



# **NOTICE OF PREPARATION DRAFT ENVIRONMENTAL IMPACT REPORT**

**CEQA LEAD AGENCY:**

Christina Taylor  
Community Development Director  
City of Beaumont  
550 East 6<sup>th</sup> Street  
Beaumont CA, 92223

**SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR A GENERAL PLAN AMENDMENT, ADOPTION OF BEAUMONT POINTE SPECIFIC PLAN THAT WILL SERVE AS PRE-ZONING IN ANTICIPATION OF ANNEXATION TO THE CITY OF BEAUMONT AND THE BEAUMONT-CHERRY VALLEY WATER DISTRICT, FOR PROPERTY ALONG STATE ROUTE 60 NORTH OF JACK RABBIT ROAD IN THE SPHERE OF INFLUENCE OF THE CITY OF BEAUMONT**

As lead agency, the City of Beaumont (“City”) is publishing this Notice of Preparation (“NOP”) for a Draft Environmental Impact Report (“EIR”) in accordance with the requirements of the California Environmental Quality Act (“CEQA”), to evaluate the environmental impacts of the following proposed actions that together are referred to as the (“Project”):

- General Plan Amendment (PLAN2019-0284) that would change approximately 622.5 acres from “Rural Residential” to “General Commercial” (30.8-acres), “Industrial,” (258.6-acres) and “Recreation and Conservation.” (333.1-acres);
- Pre-zoning (PLAN2019-0284) to Jack Rabbit Specific Plan (SP2019-0003) that would create 10 planning areas (PA) and allow for General Commercial, Industrial, and Recreational Commercial land uses;
- Application to the Local Agency Formation Commission for Annexation to the City of Beaumont and to the Beaumont-Cherry Valley Water District;
- Vesting Tentative Tract Map to subdivide the property;
- Adoption of a Development Agreement.



In accordance with CEQA Guidelines Section 15082, the City has determined that an EIR is the appropriate environmental document for the Project. Because the City has determined that an EIR is needed, no Initial Study has been prepared.

This NOP is being circulated to obtain the views of you or your agency or organization as to the scope and content of the environmental information that is germane to your agency or organization's responsibilities or interests in connection with the Project. If applicable, your agency may need to use this EIR when considering issuance of a permit or other approval for the Project. Information provided to the City during the NOP comment period will be used to shape and focus the analysis of environmental impact in the EIR.

**LIST OF RESPONSIBLE AND TRUSTEE AGENCIES:** The City of Beaumont will be the lead agency for the Project, the San Bernardino County Local Agency Formation Commission will be a responsible agency and will use the EIR for consideration of the annexation application. The Beaumont-Cherry Valley Water District will also be a responsible agency and use the EIR for actions related to annexation of the Project area into their District. Caltrans may use the EIR for any encroachment permit(s) or Project-related construction within state right of way. The following agencies will rely on the EIR for future permits or approvals:

#### **Responsible Agencies**

- Caltrans
- Local Agency Formation Commission
- Beaumont-Cherry Valley Water District

#### **Trustee Agencies**

- CAL Fire
- California Department of Fish and Wildlife
- County of Riverside
- Regional Conservation Authority
- South Coast Air Quality Management District
- State Water Resources Control Board
- U.S. Fish and Wildlife

**NOP COMMENT PERIOD:** The NOP public comment periods begins **September 7, 2020 and ends on October 6, 2020**. Pursuant to CEQA Guidelines Section 15082(b), the City invites you to submit written comments describing your specific environmental concerns, and if representing a public agency, please identify your specific areas of statutory responsibility. Please send your



NOP comments to Christina Taylor, Community Development Director, City of Beaumont City Hall, 550 East 6<sup>th</sup> Street, Beaumont CA, 92223. Please include the name of the agency or organization (if applicable), address, email, and contact person in your correspondence. If you have any questions, please contact Christina Taylor at (951) 572-3212 or via email at [ctaylor@beaumontca.gov](mailto:ctaylor@beaumontca.gov). Written comments are wanted at the earliest possible date, but due to the time limits mandated by State law, your response must be received by October 6, 2020.

