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JN 1095-002

MEMORANDUM

TO: Carole Kendrick, Planning Manager
City of Beaumont
550 East 6th Street
Beaumont CA, 92223

FROM: Nicole Morse, Esq., Principal

DATE: March 7, 2024

RE: Beaumont Pointe Specific Plan Project – Response to Comment Letter

T&B Planning, Inc. (T&B Planning) is the environmental consulting firm that prepared the Environmental Impact Report (EIR) for the Beaumont Pointe Specific Plan Project (hereinafter "Project"). The Project Applicant, JRT BP 1 LLC, is requesting approval of an annexation of 541.2 acres of unincorporated Riverside County properties within the Sphere of Influence of the City of Beaumont into the City; a pre-zone to establish a specific plan zone; amendment to the General Plan land use designation from Rural Residential (1 acre lots) to Industrial (I), General Commercial (GC), and Open Space (OS); a Specific Plan to allow up to 4,995,000 square feet of industrial uses within five (5) buildings plus a 35,000 square foot self-storage building, up to 246,000 square feet of general commercial uses plus a 125 room hotel (approximately 90,000 square feet), for a total of approximately 5,331,000 square feet of commercial and industrial development, 124.7 acres of open space and 152.4 acres of open space conservation; a development agreement between the City of Beaumont and Beaumont Pointe Partners, LLC; a Vesting Tentative Parcel Map to subdivide the property; a comprehensive sign program and the consideration of the Final Environmental Impact Report (Final EIR) including the Draft Environmental Impact Report (Draft EIR) and Statement of Overriding Considerations for the Beaumont Pointe Specific Plan Project (Project; SCH No. 2020099007).

The Draft EIR for the Project was published on December 22, 2022 through February 8, 2023 for a period of 48 days. The Final EIR was sent to all person who commented on the Draft EIR and was published on the City's website on November 17, 2024. Two Planning Commission hearings were held for the Project on November 29, 2023 and January 10, 2024. On February, 20, 2024, the Law Office of Abigail Smith on behalf of the Sierra Club submitted a letter to the City (hereinafter "Comment Letter") on the Project. T&B Planning prepared this memorandum in response to the Sierra Club Comment Letter alleging deficiencies in the Draft EIR's environmental impact analysis. As noted in response to comment 1 below, the City is not obligated to, but may respond to late comments and the City has requested that we, in consultation with technical experts, respond to each substantive comment raised by the commenter which are provided on the following pages. A copy of the Comment Letter is provided as Attachment A. For the reasons outlined in this memorandum, the Comment Letter does not present substantial new information resulting in the need for recirculation or additional environmental review pursuant to CEQA Guidelines § 15088.5.

The Law Office of Abigail Smith on behalf of the Sierra Club dated February 20, 2024.

1 This comment consists of introductory remarks and identifies that the comments on the Draft EIR are being provided by the Law Office of Abigail Smith on behalf of the Sierra Club. Pursuant to CEQA Guidelines § 15089(b), public comments submitted after expiration of the comment period established by CEQA Guidelines § 15105(a) are to be focused on the legal adequacy of the Final EIR under CEQA. The City is not legally obligated to respond to public comments focused exclusively on the Draft EIR which were submitted orally or in writing after the February 08, 2023, expiration of the public comment period, including the Comment Letter submitted on February 20, 2024 on behalf of the Sierra Club (Pub Res Code § 21091 (d)(1)). However, the City may choose to respond and did so in responses 2 through 55, below.

2 The commenter provides a description of the Project and the Project location, including the surrounding areas. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. The comment additionally does not raise any issues concerning the Final EIR. No further response is required.

3 The commenter correctly provides the trip generation anticipated from the Project and states that the number of vehicle trips contributes to the Project's significant air quality, greenhouse gas emission, noise, and VMT (traffic) impacts. The commenter correctly states that vehicles must use local streets for ingress/egress to the site. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR. The comment additionally does not raise any issues concerning the Final EIR. No further response is required.

4 The commenter states that the existing natural and unique landforms on the Project site will be replaced with manufactured slopes and development, and that bringing urban infrastructure to an undeveloped natural area will create the potential for further development of undeveloped areas in unincorporated Riverside County.

Alteration of landform in and of itself does not constitute a significant impact on the environment. As discussed in Section 4.1, *Aesthetics,* of the Draft EIR, although the Project would convert undeveloped hillside areas to industrial and commercial development, it would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings, because the existing hillsides surrounding the Project site background views would be maintained, limiting views of the development. Construction grading impacts are also discussed in detail in Section 4.1 (refer to Pages 4.1-12 to 4.1-16 of the Draft EIR) and project impacts from grading were not found to be significant taking into account the on-site terrain. Growth inducing impacts, including the potential for further development of undeveloped areas in unincorporated Riverside County is analyzed in Section 5.3, *Growth-Inducing Impacts* of the Project, in the Draft EIR. The Draft EIR concluded that the Project would construct and extend utilities and road infrastructure only to serve the Project, and thus would not create major new infrastructure that could result in substantial, unplanned growth. Because the Project site is located at the end of a cul-de-sac and surrounded by existing development to the east, the SR-60 to the north, and MSHCP conservation land to the west and to the south/southwest of the Project site, infrastructure for the Project would not have the potential to induce further growth. Additionally, as discussed in response to Comment 5-38 of the Final EIR, the Project's potential influence on other nearby properties to

redevelop at greater intensities and/or different uses than the City's General Plan and Zoning Code allow is speculative; however, it should be noted that implementation of the Project would not result in the approval of proposed uses on any other property outside of the Project site. CEQA does not require the analysis of speculative effects (State CEQA Guidelines Section 15145). Furthermore, the Project would connect to existing 4th Street at the easterly edge of the Project site to provide Project access, and with Jack Rabbit Trail would provide a looped road system around the entire site and connections to Jack Rabbit Trail north and south of the site. Since all proposed roadways would be constructed on site and for the exclusive purpose of serving the proposed development, the Project would not create major new infrastructure that would be accessed by other developments, which could result in substantial, unplanned growth (Draft EIR, p. 5-6).

5 The commentor summarizes the proposed Project vehicle access points and states that the entirety of the Project will depend on one point of vehicular access, possibly two, for evacuation purposes. The commenter states that these evacuation points are in combination with evacuating traffic from the existing industrial buildings along 4th Avenue and residents of nearby neighborhoods.

The Project will have access off of 4th Street to the City's street network and to SR-60. The existing Jack Rabbit Trail/SR-60 access is retained, but access from the Project site will be restricted to providing emergency vehicle access and an evacuation route. An emergency-access-only gate will be installed at the north end of Jack Rabbit Trail, just south of the Caltrans right of way. The gate will have Riverside County Fire Department approved methods for remote and on-site opening in an emergency (e.g., sensors for detecting emergency vehicle Opticom strobe lights; Riverside County Fire Department approved remote gate control; override key switch; back-up battery, solar charging, and manual mechanical disconnect in case of power failure). As detailed in the Draft EIR and at the Planning Commission public hearing, the Project is well-suited for evacuations given the two separate evacuation routes and the alternative option of temporarily seeking to shelter on-site within the hardened buildings and ignition resistant landscape/hardscape areas throughout the site. The Project's Fire Evacuation Analysis (*Technical Appendix M2* of the Draft EIR) included computer modeling of 17 evacuation scenarios which looked at different Project occupancies, access closures, and the impact on surrounding developments. Evacuation using both the 4th Street and Jack Rabbit Trail/SR60 exit routes and using only the 4th Street approach were both analyzed and determined to be less than significant in the Draft EIR. In Riverside County generally, large-scale evacuations may take several hours or more and the success rate is nearly 100% safe evacuations. Statewide, where loss of life has occurred, this has been documented to be the result of residents who did not leave when they were directed and/or were in significantly more extreme fire environments. In the event that the time to evacuate is considered too long to evacuate safely by police and fire personnel, in the field at the time of the evacuation event, then Project site employees and visitors can be ordered not to evacuate and to shelter-in-place in the specific locations that were constructed to allow for safe sheltering in place. In accordance with the Fire Protection Plan (*Technical Appendix M1*), a shelter-in-place plan will be prepared and provided to all on-site personnel outlining the actions to take if a shelter-in-place notification is provided by emergency management sources. Additionally, because the Project site will be highly ignition resistant in terms of buildings, hardscape, and landscaping, emergency management officials may, as part of the layers of fire protection, determine it is safer to temporarily shelter employees or visitors on the Project site within the buildings which are required to be designed to be ignition-resistant pursuant to California and Beaumont building code requirements (Draft EIR, pp. 4.20-

10 to 4.20-14). Moreover, the evacuation analysis did not assume implementation of the Potrero/SR-60 interchange. This interchange is scheduled to be completed by 2025; thus, all analyses presented are conservative, and actual evacuation times for the Project and surrounding developments would likely be less due to the additional evacuation point provided by the Potrero/SR60 interchange.

Contrary to the commenter's assertion, the Project was evaluated considering Project evacuation in combination with evacuating traffic from the existing industrial buildings along 4th Avenue and residents of nearby neighborhoods. The analysis of fire evacuation and the determination of evacuation zones for the proposed Project were guided by scenario-based assessments that required complete evacuation of the site. These measures align with the emergency operation plans (EOPs) of both the City of Beaumont and the County of Riverside. According to Section 3.1.2 of the Riverside County EOP, the standard procedure involves relocating at-risk populations to safe areas, ensuring roads remain open for emergency services and voluntary evacuees (individuals who evacuate without being instructed to). The initial simulations by Dudek reveal that fires posing a risk to the Project site could potentially also affect the nearby Hidden Canyon Industrial and Olive Wood residential areas, but not beyond these locales.

Furthermore, the CALFire Fire Hazard Severity Zone Maps indicate that only certain sections of the existing industrial zones lie within or near the Very High Fire Hazard Severity Zones. Consequently, these industrial areas might not be evacuated concurrently with the Project site. The City of Beaumont and the County of Riverside employ strategic evacuation tactics, as seen during the Highland Fire incident, where evacuation orders were specifically directed at residents near the fire, excluding those in surrounding regions. As demonstrated in the Draft EIR, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and thus no further response is required.

6 The commenter states that the warehouse buildings would be designed with loading docks on both sides despite being adjacent to an MSHCP Conservation Area to the south and being visible from vantage points to the north. This issue was fully studied in Section 4.1, *Aesthetics*, 4.4, *Biological Resources*, and 4.13, *Noise* of the Draft EIR. As concluded in Section 4.4, *Biological Resources*, of the Draft EIR, the Project would result in less than significant impacts with the incorporation of mitigation measures, and the Project has been designed and mitigated to remain in compliance with all MSHCP conservation goals and guidelines, which includes conservation of 230.82 acres of open space. Additionally, the Project's proposed structures, which would reach a maximum height of 60 feet above finished grade, are not anticipated to block major views to the San Gorgonio Mountains, San Bernardino Mountains, and San Jacinto Mountains due to Project site's orientation and topography in relation to SR-60 and Frontage Road. Specifically, the topography to the north near SR-60 will be higher than the finished grade building pads for the proposed industrial uses, which would limit the views of the proposed structures from SR-60. Under Project conditions, SR-60 and Frontage Road are anticipated to continue to provide intermittent and partial views to the existing ridgelines (Draft EIR, pp. 4.1-9 to 4.1-10). This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided in the Draft EIR and thus no further response is required.

7 The commenter states that the energy efficiency measures identified in the Draft EIR pp. 3-18 – 3-19 must be made enforceable through the Project's CEQA mitigation program, that there are numerous other

mitigation measures that must be adopted to improve significant impacts, and that the EIR must examine a feasible range of Project alternatives and adopt the environmentally superior alternative absent findings of infeasibility.

The commenter is incorrect; the energy efficiency measures are part of the Project and included in the Beaumont Pointe Specific Plan, Section 3.6, Energy Efficiency Development Criteria and identified as project design features (PDFs) in the EIR. The Project's energy consumption, transportation energy impacts, and energy efficiency and conservation measures are discussed in *Section 4.6*, Energy, of the Draft EIR (refer to Pages 4.6-9 to 4.6- 32). Performance standards have been established for energy efficiency measures and the Specific Plan incorporates the energy PDFs. PDFs and Regulatory Requirements (RRs) are included in the Project's Mitigation Monitoring and Reporting Program (MMRP) to further ensure the implementation of the PDFs and mandated RRs. The Project's Energy Efficiency measures are described in Section 3.0, Project Description of the Draft EIR (Draft EIR pp. 3-18 and 3-19) and are included in the Beaumont Pointe Specific Plan. During the plan check process for future development, the City must ensure that plot plans are consistent with the Specific Plan, including the Energy Efficiency measures.

Furthermore, the Project has incorporated into the MMRP for the Project Mitigation Measure 4.8-1, as the same is updated in the Supplemental CEQA Memorandum submitted by T&B Planning to the City of Beaumont to incorporate changes requested by the Planning Commission and provided to the City Council ("Supplemental CEQA Memorandum"), as follows:

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 measures identified in the Riverside County Greenhouse Gas Emissions Screening Tables, 2019 up to a minimum of 1,850 points. 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.

A substitution clause in a mitigation measure, whereby a mitigation measure provides for later substitution of an equally effective measure, complies with CEQA. *Sierra Club v. County of Fresno (2018) 6 Cal.5th 502, 524*. A mitigation performance standard is sufficient if it identifies the specific criteria the agency will apply to determine that the impact will be mitigated. Under the CEQA Guidelines, mitigation measures that require adherence to regulatory requirements or other performance criteria are permitted. Guidelines §15126.4 (a)(1)(B); *Citizens for a Sustainable Treasure Island v. City and County of San Francisco (2014) 227 Cal.App.4th 1036, 1059-1060*. The Riverside County CAP is a regulatory program with the specific performance standard specifying the number of points that must be achieved to mitigate greenhouse gas emissions to less than significant. The relevant performance standard imposed by the CAP is the total number of points, not the specific items for which points are imposed. A reasonable range of project alternatives were analyzed in Section 6.0, *Alternatives*, of the Draft EIR. Refer to response to Comments 29 and 52 to 54 for details related to alternatives analyzed under the Draft EIR.

8 The commenter states that the EIR must be revised with further analysis and additional mitigation measures for significant impacts and requests the Council to continue the Project until appropriate analysis and mitigation of Project impacts occurs. The commenter does not explain why the EIR must be revised with further analysis and additional mitigation measures for significant impacts. Furthermore, as documented in Draft EIR, Final EIR, and the Supplemental CEQA Memorandum, that incorporates changes requested by the Planning Commission and has been provided to the City Council, all feasible project design features and mitigation measures have been incorporated into the Project and the Project will comply with building code and other regulatory requirements.

9 The commenter states that the Draft EIR aesthetics analysis regarding the altering of ridgelines and hillsides, considered to be significant natural and visual resources, does not support the conclusion of a less than significant impact. Refer to response to Comment 4, above. As discussed in response to Comment 5-33 of the Final EIR and in Section 4.1, *Aesthetics*, of the Draft EIR, the Project would not have the potential to substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway (refer to Page 4.1-10 of the Draft EIR). There are no rock outcroppings on the Project site, and the City has not designated any portion of the Development Site as a scenic resource. In addition, the Project is not located within or visible from any designated scenic roadways and there are no scenic resources in the Project site vicinity. (Refer to Pages 4.1-10 and 4.1-27 of the Draft EIR). The Project site includes and is in proximity to hillsides, ridges, canyons, and valleys; however, the City does not designate these natural landforms as scenic vistas (Supplemental CEQA Memorandum).

Although the Project would convert undeveloped hillside areas to industrial and commercial development, it would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings, because the existing hillsides surrounding the Project site would be maintained, limiting views of the development. Additionally, the Project's proposed structures, which would reach a maximum height of 60 feet above finished grade, would not block views to the San Gorgonio Mountains, San Bernardino Mountains, and San Jacinto Mountains due to Project site's orientation and topography in relation to SR-60 and Frontage Road. Views of the Project site from the SR-60 Freeway along the Project frontage will include existing landforms, manufactured slopes, landscaping, and intermittent views of the proposed buildings. Therefore, the proposed development would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings. Construction grading impacts are also discussed in detail in Section 4.1 of the Draft EIR (pp. 4.1-12 to 4.1-16) and project impacts from grading were not found to be significant taking into account the on-site terrain. Refer also to response to Comment 10 for the view simulations.

10 The commenter states that there are no "before" photographs with sufficient detail or visual simulations of the Project site, and that although the EIR indicates that some blasting may occur, there is no discussion as to whether the site contains rock outcroppings. The commenter is incorrect. As shown in Section 4.1, *Aesthetics*, of the Draft EIR, Figure 4.1-1, *On-Site Visual Character*, presents the existing setting of the Project site and depicts the hilly nature and natural landforms of the Project site. Section 4.1.1, *Existing Conditions*, of the Draft EIR discusses the Project's existing setting in relation to aesthetics. As discussed in Section 4.1, *Aesthetics*, the Project would not have the potential to substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State

scenic highway (Draft EIR, p. 4.1-10). As discussed in Section 4.4, *Biological Resources*, rock outcrops are not present, only old alluvium (Draft EIR, p. Page 4.4-22). View simulations were presented at the Planning Commission Hearing on January 10, 2024 and are shown in the Supplemental CEQA Memorandum. These simulations reflect the design grading plan, the conceptual building architecture and colors, and the Landscape Screen Plan with five-years and 10 years of plant growth after initial planting.

Furthermore, modifications to the Landscape Design Guidelines and Plant Palette were made and presented at the Planning Commission Hearing on January 10, 2024 to require the following design of the landscape screening on the north side of the Project:

- 50% of trees to be 36-inch box
- Trees to be planted 25 feet on center in offset rows to create a "denser" screen and facilitate selective removal as trees mature.
- Trees to be planted at different elevations (top of building pad and staggered near top of manufactured slope) to create a visually dense, natural looking vegetation for more effective screening.

11 The commenter states that the Project conflicts with policies of the City's General Plan that are intended to preserve, protect and minimize impacts to ridges and hillsides, including policies 3.12.1, 3.12.2, 3.12.3, 3.12.4, 8.6.1, 8.6.3, 8.6.4, 8.9.2, 8.9.3, and 8.9.4. Additionally, the commenter states that given the importance of preservation of natural landforms in the General Plan, the finding of less than significant impacts in the EIR aesthetics section is not supported.

Table 4.1-3, *General Plan Applicability Analysis*, in Section 4.1, *Aesthetics* of the Draft EIR addresses the Project's consistency with the above-mentioned policies (refer to Pages 4.1-17 through 4.1-24). As discussed in response to Comment 9, above; response to Comment 5-33 of the Final EIR; the Supplemental CEQA Memorandum; and in Section 4.1, *Aesthetics*, of the Draft EIR, although the Project would convert undeveloped hillside areas to industrial and commercial development, it would not substantially degrade the existing visual character or quality of public views of the Project site and its surroundings. Accordingly, no revisions to the Draft EIR, Final EIR, as updated by the Supplemental CEQA Memorandum, are required.

12 The commenter states that the lighting impacts of the Project have not been addressed in regard to the MSHCP Conservation Area, and that appropriate mitigation must be adopted before the Project can be approved.

As discussed in Section 4.1, *Aesthetics*, of the Draft EIR, according to the Conceptual Lighting Study, which was prepared in compliance with Beaumont Municipal Code Chapter 8.50, lighting generated from the proposed industrial and general commercial uses to the trespass line is at an average of zero footcandles and a maximum of 0.7 footcandles. As indicated at Draft EIR p. 4.1-25, the trespass line is within the edge of PA 9, which is designated as Open Space and serves as a buffer between the Specific Plan's developed areas and the Open Space – Conservation in PA 10. Therefore, no light trespass will extend beyond the Project site boundary, and no light trespass would reach PA 10, the MSHCP Conservation Area. Compliance with the Development Standards and compliance with the Design Guidelines of the Beaumont

Pointe Specific Plan, the Sign Program, and Beaumont Municipal Code Chapter 8.50 would ensure that all lighting and building design elements proposed by the Project are designed to prevent the creation of substantial light or glare that could affect day or nighttime views in the area (Draft EIR, pp. 4.1-24 to 4.1-25). Additionally, as concluded in Section 4.4, *Biological Resources*, of the Draft EIR, lighting impacts were analyzed in relation to the MSHCP conservation area (Draft EIR, p. 4.4-50). Specifically, a lighting analysis/illumination study (*Technical Appendix N* to the Draft EIR) has been prepared for the Project demonstrating that the Project's night lighting would not increase light levels in the adjacent Conservation Area. As shown in Figure 3-7 of the Draft EIR, the Project's Land Use Plan includes the industrial and commercial development, surrounded by the Project Maintained Open Space (PA 9), which then abuts the proposed Open Space - Conservation lands (PA 10) that would be part of the MSHCP Conservation Area. The nearest night lighting to the Conservation Area would be placed around the perimeter of the development areas such that the Project's PA 9 would serve as a buffer between the development and the Conservation Area. Furthermore, light fixtures would be down shielded and would face inwards towards the inside of the Project site, such that the light fixtures would not result in any illumination in the Conservation Area, and the ambient baseline within the Conservation Area would not increase. The Project has been designed and mitigated to remain in compliance with all MSHCP conservation goals and guidelines, which includes conservation of 230.82 acres of open space and would not result in significant impacts with respect to lighting. Thus, the City determines that additional mitigation is not warranted.

13 The commenter summarizes the Project's operational air quality impacts and states that an EIR must identify a project's significant environmental effects and evaluate ways to avoid or minimize those effects, including by adopting any feasible mitigation measures that can substantially lessen the Project's significant air quality impacts, including those due to mobile emissions. The City recognizes that CEQA requires the incorporation of all feasible mitigation measures where there are significant and unavoidable impacts identified. The commenter does not recommend specific mitigation measures in this comment; responses to suggested mitigation measures are addressed in responses to Comments D-4 through D-29 of the Final EIR and the Supplemental CEQA Memo. Refer also to the Draft EIR, p. 4.3-55–4.3-58 for the analysis of Project impacts after incorporation all feasible mitigation measures, the Project's inability to regulate mobile source emissions, and required regulations that provide further air quality emissions reductions. No further response is required.

14 The commenter states that Title 24 and CalGreen do not currently require the installation of electric vehicle (EV) charging units for cars or trucks. Therefore, the Project must be conditioned to require the installation of electric vehicle (EV) charging units at the time of occupancy of each phase of the development. The commenter further states that the Draft EIR mentions EV units in the discussion but none are required through the mitigation program and it is unclear how many units will be installed, their location and timing of operation.

As stated in the Supplemental CEQA Memorandum, the Project would install a total of 175 EV charging units for passenger cars as required by the updated CalGreen Building Code requirements. Conduit will be installed from the electrical room to tractor trailer parking spaces in logical location(s) on the site for the purpose of accommodating the future installation of EV truck charging stations, at such time as this technology becomes commercially available and the buildings are being served by trucks with electric-powered engines. Because such vehicles are not available on a large enough scale to be relied upon, and

the precise charging technology for EV trucks that might service the Project is unknown, the current technology required for EV truck charging stations also is unknown and therefore technologically infeasible. Refer to response to Comment B-41 in the Final EIR regarding the infeasibility of requiring EV trucks for the Project at this time.

