final street sections, configurations and improvements shall be subject to the approval of the Public Works Department.
14. All delinquent property taxes, special taxes and/or any other assessments shall be paid to the Riverside County Tax Collectors Office.

FIRE DEPARTMENT CONDITIONS

With respect to the conditions of approval for the referenced project, the Fire Department requires the following fire protection measures be provided in accordance with Riverside County Ordinances and/or recognized fire protection standards:

PRIOR TO MAP RECORDATION

15. Hazardous Vegetation and Fuel Management Plan - Projects in the Local Responsibility Area Very High Fire Hazard Severity Zone and the State Responsibility Area Very High, High, and Moderate Fire Hazard Severity Zones shall provide a PRELIMINARY Hazardous Vegetation and Fuel Management Plan to be reviewed and approved by the Fire Department. Contact our office for submittal instructions. *FINAL plan shall be provided and approved prior to grading clearances.
16. Water System - The applicant or developer shall furnish one copy of the public water system improvement plans to the Fire Department for review. Plans shall be signed by a registered civil engineer, containing a Fire Department approval signature block,

and shall conform to hydrant type, location, spacing and minimum fire flow. Once plans are signed by the local water company, the originals shall be presented to the Fire Department for signature.

17. Fire Access Road Improvements - The land divider shall submit road/street development plans to the City of Beaumont and the Fire Department, identifying the improvements of the project access elements on-site and off-site (Right of Way, Public/Private Streets, Highways, Ways, Easements, etc.). Improvements shall meet minimum City and Fire Department Standards. The improvements shall be completed prior to map recordation, otherwise adequate securities shall be established with the City in accordance with City of Beaumont Requirements.

18. Alternate or Secondary Access - The required secondary access EVA shall be completed prior to map recordation, otherwise adequate securities shall be established with the City in accordance with City of Beaumont Requirements.

PUBLIC WORKS

GENERAL

19. The following is a non-inclusive list of items that may be required by the Public Works Department:

a. Plans:

- i. Street Improvement Plan
- ii. Landscape Plan offsite
- iii. Rough Grading Plan
- iv. Erosion Control Plan
- v. Retaining wall Plan (for line and grade only)
- vi. Sewer Improvement Plan
- vii. Storm Drain Improvement Plan
- viii. Traffic Control Plan

b. Reports & Studies:

- i. Geotechnical Report
- ii. Stormwater Pollution Prevention Plan (SWPPP)
- iii. Final Water Quality Management Plan (F-WQMP)
- iv. Offsite Improvement Engineer's Cost Estimate (ECE)
- v. Grading & Pad Certification
- vi. Compaction Report

c. Permits and agreements:

- i. Permission to Grade and Construction agreements
- ii. Non-interference letters
- iii. WQMP Covenant and Agreement
- iv. City Grading Permit
- v. City Encroachment Permit
- vi. Performance Bond
- vii. Labor & Material Bond

- viii. Maintenance Bond
- d. Survey Documents
 - i. Right-of-Way Dedications
 - ii. Right-of-Way Vacation
 - iii. Parcel Map
 - iv. Easement Dedications
 - v. Possible Corner Record
 - vi. Possible Record of Survey
- e. Fees: Prior to obtaining a building permit the applicant shall pay all applicable development fees as indicated on the fee schedule, current at the time of permit, available from the City, including, but not limited to the following:
 - i. Fire Protection Impact
 - ii. Police Facilities Impact
 - iii. Public Facility
 - iv. Streets and Bridges Impact
 - v. Traffic Signal Impact
 - vi. Railroad X'ing Impact
 - vii. General Plan
 - viii. Emergency Preparedness
 - ix. Recycled Water Facility
 - x. Sewer Application
 - xi. Sewer Disposal Facility Fee (Connection)
 - xii. Sewer Service Areas Fee
 - xiii. MSHCP
 - xiv. TUMF

20. The design of public infrastructure elements shall conform to the requirements of the City General Plan, Water Quality Management Plan, Master Plans, City of Beaumont Standards, Riverside County Transportation Department (RCTD) Road Improvement Standards & Specification, Riverside County Flood Control Standards, RCTD Map Preparation Manual, Eastern Municipal Water District (EMWD), Caltrans Standard Specifications and the Standard Specifications for Public Works Construction, current edition, as required by the City Engineer.

21. The design of private site improvements and grading work outside of road right of way shall conform to the latest edition of California Building Code, the City of Beaumont standards and practices, Approved Water Quality Management Plan, approved hydrology report, approved traffic impact analysis, and geotechnical recommendations.

22. All required plans and studies shall be prepared by a Registered Professional Engineer, Registered Professional Geologist or Registered Professional Surveyor in the State of California, and submitted to the Public Works Department for review and approval.

23. The Applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.
24. The Applicant is responsible for resolving any conflicts with existing or proposed easements. All easement(s) of record and proposed easements shall be shown on the grading plan and improvement plans, where applicable.
25. The Applicant shall obtain an Encroachment Permit, as required, for all work within the public right-of-way.

SURVEYING AND Mapping

26. PRIOR TO START OF CONSTRUCTION: Where survey monuments exist, such monuments shall be protected or shall be referenced and reset, pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).
27. PRIOR TO MAP RECORDATION: When changes to an approved Tentative Map are proposed, a Substantial Compliance Exhibit, in the same scale as the Tentative Map, shall be submitted for review and approval by the City Engineer.
28. PRIOR TO MAP RECORDATION: All public improvement plans associated with the Map and necessary for the complete construction of backbone facilities shall be approved.
29. PRIOR TO MAP RECORDATION: The applicant shall prepare and fully execute a Subdivision Improvement Agreement (SIA) with the City (On City approved format and forms) for all public improvements.
30. PRIOR TO MAP RECORDATION: The applicant shall provide securities guaranteeing the payment of the cost for all public improvements. The securities shall include Faithful Performance and labor and materials for 100% of the approved Engineer's Cost Estimate (ECE). Streets (including striping, signing, lights, and landscaping), sewer, and storm drain improvements shall have individual and separate security.
31. PRIOR TO MAP RECORDATION: Monuments shall be provided in accordance with Section 8771 of the Business and Professions Code. Cross-ties shall be set in top of curbs and tie sheets shall be submitted to the Public Works Department. Per the Subdivision Map Act, Section 66496, internal monuments may be set at a later date if the applicant furnishes security guaranteeing the payment of the cost of setting such monuments.
32. PRIOR TO MAP RECORDATION: The Applicant shall comply with Government Code Section 66436(a)(3) before approval of the final map and shall provide "no

objection” letters from all public entities or utilities to the satisfaction of the City Engineer.