A copy of this NOP is available for public review at the Planning Department at the City of Beaumont City Hall, 550 East 6<sup>th</sup> Street, Beaumont CA, 92223. However, because public access to City Hall is temporarily restricted, an electronic copy of the NOP is available on the City's Website: [www.Beaumont-Ca.gov](http://www.Beaumont-Ca.gov).

**PUBLIC SCOPING MEETING:** Given the current COVID-19 crisis, and associated Federal, State and local orders for social distancing, this meeting will be conducted utilizing teleconference communications and will be recorded for live streaming as well as open to public attendance subject to social distancing and applicable health orders. This meeting will be available via live streaming and made available on the City's official YouTube webpage. Please use the following link during the meeting for live stream access: [BeaumontCa.gov/Livestream](http://BeaumontCa.gov/Livestream).

Public comments will be accepted using the following by 1) Written comments will be accepted via email and will be read aloud during the meeting. Comments can be submitted any time prior to the meeting as well as during the meeting up until the end of the scoping period. Please submit your comments to: [ctaylor@beaumontca.gov](mailto:ctaylor@beaumontca.gov) 2) Phone-in comments will be accepted by joining a conference line prior to or during the meeting, 3) In person comments subject to the adherence of the applicable health order and social distancing requirements.

The call-in number will be made available approximately 72 hours prior to the meeting and can be found through the meeting information link below. The meeting will be held at the following, date and time:

**Meeting Date/Time:** Thursday, September 17, 2020 at 6:00 PM

**Meeting Information Link:** <https://www.beaumontca.gov/1143/Beaumont-Pointe-Specific-Plan>

**EIR PROCESS:** Following the close of the NOP comment period, a Draft EIR will be prepared that will consider all NOP comments. In accordance with CEQA Guidelines Section 15105(a), the Draft EIR will be released for public review and comment for a required 45-day review public comment period. Following the close of the public comment period, the City will prepare a Final EIR, which will include a response to comments to the EIR received during the public comment



period. The Final EIR will be used by the Planning Commission and the City Council to consider the Project.

**PROJECT SITE LOCATION AND SETTING:** The Project site consists of approximately 622.5 acres located in unincorporated Riverside County, in the sphere of influence of the City of Beaumont (See Figures 1, *Regional Map* and 2, *Vicinity Map*). The Project site is abutted by State Route 60 (SR-60) to the north, Jack Rabbit Trail and the Hidden Canyon Industrial Park to the east, and undeveloped land to the south and west. Interstate 10 (I-10) is located approximately 4.5 miles to the east and SR-79 is located approximately 8.7 miles to the southeast. The Project site consists of flat to rolling terrain along the SR-60, with hillsides and canyons further south.

**PROJECT DESCRIPTION:** The Project includes a General Plan Amendment (PLAN2019-0284), Pre-Zone (PLAN2019-0283) to Specific Plan (SP2019-0003), Vesting Tentative Tract Map, Development Agreement, and Annexation application.

The Project Applicant, JRT BP 1 LLC, proposes to develop a recreational/entertainment commercial development of approximately 251,000 square feet (SF) of general commercial uses in addition to a 125-room hotel and approximately 4,995,000 SF of industrial and warehouse uses in five buildings ranging in size between approximately 600,000 SF and 1,400,000 SF. Additionally, the Project would provide 136.5 acres of Recreation and Conservation land, and 196.6 acres of Conservation land, which would be conserved as natural habitat as required by the Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project would require annexation of the Project site into City of Beaumont from unincorporated Riverside County, and into the Beaumont-Cherry Valley Water District to obtain water service. The Land Use Plan for the proposed Project is shown in Figure 3, *Land Use Plan*. The Project may also include establishment by the City of a Community Facilities District.