15 The commenter suggests a list of mitigation measures that should be adopted to reduce air quality impacts. The commenter does not provide substantial evidence to demonstrate that these measures would substantially lessen a significant air quality impact. However, the Final EIR evaluated several additional measures in the Final EIR, including 30 measures recommended in the California Department of Justice Warehouse Project Best Practices manual and 28 measures recommended by South Coast AQMD staff in response to comments B-34 to B-66 and D-5 to D-33 of the Final EIR, respectively. Additionally, the commenter suggested the following mitigation measures to reduce air quality impacts, including:

- Constructing building roofs with "light colored roofing materials." Cool roofs retain less heat and reflect more sunlight, thus lowering energy demand and reducing the "heat island" effect of a building. The Project must be conditioned to use roofing materials with a solar reflectance index ("SRI") of 78 for at least 75% of the roof surface (portions not covered in solar), consistent with USGBC standards. To provide measurable environmental benefit, the roofing material must be at the highest possible rating.

  As part of the Project Design Features, PDF 8-2 would require installation of cool roofs within the Project to be rated at 0.15 aged solar reflectance and 0.75 thermal emittance or greater (Draft EIR, p. 4.6-9). Thus, the City determines that additional mitigation is not warranted. (Final EIR, response to Comment B-45)

- Obtaining LEED certification to the most current USGBC rating system for all industrial buildings, where such certification would require the applicant to implement sustainability measures that provide environmental benefits and off-set impacts.

  The Project would be constructed to Title 24 Part 6 and CalGreen Building Code Tier 1 standards and basic LEED certification equivalent. Thus, the City determines that additional mitigation is not warranted.

- Installing concrete, preferably white concrete, in all parking areas. Light colored concrete is more reflective of sunlight, thus employing concrete in all parking areas will reduce the "heat island" effect of the Project. Among other benefits, cooler surfaces and air reduce the need for air conditioning in vehicles.

  The commenter does not provide any evidence that white concrete would reduce air quality impacts or reduce the usage of air conditioning in vehicles. Thus, the City determines that additional mitigation is not warranted.

- Providing landscaping in parking areas to provide 50% shade coverage within 10 years of operations. This can also reduce "heat island" effects and reduce the need for air conditioning.

  Implementation of 50% shade coverage for parking areas would increase fire hazards on the Project site, which is in a very high fire hazard zone. The landscape architect and fire protection consultant worked collaboratively to ensure that Landscape Plan is consistent with the fuel modification zones and the overall Fire Protection Plan, including selecting appropriate trees and groundcover in accordance with widely accepted fuel modification zone plant lists for Southern California, requiring tree limbs be pruned to at least four feet to avoid fuel laddering, spacing trees close enough to maximize screening while also minimizing fire hazard by having canopies too close together, and providing for ongoing maintenance. All Project landscape plans will be subject to review and approval by the City as part of the Plot Plan Review process. Additionally, the Project would provide extensive landscaping on the Project site (Draft EIR, Figure 3-14, *Master Landscape Plan*, p. 3-47 and Final EIR response to Comment B-61). Thus, the City determines that additional mitigation is not warranted.

- Installing and utilizing solar power for 100% of the facility's total electricity demand including electric vehicle parking in parking areas and automation within buildings. Solar power is entirely feasible and is particularly appropriate for a Project of this size, scale, and location.

  As discussed in Section 3.0, *Project Description*, of the Draft EIR, the Project site shall provide Solar Photovoltaic panels or wind, installed on buildings or in collective arrangements to meet at least20% of the power needs of each building (Draft EIR, p. 3-19) and up to 19 points for solar or the equivalent GHG emissions reductions. This design feature is consistent with the Riverside County CAP. In addition, the buildings will be 100% roof top ready for solar which would enable expansion of rooftop solar installation in the future to meet specific tenant needs. The current CALGreen code requires 100% of rooftop to be rooftop ready, and the Project exceeds this requirement by also providing at least 20% solar and up to 19 points for solar or the equivalent GHG emissions reductions. Thus, the City determines that additional mitigation is not warranted (Final EIR response to Comment B-44).

- Including within buildings a "truck operator" lounge of a reasonable size which is available to truck operators with seating, restrooms, vending machines, and showers if size allows. The purpose of this lounge is to reduce the need for operators to wait in their cabs running either their diesel truck engine or diesel "APUs" either on- or off-site. Signage shall also be provided notifying truck operators that a lounge(s) is available for their use.

  Implementation of the Beaumont Pointe Specific Plan would not preclude including truck operator lounge, and future tenants would have the option of including truck operator lounges specific to their operations and subject to security requirements if the truck volume and routes serving their business warrants such an addition. However, Project Design Feature, PDF 8-5, and Mitigation Measure MM 4.3-4 would restrict trucks from idling longer than 3 minutes while onsite in exceedance of the City of Beaumont Idling Ordinance. Signage would be placed at truck access points loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. Thus, the City determines that additional mitigation is not warranted.

16 The commenter states that the EIR finds NOx impacts to be significant, cites an article regarding NOx pollution, and states that the Project should establish fleet efficiency requirements for vehicle fleets, specifically, zero emission light and medium duty delivery trucks, cars, and service equipment, zero or near-zero emission technologies in heavy-duty applications, and the phase-in of zero emission or clean technology for heavy duty trucks. Refer to response to Comment D-24 of the Final EIR. Requiring the proposed Project to utilize emerging technology as mandatory mitigation when the various types of technological advancements and their timeframes for common availability are not known with any certainty, is not a feasible mitigation measure. However, the Project incentivizes future tenants to use zero and near-zero emission vehicles through implementation of Mitigation Measure MM 4.3-12, which requires the City's Planning Department to confirm that tenant lease agreements requiring the Project Applicant to provide $1.00 per square foot in rent credit 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. In addition, future tenants will be required to comply with WAIRE which also incentivizes use of ZE and NZE vehicles. Thus, the City determines that additional mitigation is not warranted.

17 The commenter states that the Project must establish truck routes or Mitigation Measure MM 4.3-17 is ineffective. As discussed in the Supplemental CEQA Memorandum, Mitigation Measure MM 4.17-2 (below) has been incorporated into the Project which adds additional enforcement mechanisms to ensure trucks follow the Project's planned truck routes.

MM 4.17-2 Prior to the issuance of occupancy permits for the first buildings in Planning Areas 4-8 (i.e., industrial/warehouse buildings), the Project Applicant shall prepare and submit a Truck Traffic Demand Management Plan to the Planning Department for approval in order to prohibit Project trucks from driving on Oak Valley Parkway or on Potrero Boulevard north of the Potrero/SR-60 Interchange. The Truck Traffic Demand Management Plan shall include, but is not limited to the following:

- Lease provisions clearly identifying the required truck routes;
- CC&R restrictions with financial penalties for violations and City ability to enforce as third-party beneficiary;
- Truck route maps provided to all drivers and posted in breakrooms and throughout the Project;
- Designation of a Traffic Coordinator contact for the City to notify in the event of traffic issues;
- Annual reports to the City's Planning Department.

18 The commenter states that the project design features aimed at reducing air quality emissions must be made enforceable requirements through the Project's CEQA mitigation program and that impacts must be assessed and disclosed apart from any project design features. As discussed in Section 2.0, *Introduction and Purpose*, of the Draft EIR, in compliance with Public Resources Code Section 21081.6, an MMRP will be prepared for the Draft EIR. To further ensure the implementation of the Project Design Features (PDFs) and mandated Regulatory Requirements (RRs), the MMRP prepared for consideration by the Beaumont City Council includes the PDFs and RRs for the Project. The MMRP must be adopted by the City Council concurrent with certification of the Final EIR for the proposed Project. . Through adoption of the MMRP,

the Project is compliant with CEQA Guidelines Section 15126.4(a)(2). Additionally, future development would be consistent with the Beaumont Pointe Specific Plan, including the Energy Efficiency Development Criteria. No further response is required.

19 The commenter states that the Project has the potential to disrupt and harm biological species and habitat within the Conservation Area, especially for noise impacts, and states that the Draft EIR does not demonstrate that noise impacts are less than significant in terms of residential noise threshold. The commenter also states that blasting impacts have not been properly assessed and mitigated.

A detailed analysis of noise impacts to biological resources during construction and operation, including vibration and blasting, is provided in the Draft EIR, Section 4.4, *Biological Resources*, pp. 4.4-50 to 4.4-53. As stated, the MSHCP does not specify a noise level as the "residential standard," nor does the MSHCP differentiate between daytime and nighttime levels, and the standard varies depending on the Lead Agency jurisdiction. Four receptors were considered for the noise edge effects to wildlife and the analysis concluded that Project construction and operational noise impacts (daytime and nighttime) to biological resources would be less than significant (Draft EIR, pp. 4.4-50 through 4.4-52). Additionally, vibration and blasting impacts were analyzed and concluded to be less than significant (Draft EIR, p 4.4-53). As concluded in Section 4.4, *Biological Resources*, of the Draft EIR, the Project would result in less than significant edge effects and the Project has been designed and mitigated to remain in compliance with all MSHCP conservation goals and guidelines, which includes conservation of 230.82 acres of open space. No further response is required.

20 The commenter states that additional biological mitigation measures should be added, including loading docks only on the north side of buildings, or locating loading docks and Project roadways as far as possible from sensitive biological areas including the MSHCP Conservation Area because potential edge effects to adjacent conserved lands include nighttime lighting and daytime and nighttime noise impacts that will adversely impact species' habitat. The commenter states that the Project maximizes development at the expense of providing a more sensitive transition between uses for the benefit of established biological habitat and known biological resources.

The Project does not maximize development at the expense of biological resources and habitat. Refer to response to Comment 19 above regarding edge effects related to lighting and noise impacts; the Project will not adversely impact species habitat. The Project has been designed and mitigated to result in less than significant biological resources related impacts and remain in compliance with all MSHCP conservation goals and guidelines, which includes conservation of 230.82 acres of open space. Policy 3.11.10 of the City of Beaumont General Plan requires "the provision of open space linkages and conservation between development projects, consistent with the conservation efforts targeted in the MSHCP." In finding consistency with this General Plan Policy, the Draft EIR indicates "Although the Project does not achieve minimum described acreage for some of the individual Cells, the Project proposes an overall greater amount of conservation than is described, including the expansion of conservation to the northwest and the southeast into undescribed lands that will extend the conserved edge. The conservation of undescribed lands in the northwestern portion of Cell 933 will extend conservation to SR-60 to link up with the undercrossing constructed as part of the freeway improvements." (Draft EIR, Table. 4.11-1) The Project has undergone extensive biological review by the City of Beaumont, County of

Riverside, Western Riverside County Regional Conservation Authority (RCA), U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW), and, after detailed review by RCA and the Wildlife Agencies (USFWS and CDFW), the Project was determined to be consistent with the MSHCP by the RCA and Wildlife Agencies. The RCA issued findings supporting the Criteria Refinement and a Joint Project Review for the Project, and the Wildlife Agencies concurred with those findings. The Draft EIR analyzed impacts related to biological resources, including nighttime light and glare and daytime and nighttime noise and determined they are less than significant. Thus, the City determines that additional mitigation is not warranted.

21 The commenter provides information on greenhouse gas regulations, states that the Project increases cumulative greenhouse gas emissions but fails to adopt all feasible mitigation, and states that the Project must adopt all feasible mitigation measures. The commenter states that the air quality mitigation measures provided previously in the Comment Letter should be considered feasible mitigation. Refer to response to Comments 13 and 15, above, and response to Comments B-34 to B-66 and D-5 to D-33 in the Final EIR for the discussion on feasible mitigation measures.

The commenter cites the Draft EIR and states that the Project will result in total GHG emissions of 63,911.07 $MTCO_2e$/year. It should be noted that most measures cannot be quantified due to the uncertainty of the exact level of use or details needed to provide substantial evidence of reductions. As described in Draft EIR, p. 4.8-60, there are some measures that do not have enough detail on the use or specifications to equate to a GHG reduction. Therefore, the Project GHG emissions with mitigation shown in Draft EIR, Table 4.8-10 of 60,638.09 $MTCO_2e$/year is a conservative forecast of GHG emissions and the Project. Furthermore, in the Supplemental CEQA Memorandum, further measures and quantification of reductions were analyzed, which demonstrated that the Project would result in a total of approximately 53,404.80 $MTCO_2e$ per year.

According to the Specific Plan, 4th Street is considered a Modified Secondary Street because there are no bike lanes and the sidewalk is only on one side of the street, due to the industrial nature of the site and the adjacent open space in PA 9. As shown in Figure 2-3 of the Specific Plan, *Roadway Cross-Sections*, the 78-foot of right of way comprising 4th Street consists of 56 feet of paving, with an 11’ wide parkway on the south side, and a 6’ wide curb adjacent sidewalk and 5’ landscaped parkway along the northside. At Planning Area 8, 4th Street connects to Industrial Way, creating a looped road system around the entire site. Accordingly, bike lanes on public streets leading to the Project do not exist and would not be feasible. Nonetheless, the Project provides for bike lockers and secure racks in section 3.6.6 (refer to Page 31 of the Specific Plan). In addition, to further reduce GHG emissions from passenger vehicles used for employee commuting, Mitigation Measure MM 4.3-6 requires approval of 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. While further approaches to facilitate use of bicycles for commuting may be limited, overall reductions in GHG emissions will be achieved.

22 The commenter states that the Project has significant conflicts with the City’s CAP and other plans adopted for the purposes of reducing greenhouse gases, and provides a list of the alleged conflicting goals in the City of Beaumont CAP. The commenter is incorrect in stating that the Project has significant conflicts

with the City's CAP. A consistency analysis describing the Project's consistency with the City's CAP (Sustainable Beaumont), is provided in Table 4.8-5 of the Draft EIR. As discussed in Section 4.8, *Greenhouse Gas Emissions*, the Project would not conflict with Goal 6, 7, 9, and 10 as shown in Table 4.8-5, *Applicability of Sustainable Beaumont Goals* (Draft EIR, pp. 4.8-37 through 4.8-38). The City of Beaumont adopted its VMT ordinance which does not impose the VMT reduction fund. Additionally, the Project will incorporate solar photovoltaic solar panels as discussed in Draft EIR Table 4.8-5, *Applicability of Sustainable Beaumont Goals* and will provide a minimum of 20% of the power needs of the Project as discussed in Draft EIR (Draft EIR, p 3-19) and up to 19 points for solar or the equivalent GHG emissions reductions. See also Response to Comment B-44 (buildings will be 100% roof top ready for solar as required by CalGreen Building Code). As discussed in the Supplemental CEQA Memorandum that incorporates changes requested by the Planning Commission and has been provided to the City Council, at the time the Draft EIR was prepared, four mitigation measures (MM 4.3-10, MM 4.8-1, MM 4.3-6, and MM 4.8-1) were quantified to provide a conservative analysis of emissions reductions for Air Quality and Greenhouse Gas emissions. The Air Quality & Greenhouse Gas Evaluation attached to the Supplemental CEQA Memorandum provides additional quantification of emissions reductions from PDFs and Mitigation Measures described in the EIR but not quantified and from quantification of the new measures, which together would further reduce GHG emissions by 7,233.29 quantifiable metric tons annually. In total, the Project would reduce GHG emissions by 10,506.27 metric tons annually. However, the Project would result in a total of approximately 53,404.80 $MTCO_2e$ per year and continue to result in a significant and unavoidable impact.

23 The commenter lists policies in the City of Beaumont General Plan (Policies 3.1.12, 4.1.5, 4.4.3 and 11.12.6) and states that the Project does not locate "less intensive rural development within proximity to open space areas" and the Project includes "disturbance within areas designated as Open Space." Additionally, the commenter states that there are no bicycle paths or public transit, that the Project is not walkable to homes, and will require the use of personal vehicles, which is not equitable or environmentally sustainable. However, as analyzed in Draft EIR, Section 4.8, *Greenhouse Gas Emissions*, Table 4.8-9, *City of Beaumont General Plan Applicability Analysis*, the analysis demonstrates that the Project would not conflict with General Plan Policies 3.1.12, 4.1.5, 4.4.3, and 11.12.6 (Draft EIR, pp. 4.8-53 through 4.8-55). The Project Applicant proposes curb adjacent sidewalks on 4th Street and Jack Rabbit Trail north of 4th Street, which would connect to existing off-site facilities to the east along 4th Street. Additionally, the Project would include the installation of bicycle racks and lockers at each of the proposed light industrial buildings.

24 The commenter states that it is not clear that the County of Riverside's CAP Screening Table is relevant to the conclusions of the EIR, that the Project is not shown to be consistent with the CAP Screening Table and does not include enforceable mitigation of specific measures identified in the CAP Screening Table. Many of the Screening Table measures are already requirements of Title 24 (e.g., bike lockers) and are enforceable mitigation through MM 4.8-1. The CAP is relevant since it applies to the Project site which is currently located within the County of Riverside, and compliance with the CAP furthers GHG reduction goals in that jurisdiction consistent with CAP analysis through 2050. The commenter further states that the Project does not take credit for bike lockers because there are no bike paths as part of the Project and the site is uphill and not a reasonable walking distance from any existing residential area.

A detailed explanation of the County of Riverside's CAP and Screening Table and its application and relevance to the Project is provided in Section 4.8, *Greenhouse Gas Emissions*, of the Draft EIR (Draft EIR, pp 4.8-24. 4.8-26). A project that yields 100 points on the screening tables has met the emissions reductions equal to or greater that the GHG efficiency identified in the CAP and is consistent with the CAP. Although the Project would provide significantly greater than 100 points and is consistent with the Riverside County CAP, the Draft EIR determined that GHG impacts would be significant and unavoidable because it would exceed the City's significance threshold of 3,000 MTCO2e per year. Nevertheless, as stated in response to Comment 7, above, Mitigation Measure MM 4.8-1 requires that the Project achieve up to a minimum of 1,850 points) rather than the 100 points that would be required for consistency), and in doing so, makes achievement of the minimum CAP requirements indicated in the Draft EIR table an enforceable mitigation measure under CEQA. Mitigation Measure MM 4.8-1 imposes the requirement that the City confirm, prior to issuance of a certificate of occupancy, that the Project has met the total of CAP points indicated, which may separately apply to the Project through PDFs (including energy efficiency PDFs specified in the Specific Plan), RRs or new mitigation measures. For quantification of reduction in GHG emissions, each measure that can be quantified is only calculated once. The Project may also achieve equivalent emission reductions from other measures approved by the City. Specific measures to achieve the 1,850 points have been outlined in the Beaumont Pointe Specific Plan (Section 3.6, *Energy Efficiency Criteria*); the Draft EIR Project Description (Page 3-19), the Final EIR (Page 3-11), and the Supplemental CEQA Memorandum, and include a variety of project design features, regulatory requirements, including 175 EV chargers for passenger cars (see Supplemental CEQA Memorandum) and mitigation measures. Additionally, the Project would include the installation of bicycle racks and lockers at each of the proposed light industrial buildings, which results in 3 points pursuant to the CAP. Although there are no bike paths on the Project site or along 4th Street to the east, it does not prohibit bicycles from traveling in the street or sidewalks.

It should be noted that mandatory requirements are not exempt from being allowed as reductions. The City elected to utilize the Riverside County CAP point system on its broad approach to GHG emissions reductions, including designated parking for clean air vehicles, electric vehicle charging, and bicycle parking. Both CalGreen Tier 2 and the CAP are designed to reduce GHG emissions and both are optional for this Project. Under the Riverside County CAP, the Project would achieve 1,850 points, which is far in exceedance of the 100 points required to meet CAP requirements and result in a less than significant impact were the Project to remain in unincorporated Riverside County.

25 The commenter lists two goals from the SCAG 2020-2045 RTP/SCS and states that the Project is not consistent with Goal 5 and 10, and does not decrease VMT and therefore is not consistent with plans and policies aimed at reducing VMT to reduce GHG emissions in southern California. However, the Draft EIR demonstrates that the Project would not conflict with any of the SCAG 2020-2045 RTP/SCS goals, including Goals 5 and 10 (Draft EIR, Section 4.8, *Greenhouse Gas Emissions*, Table 4.8-7, *SCAG Connect SoCal Applicability Analysis*., pp. 4.8-41 through 4.8-44 and Final EIR response to Comment B-7).

The commenter alleges that the project is not accessible from SR-60 because it must traverse Potrero Boulevard and 4th Street to access the regional transportation network. However, the Project fronts SR-60 and is located less than 1.5 miles (drivable) to the nearest SR-60 interchange at Portero Boulevard.

26 The commenter provides goals from the County of Riverside General Plan and states that the Project does not reduce VMT and therefore is not consistent with policies and goals related to reducing vehicle dependency and does not provide bike lanes or access to public transit. As discussed in Section 4.8, *Greenhouse Gas Emissions*, Policies LU 2.1 (f), 2.1(g), 4.1, 8.12, 11.4, 11.5, OS 16.8, and 16.9 were analyzed in Table 4.8-8, *County of Riverside General Plan Applicability Analysis*. The Project would not conflict with the aforementioned policies and the Project would have a less than significant impact (Draft EIR, pp. 4.8-44 through 4.8-59). In addition, County General Plan policies are not applicable to the Project once the Project site is annexed into the City as one of the Project approvals.

27 The commenter states that Mitigation Measure MM 4.8-1 is inadequate under CEQA because it allows the Project to achieve equivalent reductions to meet the County CAP points, therefore performance measures are not specified, and that since mitigation measures are enforced only when occupancy permits are issued, some measures may never be implemented if the buildings are not constructed.

Mitigation Measure MM 4.8-1 requires the Project to provide documentation to the City as part of the plan check process demonstrating that the Project will implement the Riverside County Greenhouse Gas Emissions Screening Tables, 2019 up to a minimum of 1,850 points. The commenter is incorrect in stating that there are no performance measures identified as these measures.

A mitigation performance standard is sufficient if it identifies the specific criteria the agency will apply to determine that the impact will be mitigated. Under the CEQA Guidelines, mitigation measures that require adherence to regulatory requirements or other performance criteria are permitted. Guidelines §15126.4 (a)(1)(B); *Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014) 227 Cal.App.4th 1036, 1059-1060. The Riverside County CAP is a regulatory program with the specific performance standard of specifying the number of points that must be achieved to mitigate GHG emissions to less than significant. The relevant performance standard imposed by the CAP is the total number of points, not the specific items for which points are imposed. Compliance with the CAP is enforceable through verification by the City prior to the issuance of final Certificate of Occupancy. Further, a substitution clause in a mitigation measure, whereby a mitigation measure provides for later substitution of an equally effective measure, complies with CEQA. *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 524. Refer also to response to Comment 24, above.

With respect to the timing of implementation of mitigation measures at the certificate of occupancy, the purpose of mitigation measures is to reduce the impacts of the Project. If the Project or a building is not constructed then the impact associated with construction or operation of the Project or building would not occur and mitigation would not be needed.

28 The commenter states that the EIR's finding of less than significant energy impacts is not supported, that the Project does not adopt any energy mitigation measures, that the Project creates a massive demand for electricity, and that the Project must mitigate its energy impacts through maximizing their reliance on solar power including maximizing solar readiness for future expansion of PV panels to meet additional energy needs (charging of electric trucks). While the commenter states the Draft EIR's energy usage for the Project, these figures do not account for reduction from mitigation and other measures.