33. PRIOR TO MAP RECORDATION: The applicant shall provide an easement to, over and across all private water quality, stormwater and drainage basins, to be dedicated to the City, for ingress, egress and right to inspect unless otherwise directed by the City Engineer. The City will not maintain any water quality or basin feature.
34. PRIOR TO FINAL MAP RECORDATION: The applicant shall, with respect to the half-width of Jack Rabbit Trail located on Parcel “A” of Parcel Map No. 36426, either (1) cause the removal of the open space restriction on said Parcel “A” pursuant to instrument approved by the City Planning Director with the advice of the City Attorney or (2) if applicant has made a good faith attempt to cause the removal of the open space restriction and is not able to do so, the applicant shall provide a redesign of Jack Rabbit Trail entirely within subdivider’s property subject to the satisfaction of the City Engineer.
35. PRIOR TO FINAL MAP RECORDATION: The applicant shall show all right-of-way dedications necessary for the construction of all streets, on the Final Map or per separate instrument, unless otherwise approved by the City Engineer, including but not limited to:
 - a. 4th Street is proposed as a Modified Secondary (78’). The applicant shall dedicate all additional right-of-way necessary to achieve the required 78-foot full-width right-of-way in the approximate alignment and configuration as shown on approved tentative map. The applicant shall also dedicate any additional right-of-way to accommodate the proposed cul-de-sacs (both temporary/phased and ultimate).
 - b. The applicant shall acquire and obtain by separate instrument all necessary off-site permanent slope and embankment easements for the benefit of the City in a form and content required by the City Attorney from the owners of the properties identified by APN 422-170-012 (the Hoy Ranch) and APN 424-010-011 (Parcel 1 of Parcel Map 36426) as may be necessary to construct the extension of 4th Street as shown on approved tentative map.
 - c. Jack Rabbit Trail is proposed as a restricted / emergency access roadway (25’) extending from Entertainment Avenue to State Route 60. The applicant shall dedicate all additional right-of-way necessary to achieve the required 25-foot full-width right-of-way in the approximate alignment and configuration as shown on approved tentative map.
 - d. Jack Rabbit Trail from Entertainment Avenue to 4th Street is proposed as a Modified Industrial Collector (78’). The applicant shall dedicate all additional right-of-way necessary to achieve the required 78-foot full-width right-of-way in the approximate alignment and configuration as shown on approved tentative map.
 - e. Jack Rabbit Trail is proposed as an unimproved public roadway (20’) extending south from 4th Street across Lot F. The applicant shall dedicate all

additional right-of-way necessary to achieve the required 20-foot full-width right-of-way in the approximate alignment and configuration consistent with the existing physical location of Jack Rabbit Trail as shown on approved tentative map. The dedication shall be offered as an irrevocable offer of dedication on the Final Map with the offer not being accepted by the City.

- f. Entertainment Way is proposed as a Private Road (50'). The applicant shall reserve reciprocal access easements providing access to and for the benefit of the property owners within the approved tentative map and dedicate all additional easements across the private roadway (emergency access, public utility purposes) necessary to achieve the required 50-foot full-width private roadway in the approximate alignment and configuration as shown on approved tentative map. The applicant shall also dedicate any additional right-of-way to accommodate the proposed cul-de-sacs.
- g. Industrial Way is proposed as a Private Road (40'). The applicant shall reserve reciprocal access easements providing access to and for the benefit of the property owners within the approved tentative map and dedicate all additional easements across the private roadway (emergency access, public utility purposes) necessary to achieve the required 40-foot full-width private roadway in the approximate alignment and configuration as shown on approved tentative map. The applicant shall also dedicate any additional right-of-way to accommodate the proposed cul-de-sacs.
- h. Hoy Ranch Private Access is proposed as a Private Road (20') extend south from 4th Street across Lot F. The applicant shall dedicate a private access easement to the owners of the property generally identified as Hoy Ranch located on that real property identified by APN 422-170-012 in an alignment acceptable to the owners thereof, in a format acceptable to the City Attorney and approved by the owners of Hoy Ranch. The private access easement shall be recorded prior to approval of a Final Map and referenced and retained on record on the Final Map.
- i. The applicant shall dedicate on the final map, all easements necessary for the installation of the backbone utilities as generally shown on the approved tentative map.

36. PRIOR TO ISSUANCE OF AN ENCROACHMENT PERMIT: The Applicant, at its sole expense, shall obtain all right-of-way or easement acquisitions necessary to implement any portion or condition of this project, including public improvements; off-site grading & construction; offsite street requirements; offsite sewer requirements; storm drain improvements; or any other requirement or condition.

STREET IMPROVEMENTS

37. PRIOR TO ACCEPTANCE OF PROJECT PHASE SPECIFIC PUBLIC STREET IMPROVEMENTS OR PRIOR TO ISSUANCE OF PROJECT PHASE SPECIFIC OCCUPANCY PERMIT (COO): The applicant shall provide evidence to the City that all traffic mitigation requirements, outside the jurisdiction of Beaumont, are mitigated

for the respective phase, as specified in the approved Traffic Impact Analysis for this project.

38. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of 4th Street and Jack Rabbit Trail, the applicant shall install traffic signals and construct all other necessary improvements to safely and adequately signalize the intersection.
39. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): Remove the existing westerly terminus and cul-de-sac of 4th Street and construct an extension of 4th Street westerly to Jack Rabbit Trail as a Modified Secondary (78') full-width public roadway.
40. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of Potrero Blvd. and 4th Street, obtain Riverside County approvals and complete the following improvements:
 - a. Add second eastbound left turn lane.
 - b. Modify the existing traffic signal to implement overlap phasing for southbound right turn lane.
41. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of Desert Lawn Drive and Oak Valley Parkway, the applicant shall install traffic signals and construct all other necessary improvements to safely and adequately signalize the intersection. The applicant's fair share responsibility for this improvement is 9.6% (or as shown in the approved TIA). Completion of this improvement may be subject to a Credit Agreement of the Traffic Signal Impact Fee related to the 90.4% of the verified cost subject to review and approval by the City Council. Completion of this improvement may also be subject to a Reimbursement Agreement, if applicable, with the Western Riverside Council of Governments (WRCOG) for any eligible Transportation Uniform Mitigation Fees (TUMF) in accordance with WRCOG rules and regulations.
42. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): At the intersection of California Avenue and 5th Street the applicant shall deposit with the City a fair share contribution for 7.5% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to perform the following:
 - a. Install a traffic signal and all other improvements necessary for the safe and efficient operation of a traffic signal.
43. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall

complete all full-width improvements along 4th Street extending from the existing westerly terminus cul-de-sac located easterly of the project site. Extension of 4th Street shall be phased in accordance with the approved phasing plan for the project, inclusive of a temporary cul-de-sac at the westerly terminus of each phased extension of 4th Street. The improvements shall generally conform to RCTD std. 94 modified as follows:

- a. 6" Curb and Gutter, 28-feet along both sides of proposed centerline;
- b. 6' curb adjacent sidewalk (north side only);
- c. Street structural sections shall be designed with a Traffic Index per soil engineer's recommendations (9.5 minimum). Preliminary soils investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 6" AC/12" AB;
- d. Cul-de-sac shall conform to RCTD std. 800 or 800A.
- e. All sawcuts and joining of existing ac paving shall be per the City's pavement restoration detail.

44. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall complete all full-width improvements for the realignment of Jack Rabbit Trail extending approximately from and not within the southerly right-of-way of State Route 60 to Entertainment Way. The Applicant shall install emergency access gates restricting public access to and from State Route 60 in a manner acceptable to the City Engineer. The improvements shall generally conform to RCTD std. 138 modified as follows:

- a. 6" Curb and Gutter, 12.5-feet along both sides of proposed centerline;
- b. Street structural sections shall be designed with a Traffic Index per soil engineer's recommendations (5.5 minimum). Preliminary soils investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 6" AC/12" AB;
- c. All sawcuts and joining of existing ac paving shall be per the City's pavement restoration detail.

45. PRIOR TO ISSUANCE OF FIRST GRADING PERMIT: The Applicant shall install emergency access gates restricting public access to and from State Route 60 in a manner acceptable to the City Engineer. The location of the emergency access gates shall be located outside of State Route 60 right of way. The Applicant shall submit an encroachment permit to Caltrans for and complete the installation of offsite signage along State Route 60 to adequately provide constructive notice that Jack Rabbit Trail is no longer open for public access.

46. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall complete all full-width improvements for the realignment of Jack Rabbit Trail

extending from Entertainment Way to 4th Street. The improvements shall generally conform to RCTD std. 105A modified as follows:

- a. 6" Curb and Gutter, 25-feet along both sides of proposed centerline;
- b. 6' curb adjacent sidewalk (west side only);
- c. Street structural sections shall be designed with a Traffic Index per soil engineer's recommendations (9.5 minimum). Preliminary soils investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 6" AC/12" AB.

47. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall complete all full-width improvements for the realignment of Jack Rabbit Trail extending from 4th Street south across Lot F. The improvements shall generally conform to RCTD std. 138 modified as follows:

48. Class 2 Aggregate Base only with no HMA for 10-feet along both sides of proposed centerline extending along existing physical location of unmaintained County roadway.

49. PRIOR TO ACCEPTANCE OF PROJECT PHASE SPECIFIC PUBLIC STREET IMPROVEMENTS OR PRIOR TO ISSUANCE OF PROJECT PHASE SPECIFIC OCCUPANCY PERMIT (COO): The Applicant shall complete all full-width improvements along Industrial Way from Entertainment Way to 4th Street. The improvements shall generally conform to RCTD std. 111 modified as follows:

- a. 6" Curb and Gutter, 20-feet on both sides of proposed centerline;
- b. No sidewalk;
- c. Street structural sections shall be designed with a Traffic Index per soil engineer's recommendations (8.0 minimum). Preliminary soils investigations shall be used by the Engineer to determine an appropriate R-value and the pavement and base thickness based on the established Traffic Index. In no case shall the minimum pavement section be less than 5" AC/10" AB.

50. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall complete all full-width improvements for the realignment of the private roadway access benefitting the property generally identified as the Hoy Ranch (APN 422-170-012) extending from 4th Street south across Lot F to the existing point of access onto the Hoy Ranch in accordance with the Applicant's letter dated November 8, 2022, on file with the City Engineer. The Applicant shall submit a detailed design of the private access roadway, and plans for temporary access to the Hoy Ranch across Applicant's property during construction of Phase 1, for review and approval by the Hoy Ranch property owners as a condition of the City's approval of a Grading Plan for Phase 1. The improvements shall generally conform to RCTD std. 138 modified as follows:

- a. Class 2 Aggregate Base only with no HMA for 10-feet along both sides of proposed centerline extending along existing physical location of the private access roadway located south of 4th Street, and/or as approved by the Owners.

51. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall replace any sidewalk, curb and gutter, drive approach, AC pavement or other improvement damaged during construction as determined necessary by the City Engineer.

52. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall install public streetlights along the project frontage of perimeter streets and along interior streets, in accordance with the City of Beaumont Approved Street Lighting Specifications. The Applicant shall coordinate with Public Works before submitting street light plans. Solar lighting is not permitted.

53. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall design and install offsite landscaping and supporting irrigation system. All irrigation and landscaping associated with this project will be privately maintained. The landscape within public right-of-way shall occur on a separate plan set from the on-site landscaping.

GRADING AND DRAINAGE IMPROVEMENTS

54. PRIOR TO ISSUANCE OF A GRADING PERMIT: The Applicant shall design and include adequate provisions to collect and convey all on-site drainage flows in a manner consistent with the historic drainage pattern and discharge in a manner which will not increase, damage, hazard, or liability to adjacent or downstream properties. The final Hydrology Report shall ensure that the developed condition stormwater flows to the 16 culvert systems at State Route 60 are less than or equal to the existing condition in conformance with Table 2 of the Preliminary Hydrology Report. The Applicant shall ensure that the incremental increase in stormwater runoff as a result of the developed condition is detained on-site within appropriately sized detention basins with volume to detain the incremental increase to avoid flooding downstream properties. The use of WQMP basins for detention basins will be allowed, provided the controlling design parameter for the size of the detention basin is the volume required to reduce the stormwater runoff volume to pre-developed amounts.

55. PRIOR TO ISSUANCE OF A GRADING PERMIT: The Applicant shall submit for review and approval a soils/geology report.

56. PRIOR TO ISSUANCE OF A GRADING PERMIT: The drainage facilities to capture and convey the 100-year storm event. The stormwater shall be treated per the requirements of the WQMP.
57. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit for stormwater discharges associated with construction activities as required by the California Water Resources Control Board.
58. PRIOR TO ISSUANCE OF A GRADING PERMIT: A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the California Water Resources Control Board. The developer shall be responsible for implementation, monitoring, operation, and maintenance of the SWPPP until all improvements have been accepted by Public Works Department or construction is complete, whichever is later.
59. PRIOR TO ISSUANCE OF A GRADING PERMIT: A copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) number from the State Water Resources Control Board shall be provided to the Public Works Department.
60. PRIOR TO ISSUANCE OF GRADING PERMIT: The applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements in the event that existing drainage patterns are affected by this development. The applicant shall submit to the City and to any governing Federal agency for review and approval, all necessary calculations.
61. PRIOR TO ISSUANCE OF A GRADING PERMIT: A final project-specific Water Quality Management Plan (F-WQMP) shall be submitted to the Public Works Department. The WQMP shall incorporate, but not limited to, the following: site design BMP's, applicable source control BMP's, treatment control BMP's, long term operation and maintenance requirements, and inspection and maintenance checklist. Maintenance and funding requirements shall be outlined in the WQMP for the maintenance of the development BMP's. The post construction Best Management Practices (BMPs) outlined in the approved final project-specific WQMP shall be incorporated in the improvement plans.
62. PRIOR TO ISSUANCE OF GRADING PERMIT: The Applicant shall record a "Covenant and Agreement" with the County Recorder, or other instrument acceptable to the City, to inform future property owners of the requirement to implement the approved project-specific WQMP.
63. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design all storm drains, catch basins, and storm water structures with trash capture devices that conform with the approved trash capture list issued by the State Water Board.

64. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design temporary drainage facilities and erosion control measures to minimize erosion and silt deposition during the grading operation.
65. PRIOR TO ISSUANCE OF A GRADING PERMIT: The Applicant shall design the infiltration basin with the following requirements:
- a. Basin shall be constructed per the Riverside Flood Control District, LID manual and include the following:
 - b. An access road that allows easy access to the bottom of the basin for maintenance;
 - c. An emergency overflow weir or spillway;
 - d. Drain within 72 hours or otherwise comply with relevant standards for vector control. If the 72-hour limit cannot be reached, the applicant shall implement other features to meet the requirement. This may include dry-wells, underdrain, larger surface area, etc as approved by the City Engineer;
 - e. Security fencing along the perimeter of the basin w/ appropriate signage;
 - f. Fire Department Rapid Entry System;
 - g. Access from public right-of-way.
66. CONCURRENT WITH GRADING OPERATIONS: Any grading and/or utility excavations and backfilling, both on and off site, shall be done under the continuous direction of a licensed geotechnical/civil engineer who shall obtain all required permits and submit reports on progress and test results to the City Engineer for review and approval as determined by the City. Upon completion of all soils related work, the geotechnical engineer shall submit a final report to the City Engineer for review and approval, which may require additional tests at the expense of the applicant.