The Project would construct four main roadways for on-site circulation—4th Street, Jack Rabbit Trail, Entertainment Avenue, and Industrial Way. 4th Street would be constructed along the southern boundary of the Project site from Jack Rabbit Trail at the easterly edge of the Project site and would extend 4th Street from its current proposed terminus to the east at Jack Rabbit Trail, culminating at a cul-de-sac at the western edge of Planning Area (PA) 7, with a 40-foot private access road continuing along the southern boundary of PA 8 as shown on Figure 3, *Land Use Plan*. The Project would be developed in at least four phases with buildout expected Year 2027.

Jack Rabbit Trail road is an existing two-lane road that runs from the Jack Rabbit Trail/SR-60 off-ramp, through the Project site and continuing further south to eventually connect to Gilman Springs Road in the Hemet area. The Project would reroute the section of Jack Rabbit Trail road from the



SR-60 off-ramp to 4th Street to connect with the existing Jack Rabbit Trail at the south edge of the Project site. Entertainment Avenue would be constructed as a curvilinear street connecting Jack Rabbit Trail and 4th Street south of PA 2 and PA 3, on the west side of PA 1. Industrial Way, a private access road, would be constructed along the northern boundary of the Project site from Entertainment Avenue culminating at the western edge of PA 7.

Regional access to the Project site would be provided from SR-60 at Potrero Boulevard and Interstate 10 (I-10) at Beaumont Avenue. Local access to the Project site would be provided from the future extension of 4th Street from Jack Rabbit Trail to Potrero Boulevard currently under construction as part of the Hidden Canyon project; 4th Street between Jack Rabbit Trail and Potrero Boulevard is planned as an industrial collector with a 78-foot right-of-way and 56-foot curb-to-curb. Until an SR-60 /Jack Rabbit Trail interchange is constructed, access from the Project site to the SR-60 via Jack Rabbit Trail would be restricted, with the northerly portion of Jack Rabbit Trail to the SR-60/Jack Rabbit Trail interchange utilized as secondary emergency egress (and fire and emergency vehicle ingress) only.

**Specific Plan (SP2019-0003):** The Jack Rabbit Specific Plan would allow development of the Project site with a combination of General Commercial, Industrial, Recreation and Conservation, and Conservation land uses across 10 Planning Areas (PAs). As shown in Table 3-1, *Specific Plan Land Use Summary*, PAs 1 through PA 2 will contain General Commercial land uses; PAs 3 through PA 8 will contain Industrial land uses, and PA 9 and PA 10 will contain Recreation and Conservation and Conservation land uses. Conservation land uses in PA 10 will be restricted to conservation of natural habitat. The Specific Plan will establish zoning parameters for all commercial/industrial uses including building heights, setbacks, lot area and dimensions, parking, landscaping, and signage, and will address on-site circulation and required infrastructure. The Specific Plan will also adopt regulations for the Recreation and Conservation lands.

As shown in Figure 3, *Land Use Plan*, 258.6 acres of Industrial land uses are proposed west of Entertainment Avenue. Approximately 333.1 acres of the site, comprising over 50 percent of the overall land area, would be designated Recreation and Conservation and Conservation lands. Recreation and Conservation would contain manufactured slopes, water quality basins, open space, and natural habitat.

#### Commercial Development Potential

As shown in Table 3-1, the Project would result in the development of approximately 30.8 acres of General Commercial land uses and approximately 251,000 SF in addition to a 125-room hotel. Permitted uses within the General Commercial land use will include a wide range of recreation and entertainment, retail, restaurant, hotel, service-oriented land uses, and self-storage. Examples



of recreation and entertainment uses may include indoor and/or outdoor go kart racing, rock climbing, trampoline park, bowling alley, and miniature golf.