As discussed in Section 4.6, *Energy*, of the Draft EIR, the Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservation goals within the State of California and impacts would be less than significant; therefore, no mitigation measures are required (refer to Pages 4.6-9 through 4.6-32 of the Draft EIR). Additionally, the Project incorporates a number of CAP checklist points and Project Design Features that further increase energy efficiency in Project operations. These include enhanced wall and windows insulation, cool roof, efficient lighting, water efficient landscaping and irrigation, on-site graywater irrigation system, car/vanpool program, and EV charging stations for cars and trucks (Draft EIR, Table 4.8-6, and pp. 3-18 and 3-19). Total energy consumed would be further reduced with the implementation of mitigation measures and Project Design Features. Refer also to responses to Comment B-44 and B-46 for the installation of solar photovoltaic systems and truck charging stations. In addition, SB 100 applies only to retail sales of electricity and imposes no requirements on this Project. Thus, the City determines that additional mitigation is not warranted.

29 The commenter states that the Project should be required to adopt further measures to reduce VMT, including mandating local hiring, and is inconsistent with land use plans aimed to reduce VMT such as the 2022 CARB Scoping Plan. Additionally, the Project should consider an alternate development scenario involving more mixed-use development, committing to local hiring, incorporating bike lanes and access to public transit, and exploring programmatic VMT mitigation options.

The commenter does not provide details about a proposed alternative scenario only policy measures that do not involve physical modifications to the Project. The Project includes VMT mitigation including the TDM program (to be developed with the City once tenants are in place as part of plot plan review). See Mitigation Measure MM 4.3-6 which requires approval of 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. While further approaches to facilitate use of bicycles for commuting may be limited, overall reductions in GHG emissions will be achieved.

Refer to response to Comment B-11, the Project would develop the Project site that has been historically vacant and undeveloped, with industrial and commercial buildings that would diversify the City's economy and bring employment opportunities closer to the local workforce. Co-locating jobs near housing improves the jobs to housing balance within the City and reduces VMT and associated greenhouse gas emissions caused by long commutes and contributes to integrated development patterns.

Alternatives to the Project are discussed in Section 6.0, *Alternatives*, of the Draft EIR in accordance with CEQA. The EIR should set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project (Section 15126.6[f]). A mixed use development alternative would not attain most of the basic objectives of the Project. The Project analyzed a reasonable range of alternatives that permit a reasoned choice, including a No Project/No Development Alternative, Existing General Plan Alternative, Reduced Development Area and Intensity Alternative, Reduced Intensity Alternative, and Truck Storage Yard Alternative. Additionally, three alternatives (Alternative Sites, All-Commercial Alternative, and Rural Residential Alternative) were

considered and rejected. Refer also to response to Comment 21 for the discussion of bike lanes and access to public transit as a mitigation measure.

30 The commenter states that Mitigation Measure 4.3-8 must be revised to require only electric outdoor cargo-handling equipment. As stated in Mitigation Measure 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. The commenter does not provide any information on why non-diesel outdoor cargo handling equipment should not be used or that it is commercially available in sufficient quantities for this Project. Thus, the City determines that additional mitigation is not warranted.

31 The commenter states that the Project results in significant land use impacts and there are conflicts between the Project and the City of Banning General Plan policies. The Project is currently located within the unincorporated Riverside County in the Sphere of Influence (SOI) of the City of Beaumont; with respect to this comment the City assumes that the commenter is referring to City of Beaumont General Plan policies. With the approval of the proposed Project, any future development plans and entitlement applications (tract maps, site plans, and other similar entitlements) would be required to comply with the City of Beaumont General Plan as well as any other applicable City of Beaumont regulations. The commenter also states the Project conflicts with Policies 3.4.8, 3.11.9, 3.12.2, 3.12.3, 3.12.4, 4.1.5, 4.6.2, 8.5.1, 8.6.1, 8.9.2, 8.9.3, 8.9.4, 8.10.4, and 10.1.5. Assuming the commenter is referring to City of Beaumont General Plan policies, the commenter does not provide substantial evidence that the Project would conflict with Beaumont General Plan policies. Consistency with the listed above Beaumont General Plan policies are discussed in Table 4.11-1, *General Plan Applicability Analysis*, of the Draft EIR. As shown in Table 4.11-1, the Project would not conflict with any of the applicable General Plan goals and policies (Draft EIR, pp. 4.11-9 to 4.11-39). Thus, no further response is required.

32 The commenter states that the Project is inconsistent with Riverside County General Plan policies and provides a list of policies. The County's General Plan will be inapplicable to the Project once the Project site is annexed into the City as one of the Project approvals. Nonetheless, consistency of the Project with the County of Riverside General Plan is analyzed in Table 4.8-8 of the Draft EIR. Notwithstanding, the reasoning for why each goal and policy was not included are as follows:

- LU 7.7 Require buffers to the extent possible between development and watercourses, including their associated habitat.
- OS 4.9 Discourage development within watercourses and areas within 100 feet of the outside boundary of the riparian vegetation, the top of the bank, or the 100 year floodplain, whichever is greater.
- OS 5.3 Based upon site specific study, all development shall be set back from the floodway boundary a distance adequate to address the following issues: a. public safety; b. erosion; c. riparian or wetland buffer; d. wildlife movement corridor or linkage; e. slopes; f. type of watercourse; and g. cultural resources.

- OS 5.5 Preserve and enhance existing native riparian habitat and prevent obstruction of natural watercourses. Prohibit fencing that constricts flow across watercourses and their banks. Incentives shall be utilized to the maximum extent possible.

The Project site is not within a 100-year floodplain, as mapped on the FEMA FIRM (Draft EIR, p. 4.10-24). Within the 539.9 acre Project site, the Project would impact 0.31 acre of Corps and Regional Board jurisdiction and 0.43 acre of CDFW jurisdiction. As discussed in Section 4.4, *Biological Resources*, of the Draft EIR, implementation of Mitigation Measure MM 4.4-4 would ensure that Project impacts to 0.31 acre of Corps jurisdiction and Regional Board jurisdiction, and 0.43 acre of CDFW jurisdiction are 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. The required mitigation also would ensure that the Project Applicant obtains appropriate permits from the Corps, Regional Board, and/or CDFW. Implementation of the required mitigation would reduce the Project's impacts to jurisdictional waters to less-than-significant levels. Additionally, the Project would provide 124.7 acres of open space to accommodate landscaped manufactured slopes, fuel modification areas, and natural open space as a buffer to adjacent conservation area and 152.4 acres of open space – conservation. The open space – conservation area would be preserved as natural habitat as required by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Based on the foregoing, the Project would not conflict with General Plan Policies LU 7.7, OS 4.9, OS 5.3, and OS 5.5.

- C 1.2 Support development of a variety of transportation options for major employment and activity centers including direct access to transit routes, primary arterial highways, bikeways, park-n-ride facilities, and pedestrian facilities.
- C 1.7 Encourage and support the development of projects that facilitate and enhance the use of alternative modes of transportation, including pedestrian-oriented retail and activity centers, dedicated bicycle lanes and paths, and mixed-use community centers.

The Project includes installation of sidewalks along the Project site's frontage with Jack Rabbit Trail and 4th Street and along Industrial Way, a proposed private road located along the north side of the proposed industrial buildings. The Project Applicant proposes curb adjacent sidewalks and pedestrian paths to encourage and enhance pedestrian activity throughout the Project site. Additionally, the Project would include the installation of bicycle racks and lockers at each of the proposed light industrial buildings. No bicycle facilities are located within the vicinity of the Project site. Additionally, The Project will incorporate a TDM program to reduce vehicle miles traveled, as required by Mitigation Measure MM 4.3-6. Refer also to response to Comment 21 for the discussion of bike lanes and access to public transit. Based on the foregoing, the Project would not conflict with General Plan Policies C 1.2 and 1.7.

- OS 11.1 Enforce the state Solar Shade Control Act, which promotes all feasible means of energy conservation and all feasible uses of alternative energy supply sources.
- OS 11.2 Support and encourage voluntary efforts to provide active and passive solar access opportunities in new developments.

- OS 11.3 Permit and encourage the use of passive solar devices and other state-of-the-art energy resources.
- OS 16.9 Encourage increased use of passive, solar design and day-lighting in existing and new structures.

Policy OS 16.9 is discussed in Table 4.8-8, *County of Riverside General Plan Applicability Analysis*, of the Draft EIR (Draft EIR, p. 4.8-48). The Project shall implement the County of Riverside's 2019 Climate Action Plan (CAP) Screening Table Measures which include cool roofs, enhanced insulation, and energy efficient heating/cooling equipment. Additionally, the Energy Efficiency requirements in the Specific Plan require a portion of the Project's energy consumption to be from solar. See also Response to Comment B-44 (buildings will be 100% roof top ready for solar as required by CalGreen Building Code). Furthermore, the Project's architecture would include skylights and clerestory windows to allow for increased use of passive solar design and day-lighted in new structures. Therefore, the Project would not conflict with General Plan Policies 11.1, 11.2, 11.3, and 16.9.

33 The commenter states that the Project is inconsistent with plans and policies aimed at reducing VMT, and that the Project's VMT Technical Analysis suggests strategies such as providing pedestrian and bicycle network improvements that should be applied to the Project but were not adopted. Refer to response to Comment 21 for the discussion of VMT. In addition, Mitigation Measure MM 4.3-6 requires approval of a Transportation Demand Management (TDM) program detailing VMT reduction 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 etc. Because such measures are developed once tenants and their specific businesses are in place, it is not possible to quantify potential VMT reduction at this time. Thus, no further response is needed.

34 The commenter states that the Project has not been evaluated in accordance with the City's Policy on Land Use and Sensitive Receptors (PLUS) and that the Project represents significant conflicts with the policy. As stated in the PLUS, the policy guidelines apply to new projects submitted after the policy approval date and will be implemented during the development review process. The application for the Project was submitted on April 11, 2019 which pre-dates the City's adoption of the PLUS on September 6, 2022. Therefore, the Project is not subject to the City's PLUS. However, the Project is consistent with the PLUS by preparing various technical reports (air quality study, health risk assessment, noise impact analysis, traffic impact analysis, stack/queuing study, water supply assessment, sewer study, economic impact study); placing dock doors a minimum of 1,000 feet from the nearest sensitive receptors, establishing truck routes the nearest distance to the freeway and not through residential neighborhoods; complying with the dark sky ordinance; minimizing visual impacts; screening mechanical equipment; complying with applicable rules and regulations, including, but not limited to, South Coast Air Quality Management District; installing infrastructure for electric vehicles pursuant to CalGreen; conducting community outreach; and paying mitigation and public benefit fees.

35 The commentor states that the EIR must be revised due to conflicts with the General Plan and other policies and additional mitigation must be imposed to ensure consistency between the Project and adopted land use plans.-CEQA case law has held that a project's consistency with a General Plan is not an

environmental consideration and does not need to be addressed in a CEQA document (See, e.g., *North Coast Rivers Alliance et al. v. Marin Municipal Water District* (2013) 216 Cal.App.4th 614, 633; *City of Long Beach v. Los Angeles Unified Sch. Dist*., (2009) 176 Cal. App. 4th 889, 919). What a CEQA document must address is whether the Project would conflict with the General Plan in such a way that it would result in an environmental effect. In the absence of a planning inconsistency that results in an environmental effect, it is adequate to state that no conflict would occur, which was done in the Draft EIR.) Further as indicated in responses to Comments 31 to 34, above, related to the Project's consistency with the adopted land use plans, the Project is consistent with City and County General Plan policies identified by the commenter. Thus, no further response is needed.

36 The commenter states that construction noise is significant contrary to the EIR conclusion, that Table 4.13-7 claims a 20 dBA noise reduction but does not explain why the reduction noise is credited, and that all construction noise levels exceed the residential noise standards applicable to the Conserved Area.

As stated in the Draft EIR, Section 4.13, *Noise*, the acceptable exterior construction noise level threshold is based on the City of Beaumont 55 dBA L_{eq} interior noise level limit and the 20 dBA reduction in noise associated with typical sensitive receptor building construction (Draft EIR, p. 4.13-19). Project related construction activities are significant if they exceed the 75 dBA L_{eq} acceptable noise level threshold. The City's significance threshold is less than the Federal Transit Administration threshold of 80 dBA L_{eq} and therefore provides a conservative analysis of construction-related noise impacts. The commenter does not provide evidence to support an alternative threshold. With regard to the commenter's assertion that the noise analysis does not account for people using their backyards, all Project-related sensitive receptors' distances are measured from the Project site boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closer to the Project site (refer to Page 4.3-30 of the Draft EIR), and therefore provides a conservative analysis of noise related impacts. In addition to the conservative distances used, construction equipment is not stationary and moves around the site and the measurements taken for the construction noise analysis assume that the noise would be constant at the closest point. Additionally, indirect noise impacts to biological resources are discussed in Section 4.4, *Biological Resources*, of the Draft EIR. As concluded, construction and operational noise levels impacts to biological resources are based on an absolute threshold as further described in Response to Comment 38 below and would be less than significant (refer to Pages 4.4-50 to 4.4-53 of the Draft EIR). Thus, the Draft EIR adequately addresses construction noise impacts to sensitive receptors and no revisions to the EIR are required.

37 The commenter states that the construction noise analysis does not measure off-site construction activities, including the extension of 4th Street or encroachments into the Open Space areas described in the Draft EIR, that these areas are not captured by the construction noise analysis in terms of receiver locations, and that the construction noise analysis does not account for periods where construction will overlap Project operations.

The commenter is incorrect that the noise analysis does not measure off-site activities and development of manufactured slopes in Planning Area 9 with respect to receiver locations. The nearest sensitive receivers are all located to the north of the Project site across the SR-60 Freeway over a thousand feet away except for receiver R5 located 92 feet south of the Project boundary. As stated in response to

Comment 36, above, all Project-related sensitive receptor distances are measured from the Project site boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closer to the Project site (refer to Page 4.3-30 of the Draft EIR). The Project site boundary includes development activities within Planning Area 9 (the location of manufactured slopes) (Draft EIR, Figure 4.13-2). Any offsite activities are located further away from any of the receivers than analyzed in the Draft EIR and would involve trenching and paving activities which are lower noise levels than the grading activities. A noise analysis of overlapping construction and operational activities would not be meaningful because neither would happen in the same location at the same time. The Draft EIR presents the worst case noise conditions under both construction and operation and no revisions to the EIR are required.

38 The commenter states that the noise study indicates a significant and unmitigated impact at nighttime with respect to BIO-2 and BIO-3, and that no ambient noise levels were taken from the BIO receivers meaning the Draft EIR does not measure the increase in noise with respect to the conservation area to the south.

The commenter is incorrect that there is a significant and unmitigated impact at nighttime with respect to the BIO receivers. Ambient noise measurements were not taken at the BIO receiver locations because there is no one person who would perceive these noise levels. Noise impacts to sensitive receptors (i.e. residents) are measured in terms of both the absolute Project noise levels and the relative increase. Noise impacts to biological resources are based on the MSHCP criteria and only considers the absolute noise levels and their sources, the duration of the noise, and the time of day that the noise will occur. Construction by its very nature generates noise levels that will temporarily exceed those of ambient levels and typical project operational levels. However, construction activities will occur over a short duration, will only occur during daytime hours, with the exception of potential nighttime concrete pour activities, and noise levels will vary throughout the day depending on the equipment being used. In addition, the Project is not located in immediate proximity to riparian habitats that support sensitive riparian species such as the least Bell's vireo or southwestern willow flycatcher (Draft EIR, pp. 4.51 and 4.4-52). As discussed in Section 4.4, *Biological Resources*, of the Draft EIR, as shown in Table 4.4-8, Summary of Operational Noise Levels, the commenter incorrectly identifies a significant and unmitigated impact for nighttime noise. Project stationary noise would not expose nearby receivers to unacceptable daytime or nighttime noise levels during Project operations following Project buildout, with the exception of BIO-2 and BIO-3 during nighttime. However, as depicted on Figure 4.13-2, the location of the BIO-2 is between the Project site and the SR-60 with nearest open space located on the opposite side of the freeway, approximately twice the distance from the nearest operational noise sources at the BIO-2 receiver site. Furthermore, the closer the receiver is to high ambient noise levels (i.e., SR-60 Freeway) the Project's noise contribution is diminished because the freeway noise would overshadow the Project's noise levels. As such, operational noise levels within the open space north of the SR-60 as a result of the Project are expected to be under the 45 dBA Leq residential nighttime threshold. (Draft EIR Technical Appendix C1, *Biological Resources Assessment* at p. 83). Similarly, the location of the BIO-3 is at the very edge of the Proposed Core 3 open space away from the interior of Proposed Core 3 and primary wildlife use areas and would not affect wildlife movement in Proposed Core 3 and would not result in significant impacts to sensitive biological resources. Therefore, operation noise level impacts to biological resources would be less than significant (refer to Page 82 and 83 of Technical Appendix C1 and Page 4.4-52 of the Draft EIR). Thus, no revisions to the EIR are required.

39 The commenter states that the City must adopt all feasible mitigation measures for significant noise impacts and provides recommendations for mitigation measures. The commenter's suggested mitigation measures are intended for operational noise impacts and to biological resources. However, as discussed in Section 4.13, *Noise*, of the Draft EIR, the Project would have a less than significant impact related to stationary (on-site) noise sources associated with long-term Project operation (Draft EIR, pp. 4.13-23 to 4.13-28) for both people and wildlife. Therefore, no mitigation measures are required.

The Draft EIR also determined that the Project would have significant off-site traffic noise level increase at three roadway segments (4th Street east and west of Potrero Boulevard and east of Veile Avenue). Both rubberized asphalt and off-site noise barriers are considered as potential noise mitigation measures to reduce the potentially significant off-site traffic noise level increases. However, due the reasons outlined in the Draft EIR neither form of mitigation is recommended for implementation since they would not substantially reduce the off-site traffic noise level increases at the adjacent land uses to the impacted roadway segments. Additionally, Segments #4, #5, and #6, where impacts would occur, are located in industrial areas and are not located immediately adjacent to any noise sensitive land uses. This is consistent with the City's General Plan EIR that determined that buildout of the City's General Plan could result in new vehicular traffic which could exceed the FHWA thresholds and could substantially increase the ambient noise levels in the City and its SOI. The City's General Plan recognizes that an increase in noise levels will occur in industrial areas due to truck traffic. The City's General Plan goals and policies, therefore, are focused on protecting noise sensitive receptors from road noise, while encouraging timely and efficient goods movement that does not significantly contribute to noise in the City. (Draft EIR, p 4.13-39). Therefore, Project-related off-site traffic noise level increases are considered significant and unavoidable under Project-level and cumulative conditions (Draft EIR, pp. 4.13-39 to 4.13-41). Refer also to response to Comment 38 above for noise impacts to biological resources. Thus, the City determines that additional mitigation is not warranted.

40 The commenter is incorrect in stating that the Draft EIR proposes only one noise mitigation measure for significant, long-term noise impacts due to intense industrial operations including significant traffic on local roadways and suggests mitigation measures such as low noise asphalt, loading docks with noise attenuating features, a completely roofed loading dock and roll up doors, and all cargo moving equipment shall be installed with self-adjusting "back up" beepers. Refer to response to comment 39 above related to both rubberized asphalt and off-site noise barriers being considered as potential noise mitigation measures for off-site operational traffic impacts. Additionally, the commenter's other suggested mitigation measures are associated with stationary noise impacts, which was concluded to be less than significant in the Draft EIR (Draft EIR, pp. 4.13-23 to 4.13-28). Thus, the City determines that additional mitigation is not warranted.

41 The commenter states that the Draft EIR does not disclose that Project related traffic will contribute to cumulatively significant traffic impacts, that the traffic impact analysis indicates a significant cumulative impact, and that the Project is not conditioned to make any fair share payments for needed traffic improvements. Automobile delay, as measured by LOS and other similar metrics, no longer constitutes a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. This statewide mandate went into effect July 1, 2020. CEQA Guidelines Section 15064.3, effective January 1, 2019, "describes specific considerations for

evaluating a project's transportation impacts" and provides that, except for roadway capacity projects, "a project's effect on automobile delay (or LOS)" shall not constitute a significant environmental impact" (CEQA Guidelines Section 15064.3(a)). Moreover, vehicle congestion is not a CEQA issue as it pertains to LOS.

Table 1-4 of the Traffic Analysis (Attachment C of the Final EIR) has identified improvements needed to maintain LOS D or better on City streets. As discussed in Section 4.17, *Transportation*, Table 4.17-1 of the Draft EIR and as required by the Specific Plan and the Development Agreement proposed to be entered into by the City and the Project Applicant, the Project Applicant would be required to pay TUMF fees, DIF fees, and fair share improvement fees that the City would use to ensure the implementation of roadway improvements in the area in order to minimize traffic congestion. Additionally, the Project would include the following improvements to accommodate site access and maintain acceptable peak hour operations: install a traffic signal, and construct southbound left turn lane with a minimum of 200-feet of storage and a right turn lane, an eastbound left turn lane with a minimum of 100-feet of storage and a through lane, and westbound through lane and a right turn lane with a minimum of 100-feet of storage at the intersection of Jack Rabbit Trail & 4th Street; construct an eastbound shared left-through lane and stripe the southbound right turn lane at the intersection of Potrero Boulevard and 4th Street; construct 4th Street at its ultimate full-width as a Modified Secondary (78-foot right-of-way) from the western Project boundary to Jack Rabbit Trail and with a minimum of one lane of travel in each direction from Jack Rabbit Trail to Potrero Boulevard consistent with City standards.

42 The commenter states that the traffic model assumes that 25% of Project related vehicle traffic will use Potrero Boulevard between 4th Street and Oak Valley Parkway, passing existing residence west of Potrero, which is not discussed in the EIR. This information is not required to be disclosed in an EIR but is available to the public in Draft EIR Technical Appendix K1. See response to comment 41 regarding requirements under CEQA related to traffic. The commenter further states that the Project must establish a truck route to ensure Project related truck traffic does not use Portero Boulevard north of the new interchange to reach I-10. As stated in the Supplemental CEQA Memorandum for the Project, new Mitigation Measure MM 4.17-2 has been incorporated into the Project to establish the Project's truck routes and ensure trucks follow those planned truck routes. Refer to response to Comment 17. No further response is required.

43 The commenter states that contrary to the EIR's conclusions, the Project conflicts with General Plan Policies 4.1.5, 4.2.2, 4.2.5, 4.4.3 due to the lack of existing and proposed public transit. Table 4.17-1, *General Plan Applicability Analysis*, of the Draft EIR provides an analysis of the Project's consistency with the above listed General Plan policies. Refer also to response to Comment 21 for the discussion of access to public transit as a mitigation measure. Thus, no further response is required.

44 The commenter states that the Draft EIR's conclusion that the Project does not result in cumulatively significant traffic impacts is not supported and that mitigation is required. Refer to responses to Comment 41 to 43 above related to transportation impacts. Thus, no further response is required.

45 The commenter states that the Project is located in a Very High Fire Hazard Zone. As shown in Figure 4.20-1, *Fire Hazard Severity Zone*, the Project site is designated within a Very High Fire Hazard Severity Zone (VHFHSZ) and High Fire Hazard Severity Zone within an SRA by the Riverside County General Plan and

CalFire. Additionally, CALFire has released an updated version of their draft fire hazard severity zone maps that, if adopted, would revise the fire hazard designation of the Project site and its surroundings to all Very High rather than the current combination of Very High and High. Adoption of CALFire's new fire hazard zone maps would not change the findings in the Fire Protection Plan (*Attachment D* of the Final EIR), which was planned and prepared for the Project as if it was entirely within the VHFHSZ (refer to Pages 3-15, 3-29, and 3-30 of the Final EIR).