STORM DRAIN IMPROVEMENTS

67. PRIOR TO APPROVAL OF STORM DRAIN IMPROVEMENT PLANS: All storm drain systems extending along and within public streets shall be design and constructed to City standards for acceptance and maintenance by the City. No privately owned and maintained storm drain systems will be allowed within public streets.
68. PRIOR TO APPROVAL OF STORM DRAIN IMPROVEMENT PLANS: For storm drain systems accepting and conveying off-site stormwater runoff through public streets, the off-site drainage flows shall be accepted and conveyed into an adequately sized underground storm drain system as required by the City Engineer, and not accepted and conveyed by surface flow within the public street.
69. PRIOR TO APPROVAL OF STORM DRAIN IMPROVEMENT PLANS: For storm drain systems that will accept and convey stormwater runoff from public streets into and through private property, a storm drain manhole shall be installed at each point where the publicly maintained storm drain system transitions to the on-site privately

maintained storm drain system, as required by the City Engineer. Provisions for operation and maintenance of privately maintained storm drain systems accepting off-site stormwater runoff from public streets, including any privately maintained detention basins connected to the private storm drain system, shall be incorporated into Covenants, Conditions and Restrictions (CC&Rs) for property maintenance obligations acceptable to the City Attorney.

70. PRIOR TO ISSUANCE OF ENCROACHMENT PERMIT: The applicant shall provide securities guaranteeing the payment of the cost for all public storm drain improvements that will be accepted and maintained by the City.
71. PRIOR TO ISSUANCE OF ENCROACHMENT PERMIT: The applicant shall submit to the Public Works department a Storm Drain Improvement Plan for all City maintained stormwater conveyance systems. The minimum permissible diameter (or equivalent diameter) for City maintained facilities is eighteen inches (18"). The maximum permissible diameter (or equivalent diameter) for City maintained facilities is thirty-six inches (36"). All privately maintained facilities will be submitted to the City of Beaumont for review and approval.
72. PRIOR TO ISSUANCE OF ENCROACHMENT PERMIT: The applicant shall obtain approved from RCFC&WCD for all stormwater conveyance systems larger than thirty-six inches (36") in diameter, that are not privately maintained.
73. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET OR STORM DRAIN IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): All storm drain manhole rims shall be set flush with the finished surface Per the City of Beaumont's paving and manhole cover detail.
74. PRIOR TO PLACEMENT OF PAVEMENT OR FINISHED SURFACE: The applicant shall construction all portions of the storm drain system that encroaches or occurs within the public right-of-way. Any laterals for future connections must extend to outside the right-of-way. The lateral shall be bulkheaded to prevent soil and other debris from entering the storm drain system.

SEWER IMPROVEMENTS

75. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET OR SEWER IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The backbone sanitary sewer system shall connect to the existing municipal sewer system as generally identified in the Beaumont Pointe Specific Plan (Specific Plan No. 2019-0003) subject to Eastern Municipal Water District and City of Beaumont standards and requirements and the City Engineer's approval, including the following generally identified sewer system improvements:
 - a. Installation of a City-maintained dual 6" sewer force main within Industrial Way through Entertainment Way to Jack Rabbit Trail;

- b. Installation of a City-maintained dual 6" sewer force main within 4th Street from Jack Rabbit Trail extending easterly to the Point of Connection with the existing City-maintained 12" gravity sewer line located within the westerly terminus of 4th Street;
- c. Construction of a City-maintained sewer lift station at a location dedicated to the City within Parcel 5 as necessary to accept and convey onsite sewage flows;
- d. Construction of improvements at the existing City-maintained Hidden Canyon Lift Station as necessary to expand and upgrade the lift station to accommodate full build-out sewage flows.

76. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET OR SEWER IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): All sewer manhole rims shall be set flush with the finished surface Per the City of Beaumont's paving and manhole cover detail.

77. PRIOR TO ACCEPTANCE OF ANY PUBLIC SEWER IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall repair the sewer trench and restore existing pavement associated with sewer installation per the City of Beaumont's Paving and Trench Repair detail.

78. PRIOR TO PLACEMENT OF PAVEMENT OR FINISHED SURFACE: The applicant shall complete the construction of all portions of private sewer laterals that encroach or occur within the public right-of-way. A cleanout shall occur at the right-of-way boundary per EMWD standard. The lateral shall be sealed to prevent soil and other debris from entering the sewer system.

WATER IMPROVEMENTS

79. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall ensure all water valves and vault covers within paved areas are raised flushed with finished surface and painted after paving is completed.

80. PRIOR TO ACCEPTANCE OF ANY PUBLIC STREET IMPROVEMENT OR PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall ensure all fire hydrants; air vacs and other above ground water facilities are placed outside of sidewalk areas. Water meter boxes and vaults, valve covers, etc. may be placed within sidewalks or paved areas provided such devices are set flush with the finished surfaces and are properly rated for chosen locations.

MITIGATION MEASURES

81. MM 4.3-1 The Project shall utilize "Super-Compliant" low VOC paints for nonresidential interior and exterior surfaces and low VOC paint for parking lot surfaces. Super-Compliant low VOC paints have been reformulated to be more

stringent than the regulatory VOC limits put forth by South Coast AQMD's Rule 1113. Super- Compliant low VOC paints shall be no more than 10g/L of VOC. Alternatively, the applicant may utilize tilt-up concrete buildings that do not require the use of architectural coatings.

- 82.MM 4.3-2 Prior to the start of construction activities, the project applicant, or its designee, shall ensure that all 50-horsepower or greater diesel-powered equipment is 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. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the extent feasible. Before an exemption may be considered by the City, the applicant shall be required to demonstrate that two construction fleet owners/operators in Riverside County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Riverside County. In order to meet this requirement to demonstrate that such equipment is not available, the Project Applicant must seek bids/proposals from contractors of large fleets, defined by the California Air Resources Board as, "A fleet with a total max hp (as defined below) greater than 5,000 hp." In addition, this should not be limited to Riverside County but statewide. In the event that Tier 4 Final equipment is not feasible, then Tier 4 interim equipment shall be required. In the event that Tier 4 Interim equipment is not available, Tier 3 equipment shall be used. All construction equipment shall be tuned and maintained in accordance with the manufacturer's specifications.
- 83.MM 4.3-3 All on-site outdoor cargo-handling equipment (including yard trucks, hostlers, yard goats, pallet jacks, forklifts, and other on-site equipment) shall be electric or non-diesel fueled. All on-site indoor forklifts shall be powered by electricity.
- 84.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) 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.
- 85.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.

86.MM 4.3-6 Prior to issuance of occupancy permits for the industrial/warehouse buildings, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate employers, employees, and visitors of surrounding transportation options.
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site.
- Provide secure bicycle storage space equivalent to 2% of the automobile parking spaces provided.
- Provide 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.
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service.
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.
- Provide meal options on-site or shuttles between the facility and nearby meal destinations.
- Each building shall provide preferred parking for electric, low-emitting and fuel - efficient vehicles equivalent to at least 8% of the required number of parking spaces.

87.MM 4.3-7 For the warehouse/industrial portion of the Project, 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 should 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.

The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks

determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs.

- 88.MM 4.3-7 For the warehouse/industrial portion of the Project, 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 should 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.

The buildings' electrical room shall be sufficiently sized to hold additional panels that may be needed in the future to supply power to trailers with transport refrigeration units (TRUs) during the loading/unloading of refrigerated goods. Conduit should be installed from the electrical room to the loading docks determined by the Project Applicant during construction document plan check as the logical location(s) to receive trailers with TRUs.

- 89.MM 4.3-8 Final Project designs shall provide for installation of conduit in tractor trailer parking areas for the purpose of accommodating potential installation of EV truck charging stations.

- 90.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.