**Table 3-1 Specific Plan Land Use Summary**

Planning Area (PA)	Acreage (AC) (Approximate)	Land Use Designation		Building Estimate Sq.Ft. Approx.
		Existing	Proposed	
1	28.0	Rural Residential	General Commercial	251,000
2	2.8	Rural Residential	General Commercial	30,000
<b>Subtotal</b>	<b>30.8</b>			<b>281,000</b>
3	2.4	Rural Residential	Industrial	35,000
4	67.5	Rural Residential	Industrial	1,400,000
5	52.1	Rural Residential	Industrial	960,000
6	38.6	Rural Residential	Industrial	700,000
7	34.7	Rural Residential	Industrial	600,000
8	63.3	Rural Residential	Industrial	1,300,000
<b>Subtotal</b>	<b>258.6</b>			<b>4,995,000</b>
9	136.5	Rural Residential	Recreation and Conservation	N/A
10	196.6	Rural Residential	Conservation	N/A
<b>Subtotal</b>	<b>333.1</b>			-
<b>Totals</b>	<b>622.5</b>			<b>5,276,000</b>

Industrial Development Potential

As shown in Table 3-1, the Project would result in the development of approximately 4,960,000 SF of industrial uses within five buildings in PA 4 through PA 8. Building sizes would range from approximately 600,000 to 1,400,000 SF. PA 3 would allow for up to 35,000 SF.

Permitted uses within the Industrial land use designation primarily include high-cube warehousing (warehouse/distribution center for the receipt, storage, and distribution of goods, products, supplies) and general light industrial. Other uses also permitted include but are not limited to manufacturing, distribution warehouses, e-commerce fulfillment, research services and laboratories, repair services, self-storage, and various indoor recreational uses.

Recreation and Conservation Development Potential

As shown in Table 3-1, the Project would result in the establishment of approximately 333.1 acres of Recreation and Conservation and Conservation land uses. In PA 9, approximately 136.5 acres of the site are intended to be used for recreation and conservation including parks, trails,



manufactured slopes, and water quality basins. In PA 10, approximately 196.6 acres of the site would be conserved as natural habitat.

### **Vesting Tentative Tract Map**

The proposed Project includes a Vesting Tentative Tract Map to subdivide the Project site pursuant to California Government Code Section 66410 et seq. (Subdivision Map Act). The Vesting Tentative Tract Map will be considered along with the pre-zoning of the property but would only be effective once the land is annexed to the City.

### **Development Agreement**

The proposed Project includes a development agreement between the Project Applicant and the City pursuant to California Government Code sections 65864 et seq. Fair share responsibilities for infrastructure improvements will be addressed in a Development Agreement with the City.