The commenter also states that the Draft EIR does not demonstrate that fire response times can be met. The commenter is incorrect, as discussed in the Draft EIR Section 4.20, *Wildfire*, the Project would not substantially impede emergency response times in the local area (Draft EIR, p. 4.20-9). In addition, the Draft EIR Section 4.15, *Public Services*, states that the Project site would continue to be primarily served by the Riverside County Fire Station (Station No. 66), which is located only approximately 3.6 roadway miles east of the Project site and secondarily served by Station 20, located approximately 5 roadway miles east of the Project site, and because of the low to moderate work loads of both stations, the level of service would not be impacted and both stations would able to meet the slight increase in demand for fire protection services (Page 4.15-12-13). Thus, the Draft EIR concluded that implementation of the Project would not result in the need for a new fire station (Draft EIR, p. 4.15-13). Page 4.9-17 was modified in the Final EIR to add in a description of the City's new fire station which the City chose to add independently of the Project. In September 2022, the City commenced the construction of new Fire Station No. 106 (the "West Side Fire Station") along Potrero Boulevard across from Olivewood Avenue. Construction is expected to take approximately twelve months. The new fire station will be approximately 10,000 sq ft. and will include living quarters, offices, a fitness center and large bays to house multiple fire apparatus. Staffing will include three to four personnel, including a paramedic to provide advanced life support care. Services from the facility will be provided 24 hours a day, 7 days a week and 365 days of the year. Personnel at this station will be equipped with cardiac monitors, advanced life support medications, intubation equipment, trauma life support equipment, auto extrication tools, and more. The apparatus which will be housed in the facility will be capable of suppressing structure, wildland, vehicle, and other types of fires. The new station will decrease response times for the City's west side communities, including Olivewood, Tournament Hills, Tukwet and the new logistics centers located off of SR-60 (refer to Pages 3-15, 3-26, and 3-30 of the Final EIR). As discussed in Table 5 of the Project's Fire Protection Plan (*Technical Appendix D* of the Final EIR), the closest fire station is the new Fire Station 106 (Potrero Road and Olivewood Road) which is 1.7 miles from the site and will provide a response time of 3.54 minutes to the Project, which is below a 5-minute first-in fire engine response time, consistent with General Plan Policy 9.5.2. Additionally, General Plan Policy 9.5.2 to decrease current response times to 5 minutes, indicates by its language that the City was not in compliance with the Policy and that the target response time was a goal and not mandatory.

46 The commenter states that the Draft EIR does not demonstrate that the Project site can be safely evacuated during a fast-moving fire event, particularly via 4th Street, with the number of persons occupying the Project site at any given time, including whether other nearby roadways can accommodate evacuating persons. As stated in the Project's Fire Evacuation Analysis (*Technical Appendix M2* of the Draft EIR) and Section 4.20, *Wildfire*, of the Draft EIR, the calculated evacuation roadway capacity and the time it would take to evacuate for the Project and surrounding land uses was analyzed under 17 different scenarios. Scenarios 1 – 9 show the total evacuation times for the Project only under the full Project

(assuming all of the parking spaces provided by the Project are occupied), Weekday, and Weekend conditions using three different evacuation conditions: 1) all evacuation routes available (SR-60 and West 4th Street), 2) SR-60 only, and 3) West 4th Street only. Scenarios 10 – 12 show the evacuation time for Hidden Canyon Industrial Park without Project under the same three evacuation scenarios. Scenario 16 shows the evacuation time for Hidden Canyon Industrial Park and Olive Wood without Project with all evacuation routes available. Scenarios 13 – 17 show the total evacuation time for the Project with surrounding land uses, including Hidden Canyon Industrial Park under all three evacuation scenarios, as well as Hidden Canyon Industrial Park and Olive Wood with all evacuation routes available (Draft EIR, p. 4.20-10). The commenter also expresses concern on local roadways such as 4th Street. At the time of the preparation of the Draft EIR, 4th Street has not been fully constructed. However, 4th Street is now fully constructed to the point at which the Project will connect prior to first building occupancy. . Refer also to response to Comment 5 above related to fire evacuation.

47 The commenter states that the evacuation time under Scenarios 3 and 15 in the Draft EIR's Evacuation Study represents a significant impact to the Project and demonstrates the need for additional fire protection services and mitigation for wildland fire risk impacts. As stated in the Project's Fire Evacuation Analysis (*Technical Appendix M2* of the Draft EIR), the increase in evacuation time under Scenario 3 is due to the congestion that occurs at the intersection of Jack Rabbit Trail & West 4th Street as vehicles yield to each other during the evacuation. However, these scenarios are highly unrealistic as they assume that all parking spaces are fully occupied at both the Project site and the Hidden Canyon Industrial Park site and would need to evacuate simultaneously.

Moreover, in the event that the time to evacuate is considered too long to evacuate safely by police and fire personnel, in the field at the time of the evacuation event, then Project site employees and visitors can be ordered not to evacuate and to shelter-in-place in the specific locations that were constructed to allow for safe sheltering in place. In accordance with the Fire Protection Plan (Draft EIR *Technical Appendix M1*), a shelter-in-place plan will be prepared and provided to all on-site personnel outlining the actions to take if a shelter-in-place notification is provided by emergency management sources. The proposed industrial buildings will be constructed of concrete which is non- combustible and highly resistant to heat. Because of the concrete/ignition resistant construction, fuel modification zone setbacks and the type of lower fire intensity vegetative fuels in the vicinity of the site, sheltering in place is considered to be a safe option if a fast-moving wildfire precludes complete evacuation of the Project site (Draft EIR, pp. 4.20-13 to 4.20-14). Refer also to response to Comment 5 above related to fire evacuation.

48 The commenter states that even with the construction of a new fire station, there is no evidence that the Project could meet the 5-minute response time indicated in the Beaumont General Plan, that a new fire station was not evaluated through the Draft EIR, and that the Project does not consider the Amazon facilities located on 4th Street.

As discussed in Section 4.15, *Public Services*, of the Draft EIR, the Project's proposed industrial/commercial development is anticipated to increase the call volume at a rate of up to 191 calls per year (4 calls per week or 16 calls per month). Fire Stations 66 and 20 combined emergency responses in 2017 totaled 4,943 calls per year or 5.43 and 8.11 calls per day per station, respectively. The level of service demand for the Project would increase overall call volume; however, the increase is not anticipated to impact the existing

fire stations to a point that they cannot meet the demand (Draft EIR, pp. 4.15-12 and 4.15-13). Therefore, the Project does not require the development of a new fire station. Refer to response to Comment 45 for the discussion of the new Fire Station 106 that is a separate project and its response times. Details of the new Fire Station 106 were provided in the Final EIR. Additionally, as stated in the Project's Plan of Service, with the operational status of new Fire Station 106, call volumes are anticipated to be reduced for the two existing stations and Station 106 should be approximately 5 to 7 calls per day. Furthermore, the Project would not result in the need for a new fire station.

Consistency Beaumont General Plan Goals 9.4, 9.5, and 9.6, and polies that relate to the Project are discussed in Table 4.11-1, *General Plan Applicability Analysis*, of the Draft EIR. As shown in Table 4.11-1, the Project would not conflict with any of the applicable General Plan goals and policies (Draft EIR, pp. 4.11-9 to 4.11-39). Thus, no further response is required. Furthermore, as discussed in Table 5 of the Project's Fire Protection Plan (*Technical Appendix D* of the Final EIR), the closest fire station is the new Fire Station 106 (Potrero Road and Olivewood Road) which is 1.7 miles from the site and will provide a response time of 3.54 minutes to the Project, which is below a 5-minute first-in fire engine response time, consistent with General Plan Policy 9.5.2. Additionally, General Plan Policy 9.5.2 to decrease current response times to 5 minutes, indicates by its language that the City was not in compliance with the Policy and that the target response time was a goal and not mandatory. The commenter does not provide details as to how the Project does not consider the Amazon facilities located on 4th Street. However, the evacuation analysis conducted for the Project did consider the industrial uses on 4th street and the City's determination of increased service. Thus, no further response is required.

49 The commenter states that the Fire Protection Plan (FPP) must be made a mitigation requirement in the mitigation program and that the commenter was unable to locate the FPP in the conditions of approval or in the mitigation program. The Fire Protection Plan is a component of the Project as specified in Draft EIR, Section 3.0, Project Description (Draft EIR, p. 3-15 to 3-17). As specified in the Beaumont Pointe Specific Plan, Chapter 2.9, Fire Protection Plan, the Riverside County Fire Department shall review and approve the final Fire Protection Plan for all implementing projects. Thus, no further response is required.

50 The commenter states that the World Logistics Center (WLC) will begin construction in a few months, that the Project's cumulative impacts did not include the WLC Project, and that they Project's cumulative impacts analysis must be updated to include the WLC Project. During the time of the NOP and through consultation with planning and engineering staff from the City of Beaumont, the list of related projects was prepared based the Project's Traffic Impact Analysis (*Technical Appendix K1*) and uses data from the cities of Beaumont and Banning. The cumulative project list includes known and foreseeable projects that are anticipated to contribute traffic to the study area intersections (*Technical Appendix K1* of the Draft EIR). The analysis in the long range scenario (2045) did consider the traffic buildout of the WLC. Additionally, any traffic generated by other projects not on the cumulative projects list is accounted for through background ambient growth factors that have been applied to the peak hour volumes at study area intersections for near range conditions, as discussed in the Draft EIR *Technical Appendix K1*, Section 4.5 Background Traffic.

51 The commenter states that based on the Project's development pattern, expansion of infrastructure, and proximity to undeveloped rural residential lands, the Project presents the potential for growth inducing

impacts, contrary to the EIR's findings but does not provide substantial evidence for this claim. Refer to response to Comment 4, above. Thus, no further response is required.

52 The commenter states that the range of alternatives presented in the EIR do not provide decision makers with meaningful alternatives that substantially reduce Project impacts and meet most of the basic objectives of the Project. Refer to response to Comment 29. Thus, no further response is required.

53 The commenter states that the Draft EIR should evaluate a development alternative with a greater mix of uses, and should also consider an alternative that substantially reduces the amount of industrial development as this is the "primary" development objective of the Project. As discussed in Section 6.0, *Alternatives*, of the Draft EIR, three alternatives (Alternative Sites, All-Commercial Alternative, and Rural Residential Alternative) were considered and rejected. The All-Commercial Only Alternative, which assumes the Project site is proposed for regional commercial uses only, was considered to analyze an alternative land use that met or partially met some of the Project objectives. The All-Commercial Alternative was rejected from further consideration because it would not reduce or eliminate the Project's significant and unavoidable impacts. The All-Commercial Alternative would result in a substantial increase in vehicle trips in comparison to the Project, resulting in a substantial increase in air quality emissions, GHG emissions, and transportation impacts. A Rural Residential Alternative was also considered that assumed rural residential uses consistent with the County's existing General Plan and zoning designations. The Project site is not well suited to rural development in that it lacks potable groundwater and would require use of septic tanks, which is discouraged. In addition, development of homes in very high and high severity fire hazard zones in such a dispersed development pattern significantly increases wildfire risk and is highly discouraged, and the amount of fuel modification required could also be difficult to achieve given the limited number of units that would be permitted. Therefore, this alternative was rejected from further consideration (Draft EIR, pp. 6-7 to 6-8). Refer to response to Comment 29, above.

54 The commenter states that, absent findings of infeasibility supported by substantial evidence, the City must support the Reduced Intensity Alternative, and that the Findings do not demonstrate that this alternative is infeasible. The commenter is incorrect that CEQA requires the City to approve the environmentally superior alternative. As discussed in Section 6.0, *Alternatives*, of the Draft EIR, the Reduced Development Area and Intensity Alternative is environmentally superior to the Project because the alternative reduces the commercial and industrial square footage of the Project the most (non-hotel commercial square footage by 50% and the industrial square footage of the Project by approximately 20%) and also reduces the development footprint, with resulting reductions in grading, construction and off-site vehicular travel. However, the Reduced Intensity Alternative would not reduce significant impacts to less than significant. In order to eliminate air quality and GHG emissions impacts, the Project would need

to reduce these impacts by approximately 90[1] to 95 percent[2], which would not meet most of the basic objectives of the Project and would result in a proportional reduction in project benefits.

As compared with the Project, the Reduced Intensity Alternative would not meet the Project objectives to the same extent as the Project, due to the reduced industrial and commercial building square footage and proportional reduction in employees and economic benefit. Specifically, the Reduced Intensity Alternative would meet Project Objectives, A, B, and F–I, as described in the Draft EIR Section 6.1.1. As compared with the Project, this alternative would not meet the following objectives to the same extent, due to the reduced industrial and commercial building square footage and proportional reduction in employees:

- Objective C. Maximizing opportunities to develop land in the City's sphere of influence to provide job opportunities and economic benefit to the City and its residents, including new sales and property tax revenues that can be used for City services and providing sufficient fiscal benefit to permit annexation of the Project site into the City.
- Objective D. Creating new job opportunities within the City of Beaumont to improve and maximize the jobs to housing balance within the City and reduces the need for members of the existing local workforce to commute long distances.
- Objective E. Fulfilling a need in the City and region for wellness based retail, including entertainment, recreation, hospitality, and restaurants (Draft EIR, pp. 6-36 through 6-37).

55 The commenter concludes by stating that the Sierra Club urges the Council to delay decision on the Project pending revisions to and recirculation of the EIR, as well as the adoption of further mitigation. This comment does not raise any issues concerning or relating to the adequacy of the environmental analysis provided for the Project and thus no further response is required. The State CEQA Guidelines Section 15088.5 states:

> *(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice of its availability… "significant new information" requiring recirculation includes, for example, a disclosure showing that:*
>
> > *(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*

[1] The Project's highest emissions during operation is NO_X during winter which is 494.43 exceeding the South Coast AQMD threshold of 55. In order to reduce air quality impacts to less than significant levels, the Project would need to be reduced by approximately 90 percent to be under the 55 pounds per day.

[2] The annual GHG emissions associated with the Project under Project Buildout scenario (Year 2027) with the implementation of mitigation measures are estimated to be approximately 53,405 MT CO_2e per year, which exceeds the 3,000 MT CO_2e per year threshold. In order to reduce GHG impacts to less than significant levels, the Project would need to be reduced by approximately 95 percent to be under the 3,000 MT CO_2e per year threshold.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The commenter does not identify significant new information, the Draft EIR adequately evaluates the environmental impacts of the Project, examines a reasonable range of alternatives, and recirculation pursuant to CEQA Guidelines Section 15088.5 is not required.

Attachment A:

Comment Letter – Law Office of Abigail Smith on behalf of the Sierra Club

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VIA E-MAIL AND U.S. MAIL

February 20, 2024

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Re: Public Comments – Beaumont Pointe Specific Plan Project including Environmental Impact Report

Dear City of Beaumont City Council:

Please accept this letter on behalf of the Sierra Club regarding the Beaumont Pointe Specific Plan Project ("the Project") including the Environmental Impact Report ("the EIR"). Sierra Club understands that the City's Planning Commission considered the Project at its meeting of January 10, 2024, and that the Project will now be considered by the City Council on some date in the near future. 1

The Project is a request for a General Plan Amendment, a Pre-Zone, and related land use approvals for purposes of developing a 539.9-acre site with approximately 5,331,000 square feet of total development space consisting of commercial and industrial land uses, including approximately 336,000 square feet of commercial uses and 4,995,000 square feet of warehousing/logistics space over six industrial planning areas (232.6 acres). The industrial land uses will include users such as warehouse/storage, fulfillment center, high cube warehouse, cold storage warehouse and e-commerce operations. The industrial land uses will promise approximately 94% of the planned uses at the site. 2

The Project site is located in the San Gorgonio Pass Area of unincorporated Riverside County and in the City's Sphere of Influence. The site is currently zoned Controlled Development Areas with a minimum 20-acre lot size to allow one-family dwellings, agricultural and animal raising uses. The site is located within the Pass Area of the Riverside County General Plan and Pass Area Plan. According to the Project's Draft EIR, the Pass Area Plan "focuses on preserving the unique features found only in the Pass Area." (Draft EIR p. 3-5.) The Draft EIR states the Pass Area "is a distinctive geographical area between the Coachella, San Jacinto, and Moreno Valleys." (Draft

EIR p. 3-4.) The Project site is currently vacant and undeveloped except for the paved portions of the Jack Rabbit Trail. The Draft EIR describes the site as being "nestled in the rolling topography of the northern terminus of the San Jacinto Mountains." (Draft EIR p. 3-3.) The Project contains natural vegetation communities and drainage courses. (*Id.*) It contains hillsides, canyons, valleys, and "steep" ridges. (*Id.*; DEIR p. 4.1-2.) SR-60 is located to north of the Project site; rural mountainous lands are located directly to the south/southwest/southeast including natural drainage courses, unmarked trails, and the Jack Rabbit Trail. Lands to the south/southwest are designated for conservation under the Western Riverside County MSHCP. Similarly, the mountainous areas to the west are designated for conservation within the MSHCP.

2 (CONT.)

By build-out, the Project is anticipated to generate **a total of 16,266 vehicle trips per day** including **2,240 daily big-rig truck trips** (Draft EIR p. 4.13-24). The Project funnels these 2,240 big rig trucks on local roadways such as 4th Street and Portero Boulevard that is shared with local traffic. Vehicles will not access the Project site directly from SR-60 but rather must use local streets for ingress/egress to the site. The Project's substantial number of vehicle trips contribute to the Project's significant air quality, greenhouse gas emission, noise, and "VMT" (traffic) impacts.

3

Due to the site's topography, Project entails substantial grading of natural landforms and areas within the City's distinctive hillside areas including within "open space" areas inside the Project footprint. Natural and unique landforms will be replaced by manufactured slopes and flat-roofed, 60-foot box-style warehouse buildings as well as light poles (40-45 feet), paved roadways, and potentially a 125-room hotel. The Project proposes to expand development south of SR-60 by bringing urban infrastructure to an undeveloped natural area, creating the potential for further development of undeveloped areas in unincorporated Riverside County. For instance, the Project will extend 4th Street to make a roadway connection to the Project site.

4

The Project is located on a hillside at a relatively steep grade and proposes one primary vehicle access point. A secondary emergency access point is provided according to the EIR. In other words, the entirety of the Project will depend on one point of vehicular access, perhaps two depending on the nature of fire event, for evacuation purposes. This is in combination with evacuating traffic of existing industrial buildings along 4th Avenue (two Amazon facilities, the future Hidden Valley warehouse plus additional) in addition to residents of nearby neighborhoods.

5

Warehouse buildings are designed with loading docks on both sides (*i.e.,* maximized for industrial operations) despite being adjacent to an MSCHP Conservation Area to the south and being visible from vantage points to the north.

6

The energy efficiency measures identified in Draft EIR pp. 3-18 – 3-19 are not requirements of the Project through the CEQA mitigation program. All measures identified in or relied upon in the Draft EIR must be made enforceable through the Project's CEQA mitigation program. There are numerous other, feasible mitigation measures that must be adopted before the Project with significant impacts can be approved. We have identified additional measures throughout this letter. Finally, the EIR must examine a reasonable range of project alternatives and the City must adopt the environmentally superior alternative absent adequate findings in the record of infeasibility.

7

In accordance with the California Environmental Quality Act ("CEQA"), the EIR must be revised with further analysis, and it must identify additional mitigation for significant impacts. We therefore respectfully urge the Council to continue this Project until further action is taken towards appropriate analysis and mitigation of Project impacts. 8

Aesthetic Impacts

The Project will result in the conversion of the 539-acre site from vacant, undeveloped, natural lands and to large, box-style warehouse buildings up to 60 feet in height. Buildings will be constructed on flat concrete pads along an existing steep ridgeline characterized by rolling hills and natural vegetation. The Project would *wholly replace* natural landforms thereby substantially and permanently altering ridgelines and hillsides which are considered to be "significant" natural and visual resources according to the EIR. The Project proposes a massive amount of grading ("substantial earthwork") of steep ridgelines and hillsides. Natural slopes will be replaced by "manufactured slopes" including in PA 9 and in open space areas. The Draft EIR's analysis does not support the conclusion of less than significant. The EIR recognizes that "landforms in mid-ground views (PAs 1-8) would be altered for the development." (DEIR p. 4.1-13.) 9

The record does not disclose the level of impact. There are no "before" photographs of the site with sufficient detail to show how the Project will impact it, and there are no visual simulations of the actual development, *i.e.,* there are no visual depictions to show the buildings, lighting, and roadways including relative to surrounding vantage points such as from homes to the east of SR 60 or from SR 60. The record contains Figure 4.1-2, but this is not sufficient to provide realistic representations of Project buildings from surrounding vantage points (*see e.g.* Figure 4.3.-1). This single visual model does not illustrate what the buildings will actually look like and do not show the urban infrastructure including lighting (40-60 foot light poles) including at nighttime. Nor does it show the commercial buildings including 125-room hotel which presumably will be a prominent feature on the hillside given its planned location on the northeast corner of the site. Further, the EIR does not discuss whether the site contains rock outcroppings and whether these will be altered because of the Project. The permanent destruction of rock outcroppings must be disclosed and mitigated. The EIR indicates that some "blasting" may occur of landforms. 10

Based on the permanent alterations of natural landforms that will occur including flattening ridges and hillsides and replacing these natural landforms with massive box-style industrial buildings and related infrastructure and roadways there are also conflicts with policies of the City's General Plan that are intended to preserve, protect and minimize impacts to these resources, including policies 3.12.1, 3.12.2, 3.12.3, 3.12.4, 8.6.1, 8.6.3, 8.6.4, 8.9.2, 8.9.3, and 8.9.4. Given the importance placed on the preservation of natural landforms through the General Plan, and the permanent loss of these resources as a result of the Project, the EIR's finding of less than significant is not supported. 11

Moreover, the Project's lighting impacts have not been assessed as to the MSHCP Conservation Area. Artificial nighttime lighting negatively impacts animal species in a variety of ways and it has not been shown that the Project's lighting plan will adequately address the "edge 12

effects" of this Project on the existing conservation area.[1] [2] [3]

Appropriate mitigation must be adopted before the Project can be approved. This could include limiting the height of the buildings to 45 feet for example; locating truck docks on the southside of buildings only (at present loading docks are located on both sides of buildings); reducing the number of buildings or shrinking the size of the buildings including by way of "clustering" of development to the least sensitive areas of the site; increasing landscaping to buffer buildings; and avoidance of the most sensitive resources such as rock outrcroppings.

12 (CONT.)

Air Quality Impacts

The Project will result in significant operational air quality emissions. In terms of NOx emissions, the Project at full operation will exceed the applicable threshold of significance by approximately nine times (total NOx emissions = 494.5 lbs per day compared to SCAQMD threshold of significance of 55 lbs per day). If construction and operation phases overlap, these emissions are far greater (675 lbs per day). (EIR 4.3-41 - 4.3-42.) Despite these significant operational impacts, the EIR fails to adopt all feasible mitigation to reduce these impacts consistent with CEQA.