- 91.MM 4.3-10 All landscaping equipment (e.g., leaf blower) used for property management shall be electric powered only. The property manager/facility owner shall provide documentation (e.g., purchase, rental, and/or services agreement) to the Planning Department to verify, to the City's satisfaction, that all landscaping equipment utilized will be electric powered.

- 92.MM 4.3-11 If the Project constructs a go-kart facility in the commercial area, all go-karts would be required to be electric or zero emissions.

- 93.MM 4.3-12 Prior to the issuance of occupancy permits for any of the industrial/warehouse buildings, the Planning Department shall confirm that tenant lease agreements require 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. This requirement shall apply to new leases only (not renewals) and for the first 10 years of the Project's life. The funding shall be provided in the form of lease allowance/concession. The allowance shall be a reimbursement once ZE or NZE medium/heavy duty vehicles are purchased and can be used at any time during the lease term (i.e., the landlord shall reimburse the tenant once the tenant provides receipt of paid invoice for the order). If a tenant leases their fleet, this allowance shall also cover the cost to lease ZE or NZE trucks. This measure would also facilitate compliance with South Coast AQMD Rule 2305.

94. 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.
95. 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.
96. 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.
97. 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.

98. 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.
99. MM 4.4-1 Prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.), a qualified biologist will conduct a pre-construction presence/absence survey for crotch bumble bee prior to site disturbance. If the bumble bee were to be detected (or assumed present) within the development footprint, then the Project proponent shall coordinate with CDFW to address the extent of impacts and determine whether an Incidental Take Permit (ITP) would be required. If an ITP were required, then mitigation may be required by CDFW as part of the ITP process, and the conservation of the comparable open space habitat within PA 10 would be presented to support the ITP.
100. MM 4.4-2 Prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.), a qualified biologist will conduct a pre-construction presence/absence survey for burrowing owls within 30 days to ensure that no owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform and coordinate with the RCA and the Wildlife Agencies (CDFW, USFWS) to prepare a Burrowing Owl Protection and Relocation Plan (if required), prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary. The Burrowing Owl Protection and Relocation Plan, if necessary, will describe methods to safely relocate burrowing owls from the Project site (if avoidance were infeasible) and to monitor burrowing owls with an adequate setback buffer if construction would proceed at the site until the owls could be relocated.
101. MM 4.4-3 Prior to the issuance of grading permits or other permits allowing for ground-disturbing activities or the removal of vegetation on-site, the City of Beaumont Department of Public Works shall ensure that the following note is included on the grading plans. Project contractors shall be required to ensure compliance with this note and permit periodic inspection of the construction site by City of Beaumont staff or its designee to confirm compliance. This note also shall be specified in bid documents issued to prospective construction contractors.

Ground-disturbing activities (including vegetation removal) within the Criteria Area (Criteria Cells) shall be conducted outside of the coastal California

gnatcatcher breeding season (between March 1 and August 15) if occupied by coastal California gnatcatcher. If ground-disturbing activities (including vegetation removal) cannot be limited to outside the coastal California gnatcatcher breeding season, a qualified biologist shall conduct a pre-construction presence/absence survey for coastal California gnatcatcher within 14 days prior to site disturbance. If the species is found, the Project proponent shall immediately inform the Wildlife Agencies (CDFW, USFWS) and ground disturbing activities within these areas will be postponed to outside of the coastal California gnatcatcher breeding season. If the species is not found, no further action is needed.

102. MM 4.4-4 Prior to issuance of grading permits or other permits authorizing ground disturbance (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging), the Project Applicant shall provide evidence to the City of Beaumont that impacts to 0.31 acre of Corps jurisdiction and Regional Board jurisdiction, and 0.43 acre of CDFW jurisdiction and MSHCP riparian/riverine resources (including 0.03 acre of riparian habitat) have been mitigated through either the purchase wetland/riparian habitat establishment and/or rehabilitation credits from an approved mitigation bank/in-lieu fee program at a minimum 1:1 ratio. Approved mitigation banks and/or in-lieu fee programs include, but are not limited to, the Riverpark Mitigation Bank, the Inland Empire Resource Conservation District In-Lieu Fee Program, and the Riverside-Corona Resource Conservation District In-Lieu Fee Program. In addition, and also prior to issuance of grading permits, the Project Applicant shall provide the City of Beaumont of a copy of the Project's CWA Section 404 permit from the Corps, Section 401 Water Quality Certification from the Regional Board, Waste Discharge Order from the Regional Board, and Fish and Game Code Section 1602 Lake and Streambed Alteration Agreement from CDFW, as applicable.
103. MM 4.4-5 Prior to the issuance of grading permits or other permits allowing for ground-disturbing activities or the removal of vegetation on-site, the City of Beaumont Department of Public Works shall ensure that the following note is included on the grading plans. Project contractors shall be required to ensure compliance with this note and permit periodic inspection of the construction site by City of Beaumont staff or its designee to confirm compliance. This note also shall be specified in bid documents issued to prospective construction contractors.

As feasible, vegetation clearing shall be conducted outside of the nesting season, which is generally identified as February 1 through September 15. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including diking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests, and the buffer areas

shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

104. MM 4.5-1 Prior to issuance of a grading permit, the Project Applicant shall provide written verification in the form of a letter from the archaeologist to the City's Community Development Director stating that a certified archaeologist that meets the U.S. Secretary of Interior Standards has been retained to implement the monitoring program. The archaeologist shall be present during all ground-disturbing activities to identify any known or suspected archaeological and/or cultural resources. The archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the consulting Native American Tribe(s) Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event. The certified archaeologist and consulting tribe(s) representative shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.

105. MM 4.5-2 Prior to any ground-disturbing activities the project archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan should be written in consultation with the consulting Tribe[s] and shall include the following: approved mitigation measures, conditions of approval, contact information for all pertinent parties, parties' responsibilities, procedures for each mitigation measure and condition of approval, and an overview of the project schedule. The monitoring program shall include the following requirements for each phase of ground disturbance:
 - a) During all ground-disturbing activities the qualified archaeologist and the Native American monitor shall be on-site full-time. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The qualified archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.

 - b) In the event that previously unidentified cultural resources are discovered, the qualified archaeologist and Native American monitor shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits will be minimally documented in the field so the

monitored ground disturbance activities can proceed. If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an environmentally sensitive area physical demarcation/barrier constructed. The archaeologist shall contact the City and consulting tribe(s) at the time of discovery. The archaeologist, in consultation with the City, the consulting tribe(s), and Native American monitor, shall determine the significance of the discovered resources.

c) A recommendation for the treatment and disposition of the tribal cultural resource shall be made by the qualified archaeologist in consultation with the tribe(s) and the Native American monitor and be submitted to the City for review and approval. Treatment and disposition may include full avoidance; preservation in place; reburial in a permanent conservation easement or deed restriction away from future impact areas; or excavation and curation in a facility that meets Federal Curation Standards (CFR 79.1).

d) The City must concur with the evaluation before ground disturbance activities will be allowed to resume in the affected area. For significant cultural resources meeting the definition of a historical resource per CEQA Section 15064.5(a) or a unique archaeological resource per CEQA Section 21083.2(g), a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the City before being carried out using professional archaeological methods.

e) Before ground disturbance activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

f) All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation.

g) A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the City's Community Development Director for approval and subsequently submitted to the Eastern Information Center, and consulting tribe(s), prior to the issuance of a certificate of occupancy for the first building in each phase of ground disturbance.