### **Request for Annexation to the City of Beaumont**

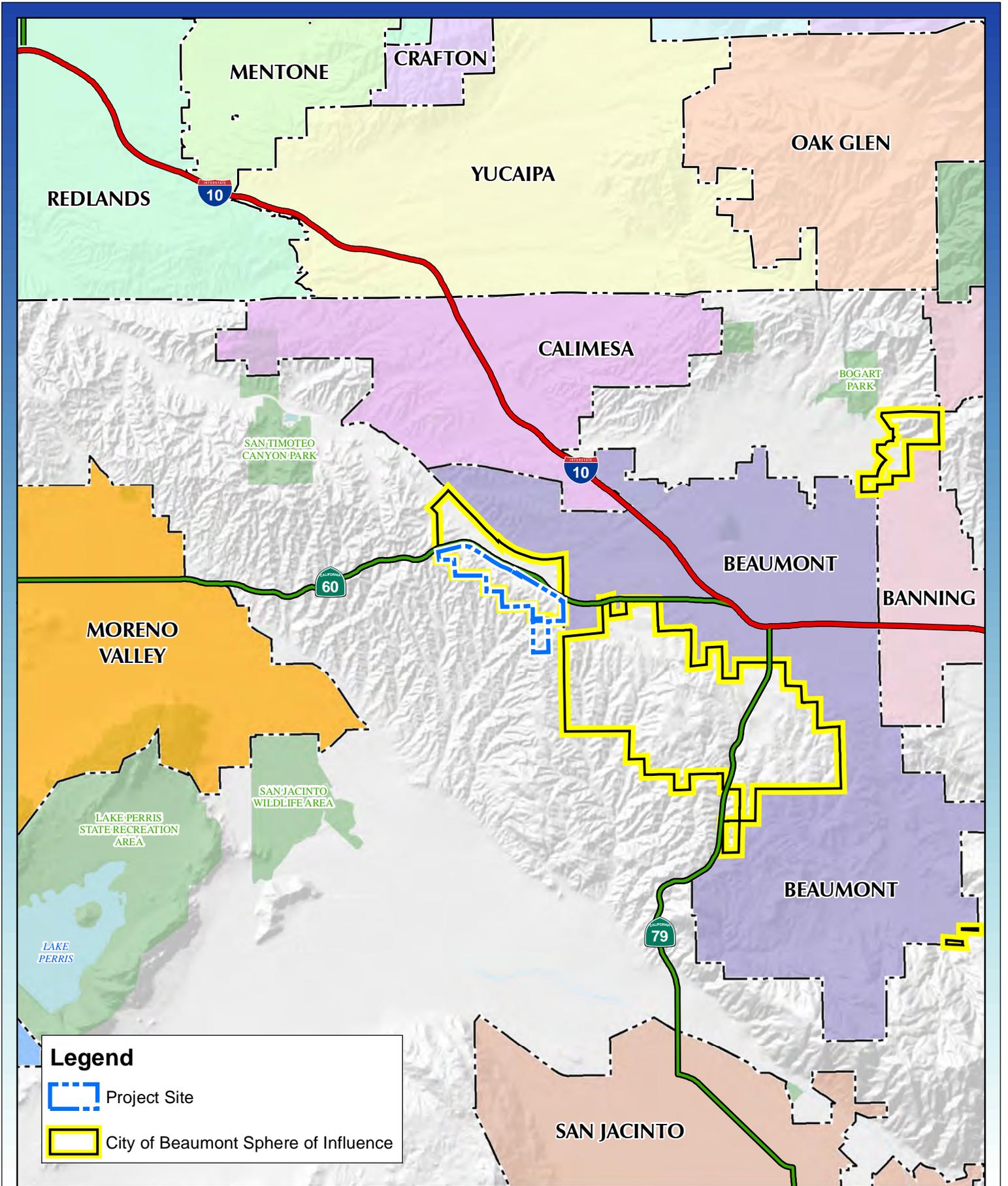
Consistent with Section 56375(a)(7) of the California Government Code, also known as the Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000, the Project Applicant will request that the Local Agency Formation Commission (LAFCo) annex the property after completion of pre-zoning. As annexation must occur before any of the Project elements can be developed, and LAFCo is an independent public agency, LAFCo is a responsible agency for purposes of CEQA, and will use this EIR in the annexation process.

### **Request for Annexation to the Beaumont-Cherry Valley Water District**

The City will also request that the Beaumont-Cherry Valley Water District annex the land in order to obtain water service. As annexation is essential to development of Project, and the Beaumont-Cherry Valley Water District is an independent public agency, the District is also a responsible agency for purposes of CEQA and will use this EIR in the annexation process.

### **PROBABLE ENVIRONMENTAL EFFECTS**

The EIR will evaluate the potential environmental impacts of the proposed Project on aspects of the physical environment addressed under CEQA. The environmental topic areas anticipated to be included the EIR include Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. The EIR will evaluate direct and indirect impacts, cumulative impacts, and alternatives.