The majority of the Project's air quality emissions are caused by mobile emissions. An EIR's central purpose is to identify a project's significant environmental effects and then evaluate ways of avoiding or minimizing them. (Cal. Public Resources Code, §§ 21002.1(a), 21061.) The City must adopt *any* feasible mitigation measure that can substantially lessen the project's significant air quality environmental impacts including due to mobile emissions. (Cal. Pub. Res. C. § 21002; State CEQA Guidelines, § 15002(a)(3).)

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Title 24/Cal Green does not currently require the installation of electric vehicle (EV) charging units for cars or trucks; the Building Code requires electrical conduit for vehicle charging stations *but not charging units*. The Project must be conditioned to require the installation of electric vehicle (EV) charging units at the time of occupancy of each phase of the development. EV vehicle charging units are entirely feasible and standard practice.[4] The EIR mentions EV units in the discussion but none are required through the mitigation program and the record contains conflicting information as to how many units will be installed, where they will be installed, or when these units will be installed and operational.

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The Project should also be conditioned to require EV charging units for heavy duty and

[1] https://darksky.org/resources/what-is-light-pollution/effects/wildlife-ecosystems/
Hyperlinks and their contents cited in this letter are fully incorporated herein by reference, and their contents are summarized in the body of the letter.
[2] https://kids.niehs.nih.gov/topics/natural-world/wildlife/ecology/lighting
[3] https://www.earthobservatory.nasa.gov/images/145767/night-lights-can-disrupt-wildlife
[4] https://www.sdge.com/residential/electric-vehicles/power-your-drive/public-charging#types

medium duty trucks. Level 3/DC Fast (or Quick) Chargers (DCFC) should be required[5] (*see id*.; *see also* **Attachment A** hereto [big rig truck with battery size of 550kw and range of 250 miles take approximately 24 hours to charge with a Level 2 charger].) This comment also applies to "medium duty" vehicles such as delivery vans. *See* [6] [FedEx vans charge in hours with DC quick charger/Level 3].) Chargers must be required that are able to charge the battery of a Class 8 (heavy duty/big rig) truck as well as have the battery range needed to ensure these trucks could meet a "two shift" or even a "one shift" schedule. These chargers are feasible and available on the commercial market.[7]

14 (CONT.)

The Project should adopt further measures to reduce air quality impacts, including:

- Constructing building roofs with "light colored roofing materials." Cool roofs retain less heat and reflect more sunlight, thus lowering energy demand and reducing the "heat island" effect of a building. The Project must be conditioned to use roofing materials with a solar reflectance index ("SRI") of 78 for at least 75% of the roof surface (portions not covered in solar), consistent with USGBC standards. To provide measurable environmental benefit, the roofing material must be at the *highest possible* rating. *See* [8]
- Obtaining LEED certification to the most current USGBC[9] rating system for all industrial buildings, where such certification would require the applicant to implement sustainability measures that provide environmental benefits and off-set impacts.
- Installing concrete, preferably white concrete, in all parking areas. Light-colored concrete is more reflective of sunlight, thus employing concrete in all parking areas will reduce the "heat island" effect of the Project. [10] [11] Among other benefits, cooler surfaces and air reduce the need for air conditioning in vehicles.
- Providing landscaping in parking areas to provide 50% shade coverage within 10 years of operations. This can also reduce "heat island" effects and reduce the need for air conditioning.
- Installing and utilizing solar power for 100% of the facility's total electricity demand including electric vehicle parking in parking areas and automation within buildings. Solar power is entirely feasible and is particularly appropriate for a Project of this size, scale, and location.
- Including within buildings a "truck operator" lounge of a reasonable size which is available to truck operators with seating, restrooms, vending machines, and showers if size allows. The purpose of this lounge is to reduce the need for operators to wait in their cabs running either their diesel truck engine or diesel "APUs" either on- or

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[5] https://blog.evbox.com/level-3-charging-speed
[6] https://www.carscoops.com/2018/11/fedex-adds-1000-china-built-chanje-f8100-electric-vans-fleet/
[7] https://polb.com/port-info/news-and-press/charging-station-to-power-electric-trucks-in-port-11-30-2023/
[8] https://www.energy.gov/sites/prod/files/2013/10/f3/coolroofguide.pdf
[9] https://www.usgbc.org/leed
[10] https://coolcalifornia.arb.ca.gov/cool-pave-how
[11] https://heatisland.lbl.gov/coolscience/cool-pavements

off-site. Signage shall also be provided notifying truck operators that a lounge(s) is available for their use.

- The California Attorney General has published a list of best practices for warehouse developments: https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf These include:
  - Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
  - Requiring all heavy-duty vehicles entering or operated on the project site to be zero-emission beginning in 2030.
  - Requiring on-site equipment, such as forklifts and yard trucks, to be electric *only* with the necessary electrical charging stations provided.
  - Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
  - Forbidding trucks from idling for more than two minutes and requiring operators to turn off engines when not in use.
  - Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
  - Constructing electric truck charging stations proportional to the number of dock doors at the project.
- Constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at the project.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity, such as equal to the building's projected energy needs.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Achieving certification of compliance with LEED green building standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.

15 (CONT.)

- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.

15 (CONT.)

The EIR finds that NOx (diesel-related) impacts are significant (approximately nine times the threshold of significance). In the aggregate, the southern-California "goods movement network" is a "major source of emissions that contribute to the region's air pollution," and the southern California area "continues to have the worse air quality in the nation." (https://www.ca-ilg.org/sites/main/files/file-attachments/f2012rtpscs.pdf?1383110821) A "key component of air pollution is nitrogen oxides (NOx). NOx is emitted whenever fuel is combusted and reacts in the air to form ozone (smog) and fine particulates." (*Id*.) Despite "aggressive strategies" in the South Coast Air Basin, "it is estimated that NOx emissions will need to be reduced by approximately two-thirds in 2023 and three-quarters in 2030." (*Id*.) Addressing NOx impacts associated with mobile sources is key to mitigating the Project's significant air quality impacts. According to the SCAQMD's Blueprint for Clean Air (2016)[12], the southern California air basin will require approximately a 65 percent reduction in NOx emissions, *above and beyond existing measures*, to meet air quality standards.

The Project should thus establish fleet efficiency requirements for vehicle fleets. This should include, at a minimum, requirements that industrial tenants shall use exclusively zero emission light and medium-duty delivery trucks and vans; shall use only zero emission service equipment such as forklifts and yard trucks (electric only/*no natural gas*); and shall use near-zero and zero-emission technologies in heavy-duty applications such as "last mile delivery."[13] As the State moves toward its goal of zero emission goods movement, the City must ensure that the Project is in line with this important objective by also requiring the *phase-in* of zero emission or clean technology for *heavy duty* trucks. According to CARB, actions to deploy both zero emission and cleaner combustion technologies will be essential to meet air quality goals in California particularly with respect to goods movement. [14] Additional, feasible mitigation for operational air quality impacts includes the phase-in of electric, hybrid electric, hydrogen electric, or battery operated (*i.e*., non-diesel) trucks. The Project should be conditioned to adopt a "Diesel Minimization Plan" whereby zero emission trucks are phased in, *e.g*., 25% of truck fleets shall use zero emission technology by 2030, and increase that percentage by 10% per year, until 100% of trucks operating on sites are zero emission. This approach to mitigation is consistent with California regulations regarding phase-in of electric vehicles.[15] [16] (California requiring

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[12] https://www.aqmd.gov/docs/default-source/Agendas/aqmp/white-paper-working-groups/wp-blueprint-revdf.pdf?sfvrsn=2
[13] https://www.nbcnews.com/tech/tech-news/treated-sacrifices-families-breathe-toxic-fumes-california-s-warehouse-hub-n1265420
[14] https://ww3.arb.ca.gov/planning/sip/2016sip/2016mobsrc.pdf
[15] https://ww2.arb.ca.gov/news/california-moves-accelerate-100-new-zero-emission-vehicle-sales-2035
[16] https://www.cnbc.com/2023/03/31/california-requires-half-of-heavy-trucks-sales-to-be-electric-by-

manufacturers to produce zero emission trucks beginning in 2024); *see also* (discussing CARB's Advanced Clean Truck Rule)[17].) A mitigation measure is feasible if it can be achieved in a reasonable period of time. (Guidelines, § 15364.)

16 (CONT.)

The Project must establish a "Truck Route" otherwise MM 4.3-17 is ineffective. The EIR does not indicate the path of truck travel and we could not locate any condition that would require trucks to use a certain path of travel, but it is assumed that trucks will use local roadways for access to SR-60 and I-10.

17

Finally, to the extent the Project purports to include "project design features" aimed at reducing air quality emissions these must be made enforceable requirements through the Project's CEQA mitigation program. Impacts must also be assessed and disclosed apart from any "design features" especially where they are not mandatory requirements of the Project.

18

Biological Resources

The Project proposes to construct and operate a massive warehouse complex adjacent to MSHCP Conservation Area(s). This has the potential for disruption and harm to biological species and habitat within the Conservation Area. For instance, noise impacts during the Project's anticipated five years of construction are not shown to be less than significant in terms of impacts to biological resources particularly at nighttime. The Conservation Area is a natural area containing biological resources including habitat for protected species. The Project will entail substantial grading and other construction activities including potentially "blasting" of significant landforms. These impacts have not been properly assessed and mitigated.

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The Draft EIR does not demonstrate that noise impacts are less than significant with respect to adjacent conserved lands in terms of the residential noise threshold or otherwise. The record does not demonstrate that Planning Area (PA) 9 would serve as a "buffer" to ensure that noise levels due to Project operations *do not exceed the residential noise standard* in terms of conserved lands located immediately adjacent to the Project site particularly at nighttime.

The Draft EIR acknowledges the potential for "edge effects" to adjacent conserved lands. These include nighttime lighting and noise impacts that will adversely impact the habitat of biological species within the conserved lands. Additional biological mitigation should include: locating building loading docks on the northside of buildings only, or designing buildings so that loading docks and Project roadways are located as far away as possible from sensitive biological areas including the MSHCP Conservation Area. At present buildings have loading docks on *both sides* which is not necessary for operations as buildings will be built on speculation. The Project site maximizes development at the expense of providing a more sensitive transition between uses for the benefit of established biological habitat and known biological resources.

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2035.html#:~:text=The%20state%27s%20rule%20requires%20manufacturers,on%20the%20road%20by%202035.

[17] https://ww2.arb.ca.gov/resources/fact-sheets/advanced-clean-trucks-fact-sheet

Greenhouse Gas Emissions

The State of California has committed to aggressive goals for the reduction of the emissions causing global climate change. Executive Order S-3-05 establishes a 2030 target of a 40 percent GHG reduction below 1990 levels; Executive Order S-3-05 establishes a GHG emission reduction target of 80% below 1990 levels by 2050; and Executive Order B-16-2012 establishes a target for the reduction of GHG emissions from the transportation sector of 80% below 1990 levels by 2050. The City has adopted targets in line with the State Requirements (General Plan Policy 8.3.1 and Sustainable Beaumont/Climate Action Plan ("CAP")). Roughly a billion square feet of the Inland Empire is devoted to warehouses.[18] The Project serves to increase cumulative GHG emissions by building even more warehousing, but it fails to adopt all feasible mitigation for the cumulatively significant impact.

The Project will result in total GHG emissions of 63,911.07 MTCO2e/year. This vastly exceeds the adopted threshold of significance of 3,000 MTCO2e/year. As such the Project must adopt all feasible mitigation. Air quality mitigation measures listed above (including the phase-in of zero emission trucks) should be considered feasible mitigation for GHG impacts. Many of the Project's "sustainability features" are already requirements of Title 24/CalGreen, as such they cannot be considered "mitigation"; and they do not address mobile emissions, which are the greatest source of the Project's GHG emissions. For instance, the Project does not provide bike paths and the site will not be served by public transit. Accessible and safe bike paths as well as access to public transit should be considered feasible mitigation for significant GHG emissions related to mobile emissions.

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Moreover, under Table 4.8-5, the Project has significant conflicts with the City's CAP and other plans adopting for the purposes of reducing GHGs, including, but not limited to:

City of Beaumont CAP

Goal 6: the Project can reduce its heat island effects by using only light-colored concrete in parking areas and roadways preferably "white concrete"; by increasing landscaping in parking areas; and by covering parking areas with solar canopy structures.

Goal 7: the Project has a significant VMT impact; the City should investigate and establish a programmatic VMT reduction fund (see discussion below).

Goal 9: the Project should maximize solar power by committing, through enforceable mitigation measures, to 100% solar power for all aspects of the facility's operations as well as requiring buildings to provide maximize "solar ready" roofs to allow for expansion of solar panels to accommodate future electric vehicle charging (trucks).

Goal 10: the Project patently conflicts with this goal as it does not "decrease GHG emissions from new development"; it vastly *increases* GHG emissions.

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[18] https://calmatters.org/commentary/2023/09/inland-empire-warehouse-boom-rejections/

City of Beaumont General Plan

Policy 3.1.12: The Project does not locate "less intensive rural development within proximity to open space areas". It locates an intense warehouse complex with loading docks on both sides of buildings and truck travel lanes adjacent to open space conservation areas. The Project also includes "disturbance *within* areas designated as Open Space." (emphasis added)

Policy 4.1.5: the Project is not "required" to provide a public transit "connection."

Policy 4.4.3: the Project does not "improve safety for all transportation users." There are no bicycle paths and no public transit. The Project is not walkable to homes, and it will require use of personal vehicles by employees and visitors to commercial areas (if built), which is neither equitable nor environmentally sustainable. The same discussion applies to Policy 11.12.6.

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County of Riverside CAP

It is not clear that the County of Riverside's CAP Screening Table is relevant to the conclusions of the EIR where the Draft EIR states that consistency with the CAP is shown for "informational purposes." However, to the extent the EIR *relies* on the CAP to determine the level of Project impacts and relies on the CAP Screening Table for purposes of *mitigation*, the Project is not shown to be consistent, including there is *no enforceable* mitigation requirement of photovoltaic power for which the Project claims 19 points under the Screening Table. Many of the Screening Table measures are already requirements of Title 24 (*e.g.*, bike lockers) thus claiming them as "mitigation" is inappropriate particularly where the EIR already reduces GHG emissions by 30% due to compliance with Title 24. The Project incredibly takes "480" points under the Screening Table for installing EV charging stations (the EIR notes that the Project "is anticipated to include 60 EV charging stations"; yet elsewhere the EIR states "15 electric vehicle charging stations"). In either case, the EV chargers are not part of the CEQA mitigation program. The Project further takes 3 points for providing bike lockers but there are no bike paths as part of the Project so that bicycle lockers do not seem to have a practical application. The Project is uphill and not a reasonable walking distance from any existing residential area.

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Goal 5: the Project does not reduce GHG emissions and improve air quality; it causes significant GHG emissions and significant air quality impacts.

Goal 10: the Project develops natural lands and replaces it with warehouse development bringing vehicles, big rig trucks, lighting, and noise ("urban development)" to a natural, undeveloped area adjacent to MSHCP Conservation Areas. Moreover, the Project is not located within "the City of Beaumont"; it is located in Riverside County in an area designated for conservation under the MSHCP.

Overall, the Project does not decrease VMT (it vastly increases VMT) and therefore is not consistent with plans and polices aimed at reducing VMT to reduce GHG emissions in southern California. In terms of proximity to the regional transportation network, access to the Project site is via 4th Street and local roadways including Portero Boulevard. Trucks and vehicles will must traverse local roadways to reach the Project site; the site is not accessible from SR-60.

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County of Riverside General Plan

LU 2.1 (f): the Project does not incorporate "multi-modal transportation opportunities" in

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that there are no bike paths and no public transit accommodations or access. The site is not within walking distance of anywhere.

LU 2.1 (g): the Project will be built in an environmentally sensitive, high risk fire zone.

LU 4.1: the Project has no requirement of solar energy; the site has no bicycle routes. Generally speaking the site is located far away from any other developed areas and therefore necessitates vehicle use.

LU 8.12: there is no requirement of local hiring so it is unclear that the Project would create a substantial number of jobs "that would be filled by residents of the City and surrounding communities" as claimed. Elsewhere in the EIR it is stated that warehouse distribution/e-commerce facilities are becoming increasingly automated.

LU 11.4: the Project does not provide bicycle paths or public transit. The fact that "sidewalks" will be provided is the minimum requirement to meet accessibility standards under Title 24.

LU 11.5: the Project does not "ensure that all new developments reduce [GHG] emissions". The Project vastly increases GHG emissions.

OS 16.8: the Project does not provide access to public transit. The inclusion of bicycle racks is already a requirement of Title 24. The Project must go beyond existing regulations to increase sustainability measures. The Project must include bicycle paths to encourage the use of bicycles as an alternate mode of transportation. This would include the use of "e-bikes."

OS 16.9: the Draft EIR does not include mitigation to provide within Project buildings "passive, solar design and day-lighting" such as sky lights. Sky lights should be required in all warehouse buildings particularly in employee areas to reduce the need for overhead lighting and provide enhanced working conditions for employees.

Overall, the Project does not reduce VMT and therefore is inconsistent with policies and goals related to reducing vehicle dependency. Among other things the Project does not provide bike lanes or access to public transit. The Project is primarily a warehouse complex located on a steep hillside on the south side of SR-60, and it is not located within walking distance from any residential or commercial areas.

26 (CONT.)

Furthermore, MM 4.8-1 is inadequate under CEQA. It states that the Project will implement the measures of Table 4.8-6 but may also "achieve equivalent reductions from other measures approved by the City." This does not amount to certain and enforceable mitigation under CEQA in part because performance standards are not specified and these "other measures" will be formulated after Project approval. Moreover, the City will only "verify" the measures "prior to the issuance of the final Certificate of Occupancy," which may never occur, since there is no guarantee that all phases of the Project will be developed (including the commercial phase/Phase 3). Additionally, Table 4.8-10 asserts the Project will include a requirement to offset 60% of energy demand via photovoltaic solar but this is neither specified in the GHG Screening Table analysis or in the mitigation program. Again the City should also consider additional measures aimed at reducing VMT including *programmatic* VMT mitigation (see below).

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Energy Demand

State CEQA Guidelines Appendix F provides that "[t]he goal of conserving energy implies

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the wise and efficient use of energy. The means of achieving this goal include: (1) decreasing overall per capita energy consumption; (2) *decreasing* reliance on fossil fuels such as coal, natural gas and oil, and (3) *increasing* reliance on renewable energy sources." (emphasis added) Appendix F puts "particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy." The EIR's finding of less than significant with respect to energy resources is not supported.

The Project will consume 53,857,582 kBTU of natural gas, 25,747,206 kWh of electricity, and 5,318,792 gallons of fuel annually. The Draft EIR concludes that impacts are less than significant because the Project represents a small percentage of energy consumption compared to State-wide energy usage and fuel demand. Accordingly the Project does not adopt any energy mitigation measures.

The Project creates a massive demand for electricity, but does not, for instance, "increase reliance on renewable energy sources." (*See* CEQA Guidelines Appendix F.) This Project must mitigate its energy impacts. The installation and utilization of a solar energy system for 100% of the facility's total energy demands including all electric vehicle charging could vastly reduce the Project's energy impacts consistent with Guidelines Appendix F. The City must impose measures on the Project to ensure compliance with Guidelines, Appendix F and to advance the policies and goals of Senate Bill 100 which commits to 100% clean energy in California by 2045. The Draft EIR indicates that the Project will rely on renewables for 20% of the Project's energy demands but this is not part of the CEQA mitigation program and it is unclear how this measure will be implemented. Flat-roofed warehouse buildings must maximize their reliance on solar power including maximizing solar readiness for future expansion of PV panels to meet additional energy needs (charging of electric trucks).

28 (CONT.)

The Project should be required to adopt further measures to reduce Vehicle Miles Traveled ("VMT") to reduce fuel consumption. The Draft EIR reasons that VMT will be reduced because at full buildout the Project is anticipated to employ approximately 5,000 persons. There is no requirement of local hiring so that assumptions that employees will travel shorter distances to work are not based in fact, and all employees will be dependent on cars as the uphill site is not within reasonable walking distance of any residences or a transit stop. The Project increases VMT and is therefore patently inconsistent with land use plans - local, regional, and State – that aim to reduce VMT. For instance, according to the 2022 CARB Scoping Plan[19],

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[19] https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-e-sustainable-and-equitable-communities.pdf

> [c]ontrary to popular belief, zero-emission vehicles (ZEV) alone are not enough to solve the climate crisis. The 2022 Scoping Plan illustrates that despite cleaner vehicles and low- carbon fuels, the path to carbon neutrality by 2045 also depends on reducing per capita VMT (the total passenger vehicle miles driven by an average person in California on any given day). To meet the carbon neutrality goal, the Scoping Plan proposes reducing VMT from 24.6 miles per day in 2019 to 18.4 miles by 2030 (a 25 percent reduction) and to 17.2 miles per day by 2045 (a 30 percent reduction).

To reduce VMT consistent with State, regional and local plans, the Project should consider an alternate development scenario involving more mixed-use development balancing professional and business park uses with commercial and warehouse uses. As proposed 94% of the Project's developed space are industrial warehouses. The Project should consider committing to local hiring to reduce VMT. The Project should incorporate safe and accessible bike lanes as well as access to public transit. The City should also explore *programmatic VMT mitigation options*. Other jurisdictions like the City of Escondido are evaluating "VMT Exchange Programs" for instance[20]. *See also* [21] [22].

29 (CONT.)

Finally, mitigation measure 4.3-8 must be revised to require only electric outdoor cargo-handling equipment ("non diesel" includes natural gas/CNG).

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Land Use Impacts

Contrary to the conclusions of the Draft EIR, the Project results in significant land use impacts, including, but not limited to, conflicts between the Project and City of Banning General Plan policies as discussed in the GHG section above. The Project also conflicts with General Plan Policies 3.4.8, Policy 3.11.9, Policy 3.12.2, Policy 3.12.3, Policy 3.12.4, Policy 4.1.5, Policy 4.6.2, Policy 8.5.1, Policy 8.6.1, Policy 8.9.2, Policy 8.9.3, 8.9.4, Policy 8.10.4, and Policy 10.1.5 as well as General Plan policies related to noise.

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The Project is also inconsistent with Riverside County General Plan Policies, including LU 7.7 in that "buffers" are not required between intense industrial uses and watercourse areas including their habitat. The Project does not provide transportation options and bikeways consistent with Policies C 1.2 and C 1.7. In terms of biological impacts, the EIR does not demonstrate that the Project is consistent with Policy OS 4.9 which "discourage[s] development within watercourses and areas within 100 feet of the outside boundary of riparian vegetation." The record does not demonstrate the Project is consistent with Policy OS 5.5 to "preserve and enhance existing native

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[20] https://www.escondido.org/Data/Sites/1/media/Planning/VMT/EscondidoFeeProgramDocumentation_PublicReviewDraft10212022_clean.pdf
[21] https://www.law.berkeley.edu/wp-content/uploads/2018/09/Implementing-SB-743.pdf
[22] https://scag.ca.gov/sites/main/files/file-attachments/ladot-vmt-mitigation-program-factsheet.pdf?1643075436

riparian habitat." The Project is patently inconsistent with Policies OS 11.1, 11.,2, 11.3 and 16.9 regarding solar energy systems.