106. MM 4.7-1 Prior to issuance of grading permits, the Project Applicant shall retain a qualified paleontologist. Paleontological monitoring of the young alluvial fan deposits is not warranted, since their potential to yield fossils is low. However, if,

during earth disturbance activities, the San Timoteo Foundation or older Quaternary alluvial deposits is exposed beneath the overlying young alluvial fan deposits, monitoring should be initiated during periods in which the San Timoteo Formation or older Quaternary alluvial deposits will be impacted. Monitoring shall be conducted during any grading or excavation in undisturbed sediments of the San Timoteo Foundation. Complete grading plans for each phase shall be made available to the City of Beaumont and to the paleontologist/ paleontological monitor prior to the start of any earth-moving activities for each phase.

107. MM 4.7-2 Prior to initiation of any grading and/or excavation activities, a preconstruction meeting shall be held and attended by the paleontologist of record, representatives of the grading contractor and subcontractors, the project owner or developer, and a representative of the lead agency. The nature of potential paleontological resources shall be discussed, as well as the protocol that is to be implemented following discovery of any fossiliferous materials.
108. MM 4.7-3 Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. Fossil discovery and salvage shall occur as follows:

Notification of fossil discoveries shall be immediately reported by the paleontologist or paleontological monitor to the City of Beaumont, the Project owner or developer, and the consulting company overseeing development of the Project.

Paleontological salvage shall complete with professional standard protocols, as detailed in Section VII, Paleontological Resource Impact Mitigation Program in Technical Appendix F2 of this Draft EIR.

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 B-72).

The recovered specimens shall be prepared to a point of identification and permanent preservation (not display), including screen-washing of sediments to recover small invertebrates and vertebrates.

The prepared specimens, along with relevant information, shall be curated into a professional, accredited public museum repository with a commitment to archival

conservation and permanent retrievable storage (e.g., the Western Science Center in Hemet, California). The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. The City of Beaumont may select another repository if it so desires.

A final monitoring and mitigation report of findings and significance, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location, shall be prepared. The report, when submitted to, and accepted by, the City of Beaumont, shall signify satisfactory completion of the project program to mitigate impacts to any potential non-renewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place.

109. MM 4.8-1 Prior to issuance of building permits, the Project shall provide documentation to the City as part of the plan check process, demonstrating that the Project will implement the measures identified in Table 4.8-6, which were obtained from the Riverside County Greenhouse Gas Emissions Screening Tables. The Project may also achieve equivalent emission reductions from other measures approved by the City. Implementing these mitigation measures shall be verified by the City prior to the issuance of final Certificate of Occupancy.
110. 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 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.

REGULATORY REQUIREMENTS (RR) AND PROJECT DESIGN FEATURES (PDF)

111. PDF 1-1 Development implementing the Beaumont Pointe Specific Plan shall 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.

112. RR 1-1 The Project is required to comply with City of Beaumont Municipal Code Chapter 8.50, which establishes specific design, construction, and performance standards applicable to lighting and lighting fixtures within the City to reduce “skyglow” or light pollution that affects day or nighttime views of the Mt. Palomar Observatory.
113. 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.
114. 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.
115. 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.
116. RR 4-1 The Project Applicant is required to pay MSHCP development fees.
117. PDF 4-1 The Project would conserve 230.82 acres of open space, including 80.63 acres of native vegetation communities (1.20 acres of Southern Riparian Scrub, 1.28 acres of Chaparral and 78.15 acres of Riversidean Sage Scrub).
118. PDF 4-2 The Project would result in permanent impacts to vegetation communities described for conservation by the MSHCP associated with Cells 933, 936, 1030, 1032, and 1125 totaling 109.69 acres and would impact the following communities: chaparral (0.21 acre), Riversidean sage scrub (24.40 acres), non-native grassland (82.13 acres), and southern riparian scrub (0.03 acre). To offset these impacts, the Project will conserve 133.62 acres of replacement lands through the Criteria Refinement Process, including 0.32 acre of chaparral, 45.85 acres of Riversidean sage scrub, 86.03 acres of non-native grassland, and 0.22 acre of southern riparian scrub. These replacement lands are in areas that are not described for conservation by the Cell Criteria for Cells 933, 936, 1030, 1032, and 1125.
119. RR 5-1 The Project shall comply with the applicable provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 et. seq., which requires the County Coroner be contacted if human remains are discovered. If the Coroner recognizes the human remains to be those

of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the NAHC by telephone within 24 hours. Whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American.

120. 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.
121. PDF 8-2 All roofs within the Project shall be rated at 0.15 aged solar reflectance and 0.75 thermal emittance or greater.
122. 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.
123. PDF 8-4 Office space heating within warehouses must utilize heat pumps with ducting insulation of R-4.2 or greater.
124. PDF 8-5 Tenant lease agreements for the Project shall include contractual language restricting trucks and support equipment from nonessential idling longer than 3 minutes while on site in exceedance of the City of Beaumont Idling Ordinance.
125. RR 7-1 The Project shall comply with CBSC (Chapter 18) (adopted by the City of Beaumont as Municipal Code Section 15.04.010) and Municipal Code Section 17.11.040, which requires development projects to evaluate and identify site-specific geologic and seismic conditions. The report must provide site-specific recommendations to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and design criteria, and selection of appropriate structural systems.
126. RR 7-2 Prior to grading plan approval and the first issuance of a grading permit for the Beaumont Pointe Specific Plan development, the Project proponent shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of stormwater associated with construction activities.
127. RR 7-3 Prior to grading plan approval and the first issuance of a grading permit by the City for the Beaumont Pointe Specific Plan development, the Project

proponent shall submit to the City of Beaumont a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion-control plan citing specific measures to control erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and non-structural Best Management Practices (BMPs) to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:

- Sediment discharges from the site may be controlled by the following:

- Perimeter protection to prevent sediment discharges through silt fences, fiber rolls, gravel bag berms, sand bag barriers, and compost socks.
- Sediment capture and drainage control through sediment traps, storm drain inlet protection, and sediment basins.
- Velocity reduction through check dams, sediment basins, and outlet protection/velocity dissipation devices.
- Reduction in off-site sediment tracking through stabilized construction entrance/exit, construction road stabilization, and entrance/exit tire wash.
- Slope interruption at permit-prescribed intervals (fiber rolls, gravel bag berms, sand bag berms, compost socks, biofilter bags).

- The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary, as required by the SWPPP.

- No materials of any kind shall be placed in drainage ways.

- Materials that could contribute nonvisible pollutants to stormwater must be contained, elevated, and placed in temporary storage containment areas.

- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounding by silt fences.

- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

- Additional BMPs and erosion-control measures will be documented in the SWPPP and utilized if necessary.

- The SWPPP will be kept on-site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Beaumont can make a determination that other BMPs will provide equivalent or superior treatment either on or off-site.