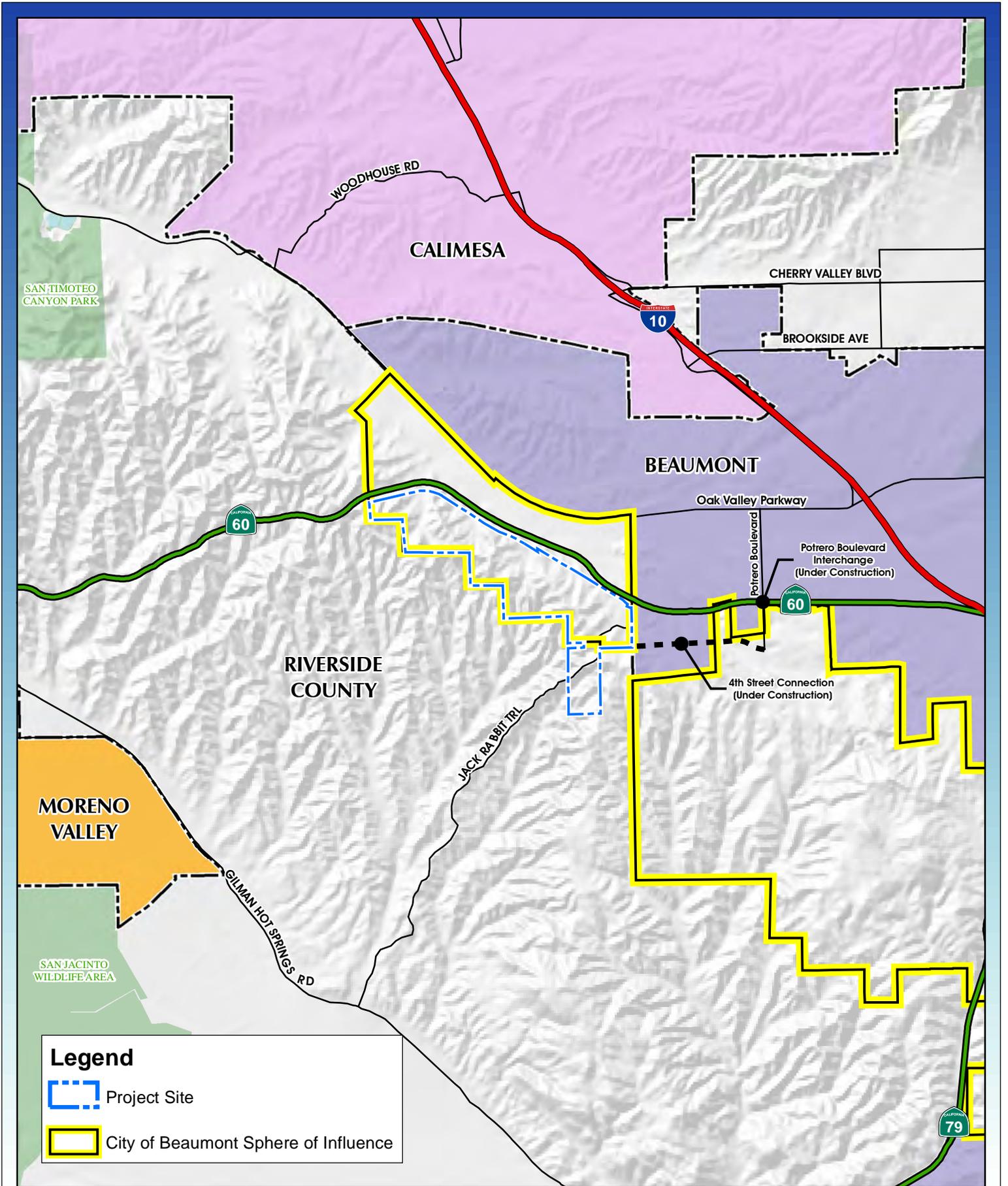


**BEAUMONT POINTE SPECIFIC PLAN**

**Figure 1**

**REGIONAL MAP**





**BEAUMONT POINTE SPECIFIC PLAN**

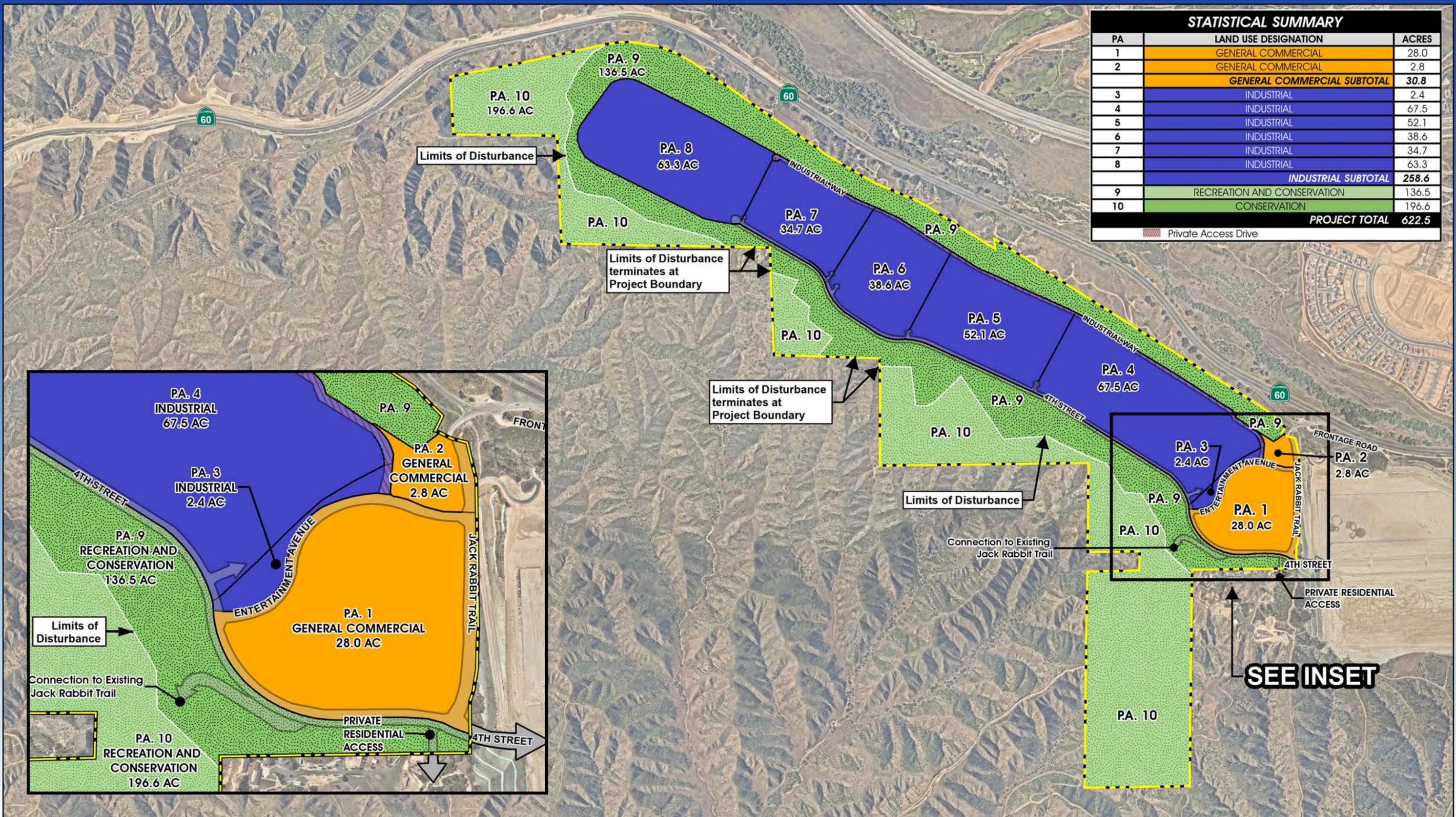
**Figure 2**

**VICINITY MAP**



STATISTICAL SUMMARY		
PA	LAND USE DESIGNATION	ACRES
1	GENERAL COMMERCIAL	28.0
2	GENERAL COMMERCIAL	2.8
<b>GENERAL COMMERCIAL SUBTOTAL</b>		<b>30.8</b>
3	INDUSTRIAL	2.4
4	INDUSTRIAL	67.5
5	INDUSTRIAL	52.1
6	INDUSTRIAL	38.6
7	INDUSTRIAL	34.7
8	INDUSTRIAL	63.3
<b>INDUSTRIAL SUBTOTAL</b>		<b>258.6</b>
9	RECREATION AND CONSERVATION	136.5
10	CONSERVATION	196.6
<b>PROJECT TOTAL</b>		<b>622.5</b>