The Project is also inconsistent with plans and policies aimed at reducing VMT. The Project will result in 213,809 vehicle miles traveled per year; the heavy-duty truck VMT is 91,040. The Project will exceed the City's adopted VMT threshold by 45%. (Draft EIR, Appendix K2) The VMT Technical Analysis (Appendix K2) suggests strategies that should be applied to the Project (pp. 6-7) including to "provide pedestrian and bicycle network improvements within the development connecting to existing off-site facilities to the east along 4th Street." This was not adopted for the Project. The Draft EIR's transportation section acknowledges that there no transit stops or bicycle facilities *within the Project vicinity*. (DEIR p. 4.17-2.)

The City has apparently an approved *Policy on Land Use and Sensitive Receptors* which is intended to minimize the effects of warehouses in close proximity to sensitive receptors. This policy includes requirements such as that dock doors shall not be visible from surrounding residential properties; truck bays shall be a minimum of 1,000 feet from the property line of a nearest sensitive receptor; projects shall be designed to ensure adequate on-site queuing; truck driveways shall not front sensitive receptors; that a truck route should be submitted as part of the entitlement package; separate entry and exit points for trucks and passenger vehicles shall be provided to minimize vehicle/truck conflict; pad heights should be varied to provide visual dimension and reduce visible height of a structure; external PA systems are prohibited; wayfinding signage should be posted; a community benefit program shall be funded. (*See* **Attachment B** hereto)[23]. The Project has not evaluated in accordance with this Policy and the Project represents significant conflicts with this Policy.

The EIR must be revised in terms of conflicts with General Plan and other land use policies applicable to the Project. Additional mitigation must be imposed to ensure consistency between the Project and adopted land use plans.

Noise

Construction noise is significant contrary to the EIR's conclusions. The Draft EIR Table 4.13-7 claims a 20 dBA "typical building construction" noise reduction but does not explain why this substantial reduction noise is credited. The Draft EIR's Noise Study (Appendix J) indicates that this 20 dBA reduction is applied "for typical buildings with 'windows closed'," meaning, apparently, that the analysis assumes all residences in the vicinity of the Project site will not experience significant noise impacts because they will have their windows closed Monday through Saturday during the five-year construction period. This raw assumption does not account for homes without air conditioning (in summer months), nor does not account for the fact that people use exterior spaces of their homes (backyards). Nor does it account for the fact that wildlife will experience *unabated* noise during the Project's five-year construction period. Noise has harmful

32 (CONT.)
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36

[23] https://www.beaumontca.gov/DocumentCenter/View/37935/Final-PLUS

effects on wildlife species (see above). The analysis (Table 10-2) indicates significant impacts at "BIO" receivers during construction in particular as to BIO-3 (164 feed southwest of the Project site opposite the planned loading dock area of Building 4). Moreover, all construction noise levels exceed the residential noise standards applicable to the Conserved Area. Noise is very harmful to animal species.[24]

36 (CONT.)

Furthermore, the construction noise analysis apparently does not measure or account for *off-site* construction activities including the extension of 4th Street or encroachments into the Open Space areas that are described in the Draft EIR including the construction of the "manufactured slopes" in these areas (*see* Appendix J, Noise Study Exhibit 10-A). The Project Description notes that off-site improvements include the installation of water, recycled water, and sewer lines, which would occur up to 350 feet east of the Project site in the 4th Street right of way. These activities are not captured by the construction noise analysis in terms of receiver locations. Finally, the construction noise analysis does not account for periods where construction will overlap with Project operations, meaning that noise events will be occurring simultaneously.

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In terms of operational noise impacts, "loading dock" activity has a referenced noise level of 65.7 dBA at 50 feet according to the EIR. (Appendix J, p. 57). At 164 feet, BIO 3 can be expected to experience significant noise conditions particularly at nighttime. Indeed, the noise study indicates a significant impact at nighttime with respect to BIO-2 and BIO-3 (46.2 dBA and 50.2 dbA respectively.) This is a significant and unmitigated impact of the Project. Also, there were apparently no "ambient noise levels" taken for the BIO receivers meaning that the Draft EIR does not measure or disclose the *increase in noise* with respect to the conservation area to the south (*see* Tables 9-5 and 9-6).

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The City must adopt all feasible mitigation measures for significant noise impacts. For impacts to the conservation area, this includes relocating, shrinking or clustering buildings to allow for more buffering between noise sources and sensitive biological receptors, installing noise absorbing walls, limiting nighttime activities including truck deliveries, prohibiting "PA" systems especially at night, prohibiting the use of generators except in case of emergency, ensuring a daytime schedule for trash compaction and collection, and ensuring lights are dimmed off to the maximum amount or turned off when not in use. (*See* Attorney General *Warehouse Best Practices* "Warehouse Siting and Design Considerations.")[25] *Thousands* of trucks per day are anticipated to arrive at the Project site on a 24 basis, utilizing travel lanes in and around the Project site adjacent to the conserved lands.

For significant traffic noise impacts, again site design measures including reducing the size or number of buildings to reduce the amount of truck traffic is feasible mitigation. Additionally, limiting the hours of operation/deliveries/loading dock activities to daytime hours is another feasible and reasonable means to reduce significant nighttime traffic noise impacts.

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[24] https://www.nature.org/content/dam/tnc/nature/en/documents/Shale_Practices_Noise_Control.pdf
[25] https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/warehouse-best-practices.pdf

The Draft EIR proposes only *one* noise mitigation measure for significant, long-term noise impacts due to intense industrial operations including significant truck traffic on local roadways. Sierra Club submits that numerous measures are available to reduce noise at the Project site due to Project operations including, for instance, paving roads with low noise asphalt (*see, id.,* p. 9; *see also*[26], [27]). Due to the porous nature of asphalt, this material can reduce roadway noise by 3 dBA to 5 dBA[28] (the Draft EIR dismisses this measure). Also for instance, loading docks can be designed with noise attenuating features such as a foam seal and enhanced bumpers on the deck leveler to reduce "dock mating noise." Ensuring a tight connection between the truck and the building will ensure that all unloading is done directly in the building. Again for instance, a completely roofed loading dock and roll up doors that are closed during trailer unloading would reduce nighttime noise if loading activities are permitted at nighttime. In terms of on-site equipment, all cargo moving equipment shall be installed with self-adjusting "back up" beepers that adapt to the noise environment.[29] [30]

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Transportation

Project related traffic will use SR 60 and I-10 in route to/from the Project site via Portero Boulevard and 4th Street. The Draft EIR does not disclose that Project related traffic will contribute to cumulatively significant traffic impacts thereby requiring mitigation, and in fact, no traffic mitigation is required through the CEQA mitigation program. The Traffic Impact Analysis (Appendix K1), however, states:

> the proposed Project is not anticipated to require the construction of any off-site improvements, however, there are improvement needs identified at off-site intersections for future cumulative traffic analysis scenarios. As such, the Project Applicant's responsibility for the Project's contributions towards deficient off-site intersections is fulfilled through payment of fair share and/or payment into pre-existing fee programs (if applicable) that would be assigned to the future construction of the identified recommended improvements. The Project Applicant would be required to pay requisite fees and/or fair share contributions consistent with the City's requirements (see Section 10 *Local and Regional Funding Mechanisms*). (*See also* Table 1-4.)

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[26] https://www.petronaftco.com/asphalt-reduces-noise/
[27] https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/quieter-pavement-a11y.pdf
[28] https://www.sunlandasphalt.com/can-we-reduce-road-noise-by-selecting-a-certain-pavement-type/
[29] https://www.cpwrconstructionsolutions.org/heavy_equipment/solution/792/self-adjusting-and-directional-backup-alarms.html#:~:text=Self%2Dadjusting%20and%20directional%20backup%20alarms%20are%20an%20engineering%20control,the%20vicinity%20of%20the%20vehicle.
[30] https://www.forkliftamerica.com/forklift-backup-alarms/

This is a significant cumulative impact contrary to the conclusions of the Draft EIR. (DEIR p. 4-17.21.) The City must find the impact to be significant. The EIR indicates that a number of intersections will operate at unacceptable levels of service. (See Draft EIR Exhibit 5-7, 5-8, and 5-9.) The EIR indicates a number of needed improvements. (*See* Draft EIR section 5.7.1) The Project is not conditioned to make any fair share payments for needed traffic improvements.

41 (CONT.)

The traffic model assumes that 25% of Project related vehicle traffic will use Portero Boulevard between 4th Street and Oak Valley Parkway thereby passing by existing residences to the west of Portero Boulevard. This is not disclosed in the Draft EIR. The traffic model assumes *no* truck traffic on this same roadway segment although there is nothing preventing or restricting trucks from using this roadway segment for access to I-10. The Project must establish a "Truck Route" to ensure that Project related truck traffic does not use Portero Boulevard north of the "new" interchange to reach I-10. If trucks use this segment of Portero Boulevard they will pass homes/sensitive receptors. The EIR states that the Project is not "anticipated" to use the Beaumont Avenue and I-10 off ramps but there is no designated and enforceable truck route that would prevent trucks from using this off ramp. On the other hand, the analysis appears to assume that Portero Boulevard and I-10 ramps will be utilized by Project trucks. (*See* Table 4.17-3.)

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Contrary to the EIR's conclusions, the Project conflicts with General Plan policies related to transportation including Policies 4.1.5, 4.2.2, 4.2.5, 4.4.3, where there is no public transit available at the Project site and the Project proposes none.

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In short, the Draft EIR's conclusion that the Project does not result in cumulatively significant traffic impacts is not supported. Table 4.17.3 indicates that the Project results in cumulatively significant impacts to the studied intersections. Therefore mitigation is required.

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Wildfire Evacuation

The Project site is in a "Very High Fire Hazard Zone." The Project is designed so that the entirety of the development will rely on 4th Street and an emergency access point for vehicle ingress/egress points. The location of the Project, the design of the Project, and the intensity of development including the commercial component/hotel raises serious issues of fire safety and evacuation risk.

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First, the Draft EIR does not demonstrate that fire response times can be met (the City's goal is five minutes, *see* General Plan Update p. 226[31]). The Fire Protection Plan indicates that the closest fire stations are 6.94 and 9.15 minutes from the entrance to the Project site (not the farthest point of the development). (FPP p. 35.) Both are staffed with a single fire engine. Riverside County has also recommended a 5 minute response time (90% of the time) for land uses such as large industrial complexes under the category of "heavy urban". (FPP p. 36.) There is no indication in the record that the Project can meet this 5 minute response time due to its more remote and hillside

[31] https://www.beaumontca.gov/DocumentCenter/View/36923/Beaumont-GPU_Final-rev-22521

location.

The Draft EIR also does not demonstrate that the Project site can be safely evacuated during a fast-moving major fire event. In addition to visitors to the commercial businesses, including the 125-room hotel, the Project is expected to employee roughly 5,500 people. The EIR must demonstrate that the number of persons occupying the Project site at any given time can evacuate in a safe and efficient manner including via 4th Street, that is, whether the capacity of 4th St. can handle the mass evacuation of the site; also the record does not indicate whether nearby roadways (Portero Road) can accommodate evacuating persons including residents of existing neighborhoods and employees and visitors of nearby warehouses assuming 4th Street through to SR 60 is blocked by fire. The Project depends on local roadways for connections to SR 60 which are likely not capable of handling the mass evacuation of the site (the Project apparently only improves 350 feet along 4th Street).

The Draft EIR's Evacuation Study (Appendix M2) indicates that under "Scenario 3" (4th Street) the Project will take approximately 2.5 hours to evacuate, and in combination with the "Hidden Valley Industrial Park" to the west, will take more than 3 hours to evacuate. This must represent a significant impact of the Project in terms of the need for additional fire protection services. The Project's mitigation program does not include mitigation for wildland fire risk impacts.

The Beaumont General Plan requires the preparation of a fire protection and evacuation plan and requires that new development provide two viable points of ingress and egress for emergency vehicles. The General Plan has other policies intended to mitigate fire risk which are not met here. (*See* General Plan Goals 9.4, 9.5, 9.6.) This includes Policy 9.5.2 stating that fire department resources shall be increased to meet the targeted response time of five minutes. Even with the construction of a new fire station as indicated in the Final EIR there is not evidence that fire response time of 5 minutes can be met for the Project. This new fire station was not evaluated through the Draft EIR and there is not evidence in the record that this new fire station will meet fire response times. Nor does the Project appropriately consider the Amazon facilities located on 4th Street.

Finally, the Fire Protection Plan must be made a mitigation requirement of the Project through the CEQA mitigation program. We could not locate the FPP in the conditions of approval or the mitigation program.

Cumulative Impacts

As noted above, a billion square feet of the Inland Empire is devoted to warehouses. In just a few months, the World Logistics Center (WLC) - the 40 million square foot warehouse complex in eastern Moreno Valley - will break ground. The WLC is located only a few miles from the Project site. The WLC is estimated to generate 12,000 daily diesel truck trips with most of them using SR-60 —traveling past the Project. It is also estimated to generate more than 50,000 daily vehicle trips.

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The WLC Project has not been included in the Project's cumulative impact analysis. Because the Project will contribute to traffic impacts on SR-60, the cumulative impact analysis must be updated to include forthcoming the WLC Project. (*See attached; see also*, **Attachment C** hereto [map of warehouse development in Inland Empire indicating WLC].)

50 (CONT.)

Growth Inducement

Based on the Project's development pattern and expansion of infrastructure, including roadways and utilities, and given the site's proximity to undeveloped rural residential lands, the Project presents the potential for growth inducing impacts contrary to the EIR's findings. (Guidelines, § 15126 (d).)

51

Project Alternatives and Findings of Fact

CEQA requires that an EIR describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant effects of the project." (Guidelines, § 15126.6 (a).) The "range of alternatives" presented through the EIR do not provide decisionmakers with meaningful alternatives that substantially reduce project impacts and meet most of the basic objectives of the Project. The Reduced Intensity Alternative would still develop 4,000,000 square feet of industrial uses (a total of 4,495,000 sf of industrial development). It would primarily decrease the amount of commercial uses under the Project.

52

The Draft EIR should evaluate a development alternative with a greater mix of uses, such as business park or professional park uses, to reduce VMT and noise (due to heavy duty truck traffic). Specific plan zoning is an opportunity to create a comprehensive zoning plan for a particular area; and because the Project proposes to entirely redesignate and rezone the properties it is not a foregone conclusion that only industrial uses (with some limited commercial) must be developed. The City should explore a development that truly balances uses to create the type of "transit oriented" development that reduces VMT. The City should also consider an alternative that substantially reduces the amount of industrial development as this is the "primary" development objective of the Project. By reducing industrial development in a meaningful way there is a real opportunity to reduce Project impacts while still providing employment and tax revenue opportunities.

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To ensure that alternatives are properly assessed and considered, CEQA "contains a `substantive mandate' requiring public agencies to refrain from approving projects with significant environmental effects if 'there are feasible alternatives or mitigation measures' that can substantially lessen or avoid those effects'." (*County of San Diego v. Grossmont-Cuyamaca Community College Dist.* (2006) 141 Cal.App.4th 86, 98; Pub. Res. Code § 21002.) A lead agency may not reject an alternative unless the agency makes findings supported by substantial evidence showing that the alternative is infeasible. (Public Resources Code §§ 21081 (a), 21081.5; Guidelines, §§ 15091 (a)(3), 15092.) Rejected alternatives must be "truly infeasible." (*County of*

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Marina v. Bd of Trustees of Calif. State Univ. (2006) 39 Cal.4th 341, 369.) Absent findings of infeasibility supported by substantial evidence, the City here must adopt the Reduced Intensity Alternative. The Findings do not demonstrate that this alternative is infeasible. The purported fact that fewer jobs would be created and that the alternative would not meet Project Objectives C, D, and E "to the same extent" as the Project is not a finding of infeasibility of the alternative.

54 (CONT.)

Conclusion

For the reasons above, Sierra Club urges the Council to delay a decision on this Project pending revisions to and recirculation of the EIR as well as the adoption of further mitigation. Thank you for the opportunity to comment on this Project.

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Sincerely,

Abigail Smith

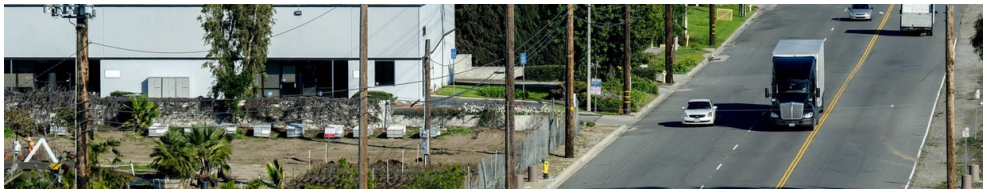
Abigail Smith

Enclosure

ENVIRONMENT

Ontario still ‘warehouse king’ in Inland Empire

Large project propels Moreno Valley to No. 2 on consultant’s list of most impacted areas



Traffic flows on Philadelphia Street near warehouses in Ontario last week. An environmental consultant's data shows the region is becoming more saturated with warehouses.

Image 1 of 2

By Jeff Horseman

jhorseman@scng.com

It's easy in the Inland Empire to feel surrounded by warehouses. But where is the logistics footprint the largest?

Mike McCarthy thinks he knows. Using publicly available data, including information from county assessors' offices, the Riverside environmental consultant recently updated his list of the Inland communities with the most square footage devoted to existing and planned warehouses.

The rankings help residents hold accountable the elected officials who make land-use decisions allowing warehouses, McCarthy said.

"Understanding which cities are disproportionately impacted is helpful for local residents to understand where they fit," he said.

McCarthy's rankings, updated from his first list in 2022, paint a picture of a region increasingly saturated with large warehouses, often 1 million square feet or larger.

Thanks to its nexus of freeways and rail lines, proximity to the ports of Los Angeles and Long Beach, an abundance of flat, cheap, available land and a blue-collar workforce, the Inland Empire is a logistics hub supplying Southern California and a nation thirsty for instant delivery of online-ordered goods.

While warehouses employ thousands and provide an economic foundation in a region lacking the high-paying, white-collar jobs of coastal counties, some also blame logistics for a range of health problems associated with toxic

exhaust belched by warehouse-bound trucks.

Critics also assail the logistics industry for destroying local roads with a seemingly endless stream of tractor trailers and warehouse working conditions described as unsafe and sweltering.

McCarthy, a member of Riverside Neighbors Opposing Warehouses, said he made two changes from his 2022 rankings. He included warehouses that have been planned and approved but not yet built. And he added unincorporated communities that aren't officially part of a city.

Ontario, which was No. 1 in 2022, remains at the top of McCarthy's list.

"Ontario is still the warehouse king of the Inland Empire," McCarthy said.

Moreno Valley, which ranked No. 11 two years ago, is now second.

The biggest factor in Moreno Valley's jump, McCarthy said, is the World Logistics Center, which will feature 40.6 million square feet of warehouse space on 2,610 acres — roughly equal to 700 football fields — once completed.

About 2.6 million square feet of the center has been built and occupied, Eric Rose, spokesperson for the center's developer, Highland Fairview, said via email. Engineering for the next phase of infrastructure is done, with construction expected to start as early as April, he added.

Moreno Valley Mayor Ulises Cabrera said via a text message that, while logistics brings an "economic uplift" to the city, "we must address its impacts on air quality, wages, benefits, and infrastructure strain, particularly affecting our most vulnerable communities."

The city also needs to "pivot" to industries such as "technology, the renewable energy supply chain, manufacturing, artificial intelligence, and health care," Cabrera said.

"This balanced approach aims not only to enhance our economic landscape," Cabrera said, "but also to ensure a higher quality of life, offering residents opportunities that extend beyond living paycheck to paycheck."

Fontana is third on the list. Land controlled by the March Joint Powers Authority, Perris, Rialto, Chino, Jurupa Valley, Beaumont and Rancho

Cucamonga round out the top 10.

One new entry to the top 20 is Menifee, which was not previously ranked. McCarthy said Menifee makes the latest list because "there's just a lot of planned activity going along on (the city's) border with Perris on Ethanac Road."

Redlands did not make the top 20 list.

Some cities rank lower on the list than they did in 2022.

Chino dropped to No. 7 from No. 4, Riverside dropped from 10 to 13, Corona dropped from 12 to 16 and Colton dropped from 15 to 18.

"The biggest trend that I'm seeing is just the continuation of logistics sprawl," McCarthy said. "The cities that are the hotbeds for new activity for the planned warehouses are farther from the ports. We're talking about Moreno Valley, Beaumont, Mead Valley, Temescal Valley (and) Menifee. Those are all 80 to 100 miles from the ports."

McCarthy said he was "a little surprised" to see the biggest changes on his list occurring in Riverside County.

"I don't know if that's just because the San Bernardino County cities are more built out," he said. "But almost all of the big changes happened in Riverside on my list."

The list is sobering to Ana Gonzalez, executive director of the Jurupa Valley-based Center for Community Action and Environmental Justice.

"We feel kind of heartbroken" because the list includes cities where the center has been working with residents to mobilize against warehouse growth, Gonzalez said.

The list also includes communities that are heavily Black and Latino, Gonzalez added. "We just see this perpetration of environmental racism in our communities."

Gonzalez said the list underscores the need for the state government to intervene to stem the tide of logistics development. Politico reported last month that Assembly Speaker Robert Rivas, D-Hollister, asked lawmakers to form a "warehouse working group" to rein in the problems associated with warehouses in a way that doesn't kill warehouse jobs.

warehouses in a way that doesn't kill warehouse jobs.

Attachment A

AMPING UP: CHARGING INFRASTRUCTURE FOR ELECTRIC TRUCKS

Widespread innovation and technological advances are producing technologies and practices that could affect decisive, revolutionary, and potentially disruptive opportunities across the transportation industry. As novel concepts, new applications, and original modes of behavior reach the market, fleets and manufacturers need information on the benefits, challenges, and risks so that everyone can profit in this evolving landscape. The North American Council for Freight Efficiency (NACFE) hopes that by fleet managers, manufacturers, and others using its Guidance Reports in the months and years leading to launch, the first generation of production technologies will perform much better and offer higher return on investments.

This report focuses on charging infrastructure considerations for North American commercial battery electric vehicles (CBEVs). In its previous Guidance Reports, *Electric Trucks—Where They Make Sense* and *Medium Duty Electric Trucks—Cost of Ownership*, NACFE found that while the benefits of electric vehicles can be huge, so are the power requirements for charging them. In fact, the previous reports identified charging infrastructure as one of the largest unknowns and sources of anxiety for fleets considering near-term adoption of this technology. NACFE created this Guidance Report to provide unbiased information detailing the multiple factors to consider in infrastructure planning for charging CBEVs. While there

is no “one size fits all” solution to charging, there are common steps and considerations that any fleet considering deployment of electric trucks should undertake in order to ensure they have a complementary and cost-effective charging strategy in place.

This is the third in a series of NACFE guidance reports on electric trucks. It will be followed by Guidance Reports on Class 7 and 8 day cabs and Class 8 long-haul electric vehicles. The goals of this guidance report are to: a) give an overview of electric vehicle supply equipment (EVSE); b) provide information on procuring charging stations and the required electricity; and c) provide common steps and considerations to ensure a complementary and cost-effective charging strategy.