128. RR 7-4 Prior to grading plan approval and issuance of a grading permit by the City of Beaumont for the Beaumont Pointe Specific Plan development, the Project proponent shall receive approval from the City of Beaumont for Final Water Quality Management Plan (Final WQMP). The Final WQMP shall specifically identify pollution-prevention, site-design, source-control, and treatment-control BMPs that shall be used on-site to control predictable pollutant runoff to reduce impacts to water quality to the maximum extent practicable. Source control BMPs to be implemented in the Final WQMP may include (but shall not be limited to) those listed in Table G.1 of the Preliminary WQMP (Technical Appendix I2). Treatment-control BMPs shall include on-site detention/sand filtration basins to treat the site's runoff; these facilities shall be maintained and inspected at least twice per year and prior to October 1. Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the BMPs identified in the Final WQMP, the City of Beaumont can make a determination that other BMPs provide equivalent or superior treatment either on or off-site.
129. RR 10-1 Prior to grading plan approval and the issuance of a grading permit for the Beaumont Pointe Specific Plan developments, the Project proponent shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National Pollutant Discharge Elimination System (NPDES) Construction General Permit for discharge of stormwater associated with construction activities.
130. RR 10-2 Prior to grading plan approval and the first issuance of a grading permit by the City for the Beaumont Pointe Specific Plan development, the Project proponent shall submit to the City of Beaumont a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion-control plan citing specific measures to control erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and non-structural Best Management Practices (BMPs) to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:
 - Sediment discharges from the site may be controlled by the following:
 - Perimeter protection to prevent sediment discharges through silt fences, fiber rolls, gravel bag berms, sand bag barriers, and compost socks;
 - Sediment capture and drainage control through sediment traps, storm drain inlet protection, and sediment basins;

- Velocity reduction through check dams, sediment basins, and outlet protection/velocity dissipation devices;
- Reduction in off-site sediment tracking through stabilized construction entrance/exit, construction road stabilization, and entrance/exit tire wash;
- Slope interruption at permit-prescribed intervals (fiber rolls, gravel bag berms, sand bag berms, compost socks, biofilter bags).

- The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary, as required by the SWPPP.

- No materials of any kind shall be placed in drainage ways.

- Materials that could contribute nonvisible pollutants to stormwater must be contained, elevated, and placed in temporary storage containment areas.

- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.

- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.

- Additional BMPs and erosion-control measures will be documented in the SWPPP and utilized if necessary.

- The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Beaumont can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

131. RR 10-3 Prior to the issuance of each grading permit by the City of Beaumont for each phase of the Project, the Project proponent shall provide evidence to the City that the following provisions have been added to the construction contracts for the proposed work:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment-control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Beaumont and the representatives of the Regional Water Quality Control Board.

132. RR 10-4 Prior to issuance of each grading permit by the City of Beaumont for each phase of the Project, the Project proponent shall receive approval from the City of Beaumont of a Final Water Quality Management Plan (Final WQMP). The Final WQMP shall specifically identify pollution-prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff to reduce impacts to water quality to the maximum extent practicable after construction is completed and after the facilities or structures are occupied and/or operational. Source control BMPs to be implemented in the Final WQMP may include (but shall not be limited to) those listed in Table 4.10-3. Treatment-control BMPs shall include on-site detention/sand filtration basins to treat the site's runoff; these facilities shall be maintained and inspected at least twice per year and prior to October 1. Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the BMPs identified in the Final WQMP, the City of Beaumont can make a determination that other BMPs shall provide equivalent or superior treatment either on or off site.
133. 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.
134. RR 17-1 Prior to issuance of any building permits, the Project Applicant shall make required per-unit fee payments associated with the Western Riverside County Transportation Uniform Mitigation Fees (TUMF) and the City of Beaumont Development Impact Fee (DIF).
135. 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.
136. RR 18-1 Inadvertent Discovery of Human Remains. Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading,

trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of Health and Safety Code Section 7050.5.

The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to Public Resources Code Section 5097.98

Unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. Pursuant to the specific exemption set forth in California Government Code Section 6254(r), the sheriff-coroner, parties, and lead agencies will be asked to withhold public disclosure information related to such reburial.

RIVERSIDE CONSERVATION AUTHORITY JOINT PROJECT REVIEW MEASURES

137. ROUGH STEP MEASURE. In accordance with MSHCP Volume I, Section 6.7, it is the Permittees responsibility that [i]f the rough step rule is not met during any analysis period (performed annually by the Regional Conservation Authority [RCA]), the Permittees must conserve appropriate lands supporting a specified vegetation community within the analysis unit to bring the Plan back into the parameters of the rule prior to authorizing additional loss of the vegetation community for which the rule was not achieved. The Permittee is encouraged to consult with the RCA on current rough step allowances prior to working with project applicants developing grading plans. The Permittee must not cause additional loss of any rough step vegetation that is out of balance. Prior to issuance of a grading permit, the Permittee will confirm with the RCA that the Project will not impact out-of-balance Rough Step vegetation in the applicable Rough Step unit.

138. MITIGATION MEASURE. Permanent impacts to 0.43 acres of riparian/riverine resources will be offset by the purchase of wetland/riparian habitat establishment and/or rehabilitation credits from an approved mitigation bank/in-lieu fee program (e.g., Riverpark Mitigation Bank and the Santa Ana Watershed In-Lieu Fee Program) at a 3:1 ratio, including establishment credits at a 2:1 ratio and rehabilitation credits at a 1:1 ratio.
139. BURROWING OWL MEASURE. Due to the presence of potentially suitable habitat, a 30-day pre-construction survey for burrowing owls is required prior to initial ground-disturbing activities (including vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, grading, etc.) to ensure that no owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the Regional Conservation Authority (RCA) and the Wildlife Agencies, and will need to coordinate further with RCA and the Wildlife Agencies, which has possibility to result in the preparation of a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above will be necessary.
140. CALIFORNIA GNATCATCHER MEASURE. For construction projects within the Criteria Area, habitat clearing, grubbing, grading, and associated construction actions will be timed to avoid the active breeding season for California gnatcatchers, defined for purposes of the MSHCP as March 1 to August 15 per the USFWS Special Terms and Conditions for Permit TE-088609-0. If gnatcatcher breeding season avoidance is not possible, protocol-level focused surveys for coastal California gnatcatcher, consistent with the USFWS survey guidelines, would be performed prior to any vegetation removal or other site disturbance. If the species is found, vegetation clearing will be avoided until after August 15.
141. SECTION 6.1.4 MEASURE.
- i. Incorporate measures to control the quantity and quality of runoff from the site entering the MSHCP Conservation Area. In particular, measures shall be put in place to avoid discharge of untreated surface runoff from developed and paved areas into MSHCP Conservation Areas. Best Management Practices (BMPs) will be implemented to prevent the release of toxins, chemicals, petroleum products, exotic plant materials, or other elements that might degrade or harm downstream biological resources or ecosystems. According to the Analysis, the project will maintain the 16 existing culverts under the SR-

60 as the ultimate discharge locations for the project, but runoff from proposed buildings, parking lots, and road improvements will be collected by a proposed drainage system. The proposed drainage system will consist of catch basins, grated inlets, storm drainpipes with sizes varying from 18" to 48," and four detention basins. The drainage system routes the runoff from the proposed impervious surfaces to four proposed stormwater treatment and mitigation basins. Each basin provides stormwater treatment and peak flow mitigation for each of their respective tributaries to prevent post-development flows from exceeding the pre-development flows. Basins will be maintained by the Master Property Owners' Association through an access and maintenance easement with the owners of each property where basins are located. The project's contractor will develop a Stormwater Pollution Prevention Plan (SWPPP) to runoff and water quality during construction.