METHODOLOGIES

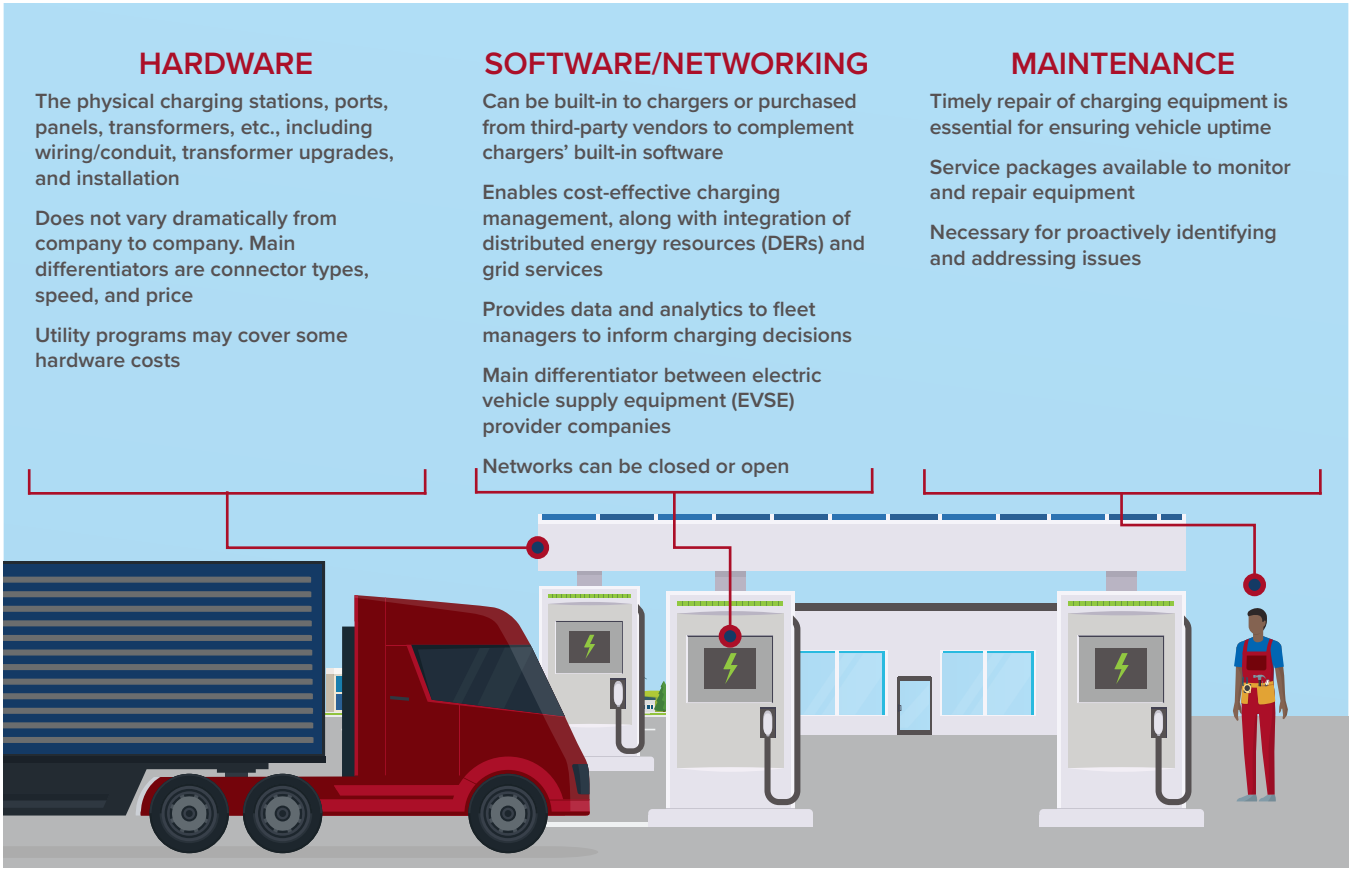
NACFE’s research for this report included interviewing key people with first-hand knowledge of electric vehicle charging infrastructure at fleets, manufacturers, suppliers, utilities, and industry groups. The report includes an extensive list of references to assist readers interested in pursuing more detail. Interviewees were specifically asked what they would want to see in this report and NACFE has taken care to include these wants in the final report. This report builds off the NACFE Guidance Reports: *Electric Trucks—Where They Make Sense*, published in May 2108, and *Medium Duty Electric Trucks—Cost of Ownership*, published October 2018.

SCOPE OF THIS REPORT

The report covers charging considerations for CBEVs currently in production for freight delivery. Because most CBEVs are currently being deployed in the goods movement sector in the medium-duty urban delivery and drayage sectors, much of the best practices and lessons learned come from these applications. And while we touch on considerations for long-haul CBEVs, much of this information is speculative at this point in time as electric trucks have yet to be deployed for this application in any meaningful way.

FIGURE ES1

ELECTRIC TRUCK CHARGING INFRASTRUCTURE COMPONENTS



INFRASTRUCTURE BASICS

ELECTRIC VEHICLE SUPPLY EQUIPMENT

When planning for charging infrastructure, fleets must plan for three separate but related components: hardware, software/networking, and maintenance.

The hardware consists of the electric vehicle supply equipment (EVSE), also known as a charging station, which charges the batteries of electric vehicles. The most common type of EVSE is a plug-in charging station, which plugs into a port on the truck to recharge it. Unfortunately, charging station connecters are not yet standardized, and there are a number of competing charging station connector types throughout the world (e.g., SAE J1772, CCS, CHAdeMO, Tesla, etc.).

It is important to pair electric trucks with the appropriate type of connector. However, standardizing connectors may eventually occur for regional marketplaces as one configuration wins significant market share advantage over others. In the near term, commercial vehicles may be developed with several adapters to deal with various charging station constraints or forced to use proprietary connections and be limited to proprietary charging stations. Similarly, some charging stations offer multiple connector types to ensure usability across different vehicles. The connector choice may not be an issue for fleets with only one CBEV model and with dedicated A-B-A type routes where the vehicle only charges from its home base. However, if a fleet is using competing CBEV models from different manufacturers but wanting to use the same charging system, there may be need for adapters. Thus, for fleets that choose their vehicles first, they will need to know what type of port the truck has in order to plan which charger type(s) to purchase.

An alternative to charging through wires and plugs is termed wireless power transfer (WPT). Wireless charging protocols are in use with automobiles and some buses. Applicability of wireless charging to trucks is being investigated both in static situations where the vehicle is not moving, and in on-road methods were the vehicle is moving. Although static charging presents the least technical challenge for wireless, currently wireless charging technology appears too expensive for the trucking market, with a few exceptions for niche markets. For example, wireless charging may be an opportunity for heavy-duty trucks to charge while they're waiting to pick up loads from ports. It is also being considered as a solution in port applications where union contracts may prevent workers from physically plugging in charging cables. However, some see a bigger opportunity for wireless charging in the trucking sector.

Other charging options include overhead or in-ground conductive charging systems and battery swapping—rapidly charging vehicles by simply replacing the battery packs.

CHARGING SPEEDS

In regard to charging speed, there are three types of EVSEs: Level 1—a 120 Volt home wall outlet, typically only used for light-duty passenger vehicles; Level 2—a 240 Volt charger; and Level 3—DC Fast Chargers (DCFC).

Since a Level 1 charger is not appropriate for charging commercial fleets, fleets will need to decide between Level 2 or DCFC (or a mix of both) in order to keep their vehicles charged. Level 2 chargers can range from $2,000 to $7,000 and offer upwards of 7.2 kW of power, with some now offering over 19 kW. Depending on duty cycle, many fleets that employ "return to base" or "depot" charging find Level 2 EVSEs adequate for charging overnight or during their "dwell time" between shifts.

However, trucks with larger battery packs and/or shorter dwell times may need to consider DCFCs, which are much faster and also much more expensive. Not including installation or any grid/facility upgrades that may be required, current DCFC stations can cost upwards of $15,000 and as much as $90,000. Deciding which level of charging is right for your fleet depends on how many trucks need to be charged, the size of their batteries, and how long they each have to charge.

FIGURE ES2
TYPES OF EVSE (NACFE)

Type of EVSE	Voltage	Power (kW)	Price	Installation Requirements
Level 1	120 V	1.9 kW	Usually included with vehicle purchase (for passenger EVs)	Most plug-in electric light-duty vehicles come with a cord set capable of plugging into a standard home wall outlet, so no additional charging equipment is required
Level 2	208 - 240 V	7.2 - 19.2 kW	A few thousand dollars per charger	Requires installation of charging equipment and a dedicated circuit of 20 to 100 amps
DC Fast Charge (sometimes called Level 3)	Typically 480 V AC input	72 kW–1 MW (in discussion)	$15,000–$90,000 per charger	Requires installation of charging equipment and dedicated circuit

FIGURE ES3

POTENTIAL REAL-WORLD CHARGING SCENARIOS

Truck	Battery Size	Range	Charge Time with Level 2* **		Charging Time with DCFC* ***	
			To 80%	To 100%	To 80%	To 100%
Chanje V8100	100 kWh	150 miles	3–4 hours	4–6 hours	30–40 minutes	1–2 hours
Freightliner eCascadia	550 kWh	250 miles	17–18 hours	23–26 hours	2.5–3.5 hours	4–6 hours

* Assuming 20% state of charge
** Assuming 19.2 kW
*** Assuming 120 kW from charger and that vehicle capable of receiving 120 kW

For example, as shown in Figure ES3, an electric delivery van may be able to recharge its batteries in 4–6 hours using a Level 2 charger, whereas an electric Class 8 tractor may require the same amount of time to recharge using a DCFC.

Note: The estimates in Figure ES3 assume a 20% starting state of charge for the batteries, that the Level 2 charger delivers 19.2 kW, and that the DCFC delivers 120 kW. It also assumes that both vehicles are capable of receiving 120 kW.

"Fast charging is not really an issue for most medium-duty trucks in the US. Most are one-shift operations with lots of time to charge."

–Don Francis, Clean Cities Georgia

CHARGER COMMUNICATION

In order to ensure proper charging, the charger must know how much power to provide and when. This is accomplished via the EVSE protocol, which, on a basic level, is a two-way communication between the charger and the vehicle. It detects the battery's state of charge (SOC) and sets the correct charging current based on the maximum current the charger can provide as well as the maximum current the vehicle can receive. There's also a safety feature that will prevent current from flowing when the charger is not connected to the vehicle or when there is not proper grounding. EVSE is also capable of detecting hardware faults and disconnecting the power in order to prevent battery damage, electrical shorts, or fire.

The EVSE protocol's ability to understand battery SOC also creates opportunities for smart charging systems to prioritize the order of charging vehicles based on where power is most needed to optimize charging from the fleet's perspective rather than by individual truck. For example, a truck with batteries that are 80% depleted will need more power and therefore more charging time than a truck with batteries that are only depleted 30%. Smartly managing these trade-offs and interactions requires appropriate software.

Image courtesy of Wikipedia Commons

CHARGER SOFTWARE AND NETWORKING

Charging software is key for easily and cost-effectively managing fleet charging operations and is now the main differentiator between EVSE provider companies. For example, software is what allows multiple chargers on-site to be able to communicate with one another to optimize sequencing, load management, and variable time of day electricity rates and what ensures that a fleet is charging smartly.

Sometimes, software comes built-in to chargers. Software can also be purchased from third-party vendors to complement the chargers' built-in software. In addition to real-time charging optimization, software is also capable of collecting data and providing analytics to help fleet managers make informed charging decisions.

Most software requires that a charger be connected to a network in order to achieve full functionality. Generally speaking, there are three types of charging station networks: non-networked—typically used in residential applications; closed—which communicate between the charging station and the network server; and open—which allow charging stations to connect to multiple open networks. Particularly when fleets are first dipping their toe into electrification and piloting charging solutions, they may want to opt for open, standards-based networks in case they want to test multiple chargers but manage them all together on one network or in case they want to switch or mix and match chargers in the future.

CHARGER MAINTENANCE

Similar to networking, charging companies may offer very different maintenance packages. These may include services such as proactive monitoring and repair of equipment if needed. Monitoring is important in order to spot and address issues before they snowball into crises. And timely repair of charging equipment is essential for ensuring mission-critical vehicle uptime. Therefore, maintenance packages should be carefully reviewed to ensure they meet fleet needs.

CHARGING LOCATIONS

Charging will roll out in stages, first at a fleets' home depot. Later, fleets may share charging, where a truck goes from its home depot to someone else's home depot, both equipped with chargers. Eventually, remote public charging is expected to emerge on high density freight corridors where distances demand a mid-trip boost or recharge. Charging will evolve as demand grows.

Similar to the personal vehicle market, most commercial vehicles currently charge at "home," or at private, "depot," or "return-to-base" charging stations. Due to the unpredictable "hub and spoke" nature of commercial trucking operations, most fleets currently adopting electric truck technology will want to place chargers at a central home base such as a warehouse, distribution center, or headquarters where trucks start from and return to each day. This type of "return-to-base charging" also makes sense because fleets have full control over site access, charger type, placement, and timing. This may mean redesigning the site, as the vehicles must be co-located with the chargers for some extended period of time to allow charging.

However, charging vehicles at the fleet's base during dwell times between shifts may not be sufficient for vehicles with larger battery packs and/or longer routes. One potential solution, at least for dedicated regional routes, might be to install charging stations not only at the fleet depot, but also at the customer's site(s). This could allow vehicles with relatively long A-B-A routes to charge at point B while unloading, giving them enough of a charge to make it back to their home base for further charging between shifts.

In addition to depot charging, fleets may also consider "opportunity charging" on the road. For example, vehicles may take advantage of the quickly developing public charging network if needed for range extension or in emergencies. However, because of the costs of using public chargers and the uncertainty of availability, vehicles will likely only want to rely on public charging in case of emergency. But knowing that this option exists should relieve some of the "range anxiety" that fleet managers and drivers may feel about potentially running out of power while away from their home base. Regardless of where charging takes place, fleets that invest in charging infrastructure will want to ensure that station utilization is maximized in order to justify the significant expense.

GRID INTEGRATION AND UTILITY BUSINESS MODELS

What is clear, as far as the overall charging system, is that electric trucks will increase demand on electricity. Because of this, grid capacity will need to be improved. New generation may need to be added if increased efficiency in other sectors (buildings, industry, etc.) is not enough to counterbalance the new load from the quickly electrifying transportation sector. Utilities may also need to develop new demand management and/or storage solutions to help balance timing concerns with electricity supply and demand. Similarly, new tariff structures may be necessary in order to encourage smart charging when electricity supply is available, clean, and economical.

Given constraints of the current grid, utilities would prefer that electric vehicles not charge during "peak" times when electricity demand is highest, typically in the late afternoon or early evening when people return home from work and begin doing energy-intensive chores. Rather, utilities are interested in encouraging charging (and other energy-intensive tasks) during "off-peak" hours when the grid has more excess capacity.

The growing demand for electric vehicles combined with state-level greenhouse gas reduction goals and mandates, are causing some utilities to rethink their tariff structures and even to design new tariffs specifically to support EV charging for commercial and industrial customers. This includes implementing time-of-use rates, in which utilities charge a different rate for on-peak versus off-peak times, or demand charges, which allow utilities to charge customers based on their individual peak demand or highest use in a given timeframe. Because of this dynamic, fleets with flexible operations or operations that allow for trucks to be charged at night will likely find charging to be more economical than fleets that may need to charge during the day or all at once to support mission critical operations. However, this dynamic will vary by region and by utility.

Because many utilities earn a profit based on a "cost-of-service" business model that guarantees a "rate of return" on the company's assets or "rate base," utilities are incentivized to build the necessary infrastructure to support transportation electrification, a trend which will likely require them to invest in new assets and therefore earn more profits. With this information in mind, fleets should not be shy in demanding reasonable support and accommodations from utilities to support vehicle charging.

PROCURING CHARGING INFRASTRUCTURE AND ELECTRICITY

There are two main business models for procuring charging stations and associated infrastructure. The most common is by buying the stations outright, often through a request for proposal process. In this scenario, fleets may hire a consultant to help make these decisions and set up the infrastructure (and potentially also help manage the relationship with the utility), but in the end, the fleet owns and manages the chargers, which are then considered a capital expense.

The other way is through leasing in which the supplier owns the stations and the fleet simply pays a fee for using them. This model allows the fleet to pay for the stations out of their operational expense budget. In both the lease and own options, fleets often pay charging suppliers not just for the physical stations but also for access to their fleet management networks, which again, are a recurring operational expense.

Other innovative business arrangements may be possible, including third parties that step in with capital to create turnkey systems, with various usage rates that could remove the site owner from the complexity of managing part or all of the charging system. Those third parties, similar to an energy service provider in the buildings sector, may specialize not just in infrastructure procurement and installation, but also in optimizing charging, which can have large financial implications. Especially for fleets with little experience or interest in optimizing charging, this sort of "charging-as-a-service" model can be a good option since these third-party companies specialize in this area and therefore may be better able to maximize efficiency and avoid load spikes and demand charges.

ELECTRICITY BUSINESS MODELS

Just as there are various ways to procure the charging infrastructure, there are also various ways to procure the electricity. Most fleets procure electricity the traditional way—through the local utility's electric grid. Depending on whether the region is a regulated or deregulated electricity market, fleets may have options with respect to which company they buy their energy from. In thinking through electricity pricing, fleets must be aware of their utility's rates and if and how demand charges are integrated into those rates.

Fleets can also get their electricity from on-site "behind the meter" solutions such as microgrids and renewables like solar PV. However, integrating systems like these into electric fleet charging systems is a very new concept and no data is yet available as far as best practices.

FINANCIAL ASSISTANCE

Fortunately for fleets, depending on the location and project, there are a myriad of financial assistance programs available to help make vehicle electrification more economically feasible. While some of these funding mechanisms are focused more on the vehicles themselves, some can also help cover the cost of charging infrastructure.

Utilities are typically aware of any financial incentives offered within their service territory, so speaking with a utility representative is usually a good place to start. There are also directories available online that allow fleets to search for funding support by location.

IMPLEMENTATION STEPS AND CONSIDERATIONS

Fleets planning for vehicle electrification must consider many variables for implementation. And while each project by necessity involves some bespoke engineering (since each site and project is different), there are some common factors to consider. A suggested chronological roadmap, including key considerations is outlined in Figure ES3.

The roadmap will have the same general steps regardless of number or size of trucks; however, as fleets scale the number of electric vehicles at each site, the charging procurement process will become exponentially more complex and time-consuming.

FIGURE ES4
CHARGING PROCUREMENT ROADMAP

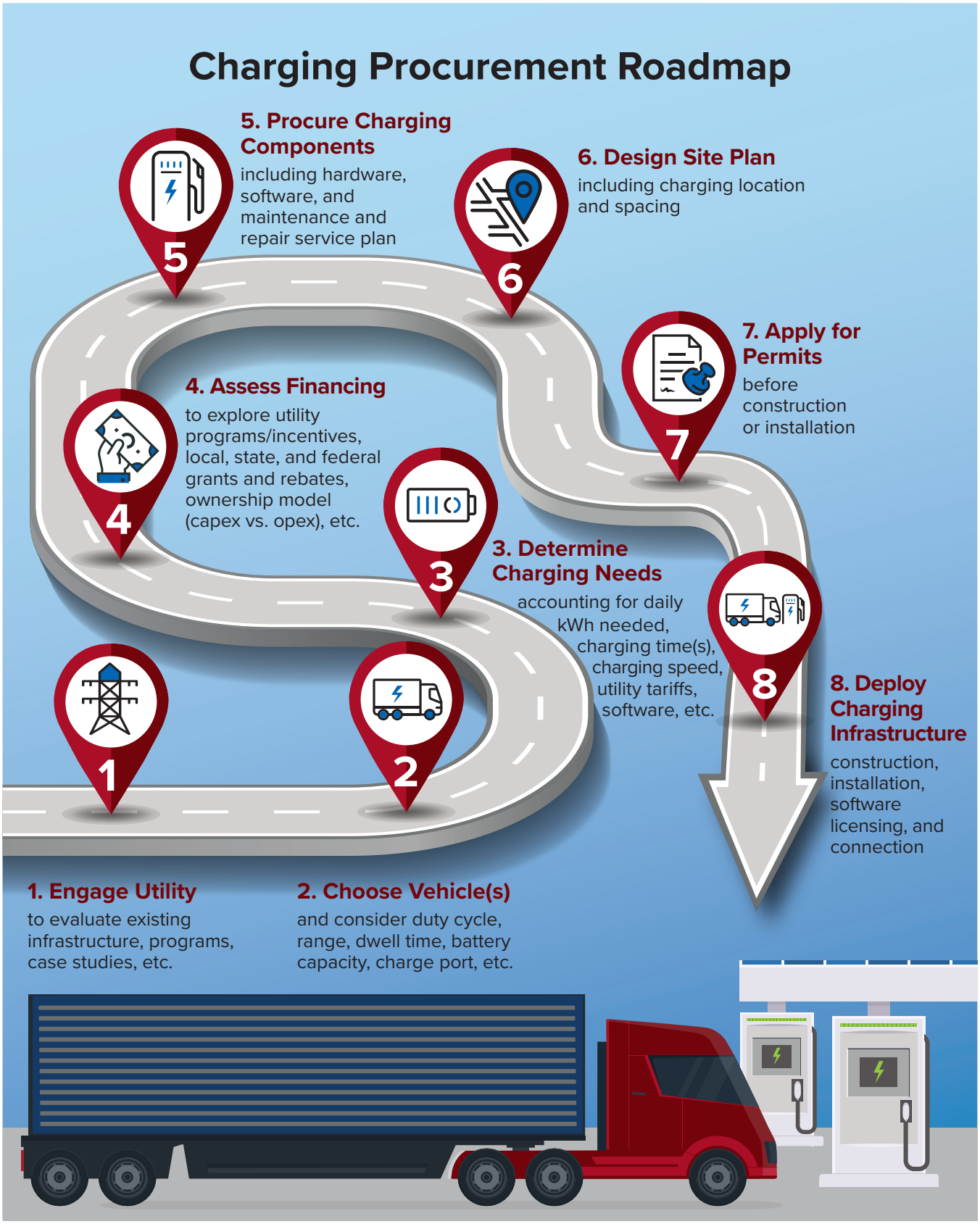
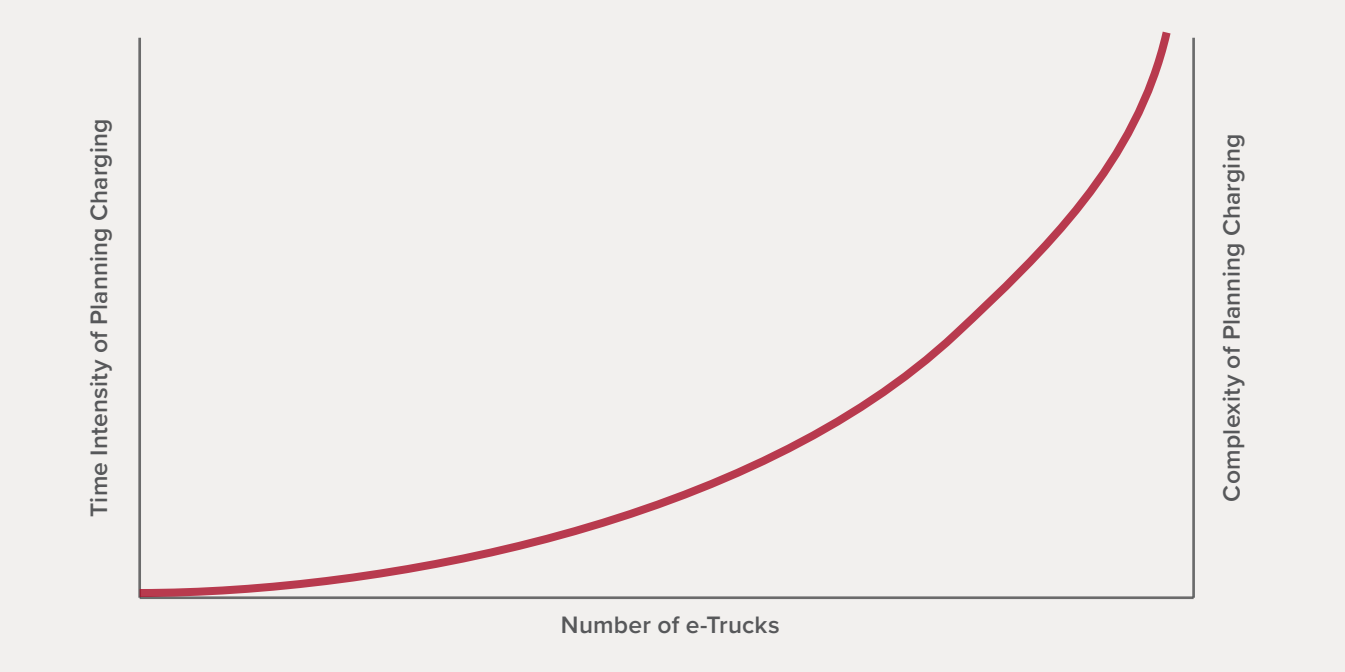


FIGURE ES5
CHARGING IMPLEMENTATION COMPLEXITY



This implementation process may be lengthy, but as more fleets and utilities gain more and more experience, this process will become more streamlined as a common "cookbook" approach evolves.