- ii. Land uses proposed in proximity to the MSHCP Conservation Area that use chemicals or generate bioproducts, such as manure, that are potentially toxic or may adversely affect wildlife species, Habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area. The greatest risk is from landscaping fertilization overspray and runoff. According to the Analysis, the project will implement a SWPPP that will address runoff during construction. In addition, following the completion of activities, runoff from any developed or paved areas (included landscaped areas) will be treated prior to draining into undeveloped areas.
- iii. Night lighting shall be directed away from the MSHCP Conservation Area and the avoided area on site to protect species from direct night lighting. According to the Analysis, a lighting analysis/illumination study [Analysis, Appendix C] has been prepared for the project demonstrating that the project's night lighting will not increase light levels in the adjacent Conservation Area. As shown in Analysis, Exhibit 3 [Site Plan], the project's Land Use Plan includes the industrial and commercial development in the center of the property, surrounded by the Project Maintained Open Space (Planning Area 9), which then abuts the proposed conservation lands (Planning Area 10) that will be part of the MSHCP Conservation Area. The nearest night lighting to the Conservation Area will be placed around the perimeter of the development areas such that the Project's Maintained Open Space will serve as a buffer between the development and the Conservation Area. Furthermore, the light fixtures will be down shielded and will face inwards towards the inside of the development area, such that the light

fixtures will not result in any illumination in the Conservation Area, i.e., the ambient baseline within the Conservation Area will not increase.

- iv. Proposed noise-generating land uses affecting the MSHCP Conservation Area, including designated avoidance areas, shall incorporate setbacks, berms, or walls to minimize the effects of noise on MSHCP Conservation Area resources pursuant to applicable rules, regulations, and guidelines related to land use noise standards.
- v. Avoid use of invasive, non-native plant species listed in Table 6-2 of the MSHCP in approving landscape plans for the portions of the project that are adjacent to the MSHCP Conservation Area, including avoidance areas. Considerations in reviewing the applicability of this list shall include proximity of planting areas to the MSHCP Conservation Areas and designated avoidance areas, species considered in the planting plans, resources being protected within the MSHCP Conservation Area and their relative sensitivity to invasion, and barriers to plant and seed dispersal, such as walls, topography, and other features.
- vi. Proposed land uses adjacent to the MSHCP Conservation Area shall incorporate barriers, where appropriate, in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping into existing and future MSHCP Conservation Areas. Such barriers may include native landscaping, rocks/boulders, fencing, walls, signage, and/or other appropriate mechanisms. According to the Analysis, the proposed project will construct a wildlife fence along the western and southern edges of the project site to prevent wildlife from entering the project site from the adjacent Conservation Area. The fence will be constructed approximately along the boundary between the proposed ARL and the Project's Maintained Open Space, although the exact location will vary depending on the topography (see Analysis, Exhibit 11 – Proposed Wildlife Fencing). The project's fence will tie into the SR-60 fence and will extend west and then south/southeast around the project to direct wildlife in the northwesterly/southeasterly direction. The wildlife fencing along the project boundary will include one-way swing gates opening into the MSHCP Conservation Area for any wildlife that enter the project site from the north and east trying to escape into the adjacent conserved lands. In addition to the wildlife fence, the project will also include six-foot tubular steel security fencing along the northern boundary abutting the SR-60 ROW, beginning from the wildlife fence on the west and extending east to the project's entry point. Wildlife that either cross over or under the SR-60 east of the Caltrans wildlife fence terminus will be forced to the west or east along the security fence. A

swing gate will be installed to the west along the section of lateral (north-south) wildlife fence connecting to the SR-60 fence, allowing wildlife to escape the freeway ROW towards the Conservation Area. Although the fence is designed to minimize wildlife entering the project site, it will also function to minimize unauthorized public access to the MSHCP Conservation Area.

- vii. Manufactured slopes associated with proposed site development shall not extend into the MSHCP Conservation Area. According to the Analysis, the project will conduct remedial grading within the Project's Maintained Open Space (PA 9) to construct manufactured slopes. However, these manufactured slopes will not extend into the MSHCP Conservation Area.
- viii. Weed abatement and fuel modification activities are not permitted in the Conservation Area, including designated avoidance areas. The project's fuel modification limits and manufactured slopes (PA 9) will not encroach into the existing MSHCP Conservation Area (e.g., RCA-owned lands), lands proposed for on-site conservation by the project, nor the on-site undescribed Replacement Lands proposed by the project.

142. APPENDIX C MEASURE.

- i. A condition shall be placed on grading permits requiring a qualified biologist to conduct a training session for project personnel prior to grading. The training shall include a description of the species of concern and its habitats, the general provisions of the Endangered Species Act (Act) and the MSHCP, the need to adhere to the provisions of the Act and the MSHCP, the penalties associated with violating the provisions of the Act, the general measures that are being implemented to conserve the species of concern as they relate to the project, and the access routes to and project site boundaries within which the project activities must be accomplished.
- ii. Water pollution and erosion control plans shall be developed and implemented in accordance with RWQCB requirements.
- iii. The footprint of disturbance shall be minimized to the maximum extent feasible. Access to sites shall be via pre-existing access routes to the greatest extent possible.
- iv. The upstream and downstream limits of projects disturbance plus lateral limits of disturbance on either side of the stream shall be clearly defined and marked in the field and reviewed by the biologist prior to initiation of work.
- v. Projects should be designed to avoid the placement of equipment and personnel within the stream channel or on sand and gravel bars, banks, and adjacent upland habitats used by target species of concern.

- vi. Projects that cannot be conducted without placing equipment or personnel in sensitive habitats should be timed to avoid the breeding season of riparian species identified in MSHCP Global Species Objective No. 7.
- vii. When stream flows must be diverted, the diversions shall be conducted using sandbags or other methods requiring minimal instream impacts. Silt fencing or other sediment trapping materials shall be installed at the downstream end of construction activity to minimize the transport of sediments off site. Settling ponds where sediment is collected shall be cleaned out in a manner that prevents the sediment from reentering the stream. Care shall be exercised when removing silt fences, as feasible, to prevent debris or sediment from returning to the stream.
- viii. Equipment storage, fueling, and staging areas shall be located on upland sites with minimal risks of direct drainage into riparian areas or other sensitive habitats. These designated areas shall be located in such a manner as to prevent any runoff from entering sensitive habitat. Necessary precautions shall be taken to prevent the release of cement or other toxic substances into surface waters. Project related spills of hazardous materials shall be reported to appropriate entities including but not limited to applicable jurisdictional city, FWS, and CDFG [CDFW], RWQCB and shall be cleaned up immediately and contaminated soils removed to approved disposal areas.
- ix. Erodible fill material shall not be deposited into water courses. Brush, loose soils, or other similar debris material shall not be stockpiled within the stream channel or on its banks.
- x. The qualified project biologist shall monitor construction activities for the duration of the project to ensure that practicable measures are being employed to avoid incidental disturbance of habitat and species of concern outside the project footprint.
- xi. The removal of native vegetation shall be avoided and minimized to the maximum extent practicable. Temporary impacts shall be returned to pre-existing contours and revegetated with appropriate native species.
- xii. Exotic species that prey upon or displace target species of concern should be permanently removed from the site to the extent feasible.
- xiii. To avoid attracting predators of the species of concern, the project site shall be kept as clean of debris as possible. All food related trash items shall be enclosed in sealed containers and regularly removed from the site(s).
- xiv. Construction employees shall strictly limit their activities, vehicles, equipment, and construction materials to the proposed project footprint and designated staging areas and routes of travel. The construction area(s) shall be the minimal area necessary to complete the project and shall be specified in the construction plans. Construction limits will be fenced with orange snow screen. Exclusion fencing should be

maintained until the completion of all construction activities. Employees shall be instructed that their activities are restricted to the construction areas.

- xv. The Permittee shall have the right to access and inspect any sites of approved projects including any restoration/enhancement area for compliance with project approval conditions, including these BMPs.

End of Conditions