ADDITIONAL CONSIDERATIONS

In addition to the opportunities and challenges mentioned above, other considerations to take into account when planning for charging infrastructure include employee safety, fueling schedules and operator time requirements, scaling, grid services, integrating renewables, workforce dynamics, ratepayer benefits, and utility business model reform.

"Every charging installation faces a variety of variables—number of trucks to charge, local utility rate tariffs and power delivery structure, existing site and local grid details. There are no rules of thumb."

–Chris Nelder, RMI

Image courtesy of National Renewable Energy Laboratory

CONCLUSION AND RECOMMENDATIONS

NACFE's research into charging infrastructure for commercial battery electric vehicles to date has revealed the following:

- The focus for the foreseeable future of electric truck charging will be on private, "depot," or "return-to-base charging."
- Planning and permitting for charging infrastructure can be a time-intensive process, so fleets should appreciate lead times and start early.
- Fleets planning to electrify some or all of their vehicles should work closely with their local utility, regulators, cities, neighbors, OEMs, and charging system providers.
- Fleets should focus on differentiating products and companies based on their software, network, and maintenance offerings, and should ensure that they are comparing apples to apples during the procurement process.
- Fleets must develop a fairly sophisticated understanding of the existing electric infrastructure and demand, their electricity rates, and the types, number, duty cycles, and time available for charging of their vehicles—or contract a third party to do so for them.
- Fleets should plan on a site-by-site basis since charging infrastructure is not one size fits all.
- Fleet electrification will happen most where special programs are implemented to help mitigate hardware, installation, and electricity costs, at least in the initial stages of technology adoption.
- Fleets should consider investing in smart, networked charging software and services, particularly for deployments of multiple vehicles and/or vehicles with large battery capacities.
- Fleets should demand improvements from technology providers and utilities and inform them quickly of all dissatisfactions.
- As all new technologies go through learning curves, fleets should not make rash conclusions in the first months or year of operation, but realize that solutions will be iterative as experience amasses.

Fleets as well as utilities, regulators, and technology providers are constantly learning and developing in this rapidly evolving space. And innovative utility programs and rate structures are allowing commercial battery electric vehicles to charge successfully and economically in growing areas of the country. However, much broader and faster design and approval of these sorts of programs by utilities and regulators is needed in order to scale electric vehicle adoption across the nation. As much as possible, EV-friendly programs and rate structures should be standardized so that fleets with operations that span multiple utility service territories can scale their electrification efforts without having to reinvent the wheel in each new territory. It's important to remember that utilities are relatively new to the EV charging space, and that although it will require a significant departure from their historical rate structures and business models, it is in their financial interest to support the build-out of charging infrastructure because it offers additional rate-basing investments and load growth opportunities in an otherwise plateauing market.

It is also imperative that utilities understand the important differences between passenger EVs and commercial EVs. Not only is the charging capacity much higher for CBEVs, but they have unique needs and constraints due to their mission-focused operations, which are much less flexible than personal vehicle usage and charging times. As such, CBEVs need to be looked at as a distinct market rather than an extension of the passenger EV market.

While the charger itself is the most visible piece of the charging infrastructure ecosystem, fleets must focus more on the big picture than on simply comparing EVSEs. We expect more and more innovative networking and maintenance options to arise. Software will be invaluable as smart charging will be key to minimizing costs while also ensuring mission critical uptime of vehicles. Many business models exist to help manage charging, and fleets will need to decide what trade-offs they're comfortable making between risk management and price volatility. Fleets that develop expertise in smart charging will have a leg up on their peers, though innovative partnerships will allow even fleets new to the electrification space to be successful.

Smart charging and vehicle-to-grid capabilities may also enable new grid services that, if compensated for appropriately, may be a win-win-win for utilities, fleets, and ratepayers. That said, it is imperative that these services are piloted in the real world for further refinement, as they are mostly hypothetical today.

Last but certainly not least, charging infrastructure, though no doubt not sufficient today, should not be considered an insurmountable problem. Thomas Edison's first patent for the light bulb was filed in 1879 well before there was a North American power grid. Light bulb and electric motor technology ignited national development of new infrastructure to adapt society to the new technology rather than forcing the technology to fit poorly into the existing infrastructure. The power grid infrastructure was demand driven based on success of the electric devices that needed it. This lag between product introduction and infrastructure investment has been repeated many times, and there's no reason to think it won't be repeated for CBEV charging infrastructure as well.

"In order for electric trucks to scale, we need both the truck and the ability to charge it. The three keys to infrastructure deployment are standardization, collaboration for construction, and teaming with utility companies for the efficient delivery of electricity."

–Gary Horvat, VP of eMobility, Navistar, Inc.

THE FULL REPORT

The full report is available at www.nacfe.org and includes 160 references; a robust, current, relevant bibliography of charging infrastructure works; appendices that list charging infrastructure suppliers and utilities with electric truck charging programs; and 91 figures. See the Table of Contents below for more information on the full report:

NACFE

The North American Council for Freight Efficiency (NACFE) is a nonprofit organization dedicated to doubling the freight efficiency of North American goods movement. For the past 10 years, NACFE has operated as a nonprofit in order to provide an independent, unbiased research organization for the transformation of the transportation industry. Data is critical and NACFE is proving to help the industry with real-world information that fleets can use to take action. In 2014, NACFE collaborated with Carbon War Room, founded by Sir Richard Branson and now a part of Rocky Mountain Institute (RMI), to deliver tools and reports to improve trucking efficiency. These reports include a series of Confidence Reports that detail the solutions that exist, highlight the benefits and consequences of each, and deliver decision-making tools for fleets, manufacturers, and others. As of early 2019, NACFE and RMI have completed 18 such reports covering nearly all the 85 technologies available.

www.nacfe.org

ROCKY MOUNTAIN INSTITUTE

Rocky Mountain Institute (RMI)—an independent nonprofit founded in 1982—transforms global energy use to create a clean, prosperous, and secure low-carbon future. It engages businesses, communities, institutions, and entrepreneurs to accelerate the adoption of market-based solutions that cost-effectively shift from fossil fuels to efficiency and renewables. RMI has offices in Basalt and Boulder, Colorado; New York City; Washington, D.C.; and Beijing.

www.rmi.org

GET INVOLVED

Trucking Efficiency is an exciting opportunity for fleets, manufacturers, and other trucking industry stakeholders.

Learn more at: www.nacfe.org

Or contact: Mike Roeth at mike.roeth@nacfe.org

Attachment B

Policy on Land Use and Sensitive Receptors

Purpose

For the past decade, the City of Beaumont was one of the fastest growing cities in the region. The City's proximity to Los Angeles, Orange and San Diego counties, the availability of affordable land and high quality of life have all contributed to making Beaumont an attractive place to live and work. The continuing rate of growth in Beaumont and in the larger region exceeds the capacity of the City's financial resources to meet the needs for transportation infrastructure. Warehousing, logistics, e-commerce and distribution are established sectors of the Inland Empire economy and are increasing in the City of Beaumont. These uses contribute to local job growth and continue to expand based on trends in e-commerce. Due to the City's location, providing direct access to I-10, SR-60 and SR79, it is anticipated that strong demand for growth in the logistics industry will continue.

The City recognizes construction and operations of logistics, warehouses and other similar types of projects in close proximity to sensitive land uses or sensitive receptors, negatively affects quality of life. ***Sensitive receptors generally include residences, schools, parks, playgrounds, community centers, assisted living, day care centers, nursing homes, hospitals, and similar uses.*** The City of Beaumont has all of these types of sensitive receptors and additionally has several active-55+ communities.

This policy is intended to provide a guide through which logistics, warehouses and similar projects can be planned in a way that lessens their impact on the community and the environment. This policy will aid in minimizing potential impacts to sensitive receptors by acknowledging the City's existing General Plan and zoning which provides location and standards for development of these types of projects and California Environmental Quality Act (CEQA) project analysis. This policy does not exempt a project from preparation of the appropriate environmental review and application of any necessary measures that may arise as a result. This policy provides criteria which shall be implemented to supplement project-level mitigation measures, to further reduce impacts related to logistics, warehousing and any project of similar size or type of development.

The application of this policy is intended to be included in the evaluation of and conditions of approval for individual development projects. This will provide standards for which applicants and the public can look to and will provide an opportunity for City staff to monitor individual conditions of approval. The policies are organized into specific categories, to address potential quality of life issues from initial design to construction and operations.

Applicability

The policy guidelines apply to new projects submitted after the policy approval date and will be implemented during the development review process.

This policy applies to logistics, warehouse and similar projects that include any building larger than 100,000 square feet in size or type. It is intended to provide a general guidance that will be appropriate for most industrial or logistics, warehouse or similar projects. Project-level review under CEQA applies to any project,

regardless of square footage and may include any technical reports including, but not limited to noise, greenhouse gas, air quality, and traffic. The Planning Department shall use this policy to review projects and in instances where a project does not conform to the policy shall document findings to be considered by the Planning Commission and City Council.

Analysis

1. An "Air Quality" study shall be prepared in accordance with CEQA and the South Coast Air Quality Management District (SCAQMD) guidelines which includes both project specific and cumulative impact analysis.

2. A "Health Risk Assessment" shall be prepared in accordance with CEQA and the South Coast Air Quality Management District (SCAQMD) guidelines when a proposed project meeting the criteria of this policy is located within 1,000 feet of a sensitive receptor.

3. A "Noise Impact Analysis" shall be prepared in accordance with CEQA guidelines to assess potential impacts to the neighboring properties and surrounding community.

4. A "Construction Traffic Control Plan" shall be prepared, reviewed and approved prior to issuance of a grading permit, which details the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations.

5. A "Traffic Study" or "Traffic Impact Analysis" shall be prepared in accordance with CEQA, analyzing both Vehicle Miles Traveled (VMT) and Level of Service (LOS) C as allowed by the City's General Plan. The study shall identify improvements and fair share costs for the project.

6. A stacking or queuing study shall be provided as part of the project review. The study shall identify the necessary on-site queuing area so vehicle and truck traffic waiting to access the site shall not extend into the public right-of-way.

7. A "Water Supply Assessment" shall be prepared as part of the environmental review process.

8. A "Sewer Study" shall be prepared as part of the project review process.

9. An "Economic Impact Study" shall be prepared as part of the project review process. At a minimum, the study shall provide a cost for service analysis, estimate of revenue generated, anticipated property tax revenue and any other information necessary to provide a comprehensive evaluation of the fiscal impacts to the City.

10. An "Energy Efficiency Plan" shall be prepared as part of the project review process which shows how the project will encourage efficiency above and beyond Title 24 requirements.

Construction Phase

1. During construction of the project, all copy of current California registration for each piece of construction equipment accessing the site shall be provided to the City. If equipment is not registered in

California proof of CARB-Compliant engines or newer as identified by the most current CARB engine standards shall be provided.

2. Construction contractors shall locate or park all stationary construction equipment away from sensitive receptors nearest the project site.

3. The surrounding streets shall be swept on a daily basis to remove any construction related debris and dirt.

4. Dust control measures meeting SCAQMD standards shall be implemented for all land disturbance and construction activity.

5. All Water Quality requirements and best practices shall be adhered to throughout the construction phase.

6. Construction contractors shall prohibit truck drivers from idling more than five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.

7. During construction, a City representative shall conduct an on-site inspection with a project representative to verify compliance with these policies, and to identify other opportunities to reduce construction impacts.

Siting and Design

1. Truck bays and loading docks shall be a minimum of 1,000 feet, from the property line of the sensitive receptor to the nearest dock door using a direct straight-line method. This distance may be reduced if the site design includes berms or other similar features to appropriately shield and buffer the sensitive receptors from the active truck operations areas. Dock doors shall not be visible from surrounding residential properties or the public right-of-way. Other setbacks appropriate to the site's zoning classification shall be incorporated in the design.

2. Projects shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks not visible from sensitive receptors. Commercial trucks shall not be parked in the public right-of-way or nearby residential areas. Queuing shall not extend into the public right-of-way.

3. Truck driveways shall be placed on streets that do not front sensitive receptors.

4. Sites shall clearly mark entry and exit points for trucks and service vehicles.

5. Facility operators shall establish specific truck routes between the facility and regular destinations, identifying the most direct routes to the nearest highway/freeway and prohibit traveling near sensitive receptors or through residential neighborhoods. The truck route should be submitted as part of the entitlement package.

6. Separate entry and exit points for trucks and passenger vehicles shall be provided to minimize vehicle/truck conflict.

7. Sites shall be densely screened with landscaping along all bordering streets and adjacent sensitive receptors, with trees spaced no further apart than 25 feet on center. Trees utilized in landscape screening shall be a minimum of 36-inch box. A permanent maintenance mechanism shall be approved as part of the entitlement process to assure that the landscaping remains in place and functional in accordance with the approved landscaping plan.

8. A "wing-wall" shall be installed perpendicular to the loading dock areas to further reduce truck or operational noise and to serve as an aesthetic screening feature for the loading area when adjacent to sensitive receptors.

9. All project lighting shall comply with the City's "Dark Sky Ordinance", Beaumont Municipal Code Chapter 8.50 Outdoor Lighting. Lighting shall be shielded and directed down to the interior of the site and not spill over onto adjacent properties.

10. Project facilities shall install electrical panels and conduit to facilitate future electrical connections, to eliminate idling of main and auxiliary engines during the loading and unloading process. At all cold storage facilities electrical connections shall be provided to each dock.

11. Facility construction and operational noise shall comply with Beaumont Municipal Code Chapter 9.02 Noise Control.

12. Sites shall be designed to significantly minimize aesthetic impact and structures shall have a neutral palette, blending in with the surrounding environment.

13. Any mechanical or structural equipment or components located on the exterior of the building shall be screened from view and enclosed to protect the equipment and deter vandalism.

Operation

1. Facility operators shall prohibit truck drivers from idling more than five (5) minutes and require operators to turn off engines when not in use, in compliance with the California Air Resources Board regulations.

2. Facility operators shall coordinate with CARB and SCAQMD to obtain the latest information about regional air quality concentrations, health risks, and trucking regulations.

3. On-site equipment shall be compliant with CARB and SCAQMD regulations.

4. Facility operators shall require all drivers to park and perform any maintenance of trucks in designated on-site areas and not within the surrounding community or on public streets.

5. Facility operators for sites that exceed 250 employees shall establish a rideshare program, in accordance with AQMD rule 2202, with the intent of discouraging single-occupancy vehicle trips and promote alternate modes of transportation, such as carpooling and transit where feasible.

6. A minimum of 5% or as required by the Cal Green Code, whichever is greater of employee parking spaces shall be designated and infrastructure installed and operational for electric or other alternative fueled vehicles.

7. Externally announcing public address (PA) system are prohibited with the exception of emergency notifications.

8. Facility operational noise shall comply with Beaumont Municipal Code Chapter 9.02 Noise Control. Any ongoing operational noise shall be evaluated through the CEQA process.

Wayfinding

1. Wayfinding signs shall be posted in the appropriate locations that trucks should not idle for more than five (5) minutes and that truck drivers should turn off their engines when not in use.

2. Wayfinding signage shall be posted in the appropriate locations that clearly show the designated entry and exit points for trucks, service vehicles and passenger vehicles.

3. Signs stating parking and maintenance of all trucks is to be conducted within designated areas and not within the surrounding community or on public streets shall be posted in the appropriate locations.

4. Signs should be posted in the appropriate locations and handouts should be provided that show the locations of nearest food options, fueling, truck maintenance services, and other similar convenience services, if these services are not available onsite. The facility operator shall also email this information to drivers expected to visit the site, 24 hours in advance of their arrival.

5. Each facility shall designate a point of contact responsible for implementing the measures described herein and/or in the project conditions of approval and mitigation measures. Contact information should be provided to the City and updated annually, and signs should be posted in visible locations providing the contact information for the point of contact to the surrounding community. These signs shall also identify the website and contact information for the South Coast Air Quality Management District.

6. Signage shall comply with the City's Sign Ordinance, Beaumont Municipal Code Chapter 17.07 Signage, which may be amended from time to time.

Community Benefit

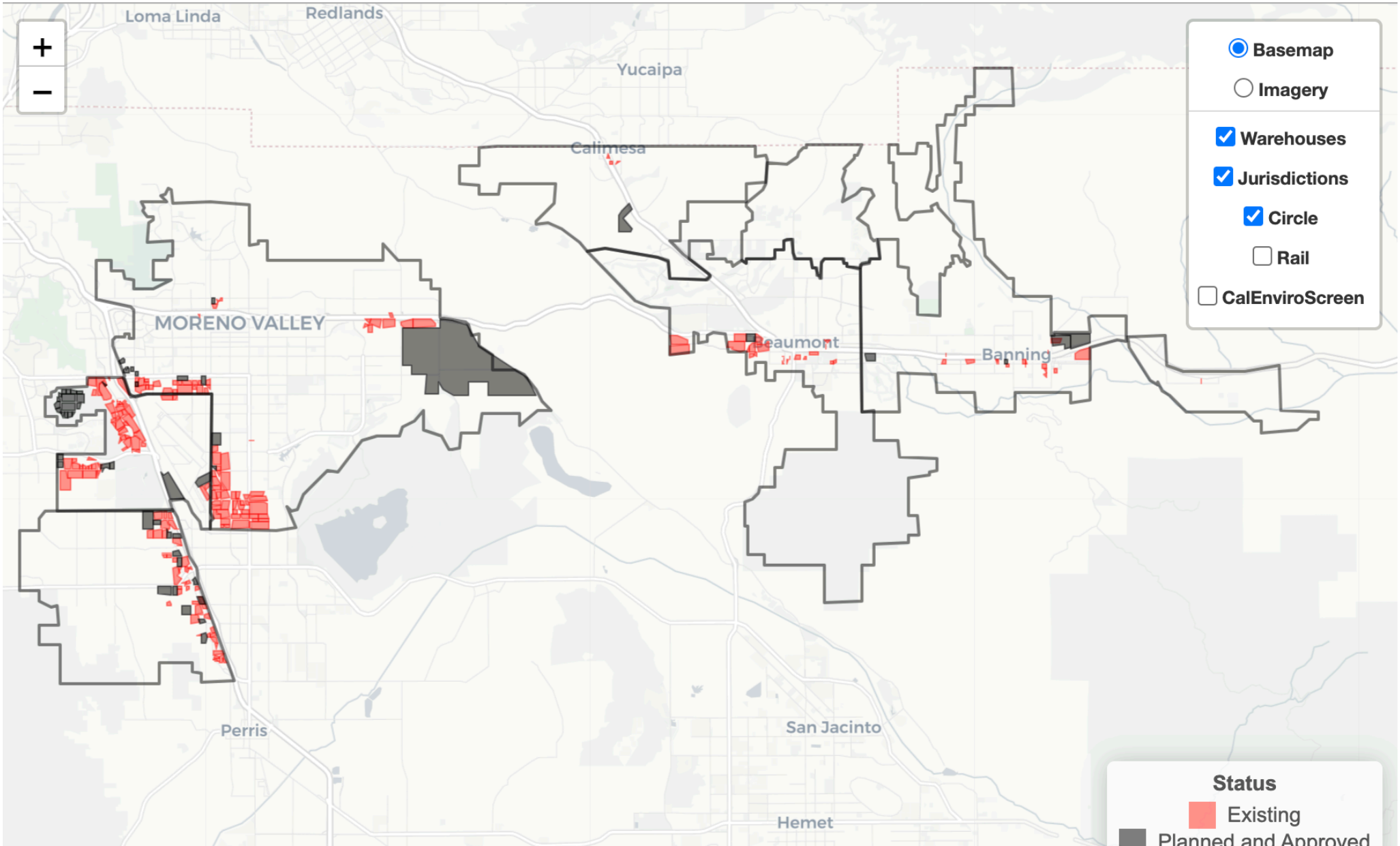
1. Applicants for proposed projects meeting the criteria for this policy shall engage in meaningful and transparent community outreach to engage the existing community in determining issues of concern. The applicant shall make a quantifiable effort to address concerns through site design and other means during the project entitlement process. Suggested outreach efforts include but are not limited to, hosting community meetings, making presentations at Homeowner's Association meetings, and Planning Commission workshops.

2. Warehouse/distribution, logistics, e-commerce and other similar types of industrial development typically produce some community impacts related to the construction and operation of these facilities. The

applicant for any new project will be required to participate in the Land Use Management Mitigation Fee, which would be utilized to address applied to further off-set potential air quality impacts to the community and provide a community benefit above and beyond any CEQA related mitigation measures. The fee would be based on a nexus study and subject to the requirements of California Government Code sections 66000-66025 (the “Mitigation Fee Act”), and Assembly Bill (AB) 1600. The fee will be collected on a one-time basis. Funds collected through the fee program will be subject to designation for use by the City Council and will generally be used for projects that directly benefit the impacted community wherein the project is located

Attachment C

Category	Warehouse count	Acreage	Warehouse floor space (Sq.Ft.)	Daily Truck trips	Daily Diesel PM (pounds)	Daily NOx (pounds)	Daily CO2 (metric tons)	Jobs
Existing	231	3,774	90,400,000	61,000	84.4	9,504	2565.5	30,192
Planned and Approved	55	3,972	95,200,000	64,000	88.5	9,971	2691.7	31,776



Category	Warehouse count	Acreage	Warehouse floor space (Sq.Ft.)	Daily Truck trips	Daily Diesel PM (pounds)	Daily NOx (pounds)	Daily CO2 (metric tons)	Jobs
Existing	9,011	59,202	1,418,400,000	950,000	1314	148,010	39954.2	473,616
Planned and Approved	377	18,307	438,600,000	294,000	406.7	45,805	12364.8	146,456