Private Access Drive

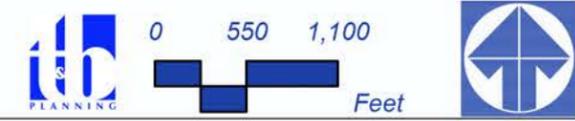


Source(s): Nearmap (2020), ESRI, RCTLMA (2019) Composite: Theines Engineering (2019)

DATE: 08-31-2020

**BEAUMONT POINTE SPECIFIC PLAN**

**Figure 3**



**LAND USE PLAN**



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

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



September 29, 2020  
*Sent via email*

Christina Taylor  
Community Development Director  
City of Beaumont  
550 East 6<sup>th</sup> Street  
Beaumont, CA 92223  
[Ctaylor@beaumontca.gov](mailto:Ctaylor@beaumontca.gov)

Subject: Notice of Preparation of a Draft Program Environmental Impact Report  
City of Beaumont  
Beaumont Pointe Specific Plan  
State Clearinghouse No. 2020099007

Dear Ms. Taylor:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from City of Beaumont (City) for the Beaumont Pointe Specific Plan (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

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

### **CDFW ROLE**

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

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

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

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

## **PROJECT DESCRIPTION SUMMARY**

The proposed Project includes a general plan amendment, zone change, annexation, vesting tentative tract map, and adoption of a development agreement on approximately 622.6 acres located in the sphere of influence of the City of Beaumont, Riverside County, located south of State Route 60, west of Jack Rabbit Trail, in Riverside County, California. Specific details of the proposed Project include:

1. General Plan Amendment (PLAN2019-0284) that would change approximately 622.5 acres from "Rural Residential" to "General Commercial" (30.8-acres), "Industrial," (258.6-acres) and "Recreation and Conservation." (333.1-acres);
2. Pre-zoning (PLAN2019-0284) to Jack Rabbit Specific Plan (SP2019-0003) that would create 10 planning areas (PA) and allow for General Commercial, Industrial, and Recreational Commercial land uses;
3. Application to the Local Agency Formation Commission for Annexation to the City of Beaumont and to the Beaumont-Cherry Valley Water District;
4. Vesting Tentative Tract Map to subdivide the property;
5. Adoption of a Development Agreement

## **COMMENTS AND RECOMMENDATIONS**

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

CDFW recognizes that the general plan EIR need not be as detailed as CEQA documents prepared for specific projects that may follow (CEQA Guidelines § 15146). CDFW also recognizes that the level of detail should be reflective of the level contained in the plan or plan element being considered (*Rio Vista Farm Bureau Center v. County of Solano* (1992) 5 Cal.App.4th 351). However, please note that the City cannot defer the analysis of significant effects of the general plan to later-tiered CEQA documents (*Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182).

CDFW recommends that the forthcoming DEIR address the following:

### **Assessment of Biological Resources**

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

CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009<sup>2</sup>). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas

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

identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

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

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be effected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines, § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service (USFWS), where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018<sup>3</sup>).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines, § 15125[c]).
6. A full accounting of all mitigation/conservation lands within and adjacent to the Project.

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

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

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project (including the plan's land use designations, policies and programs). To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

With respect to defensible space: please ensure that the DEIR fully describes and identifies the location, acreage, and composition of defensible space *within* the proposed Project footprint. Please ensure that any graphics and descriptions of defensible space associated with this project comply with Riverside County regulations/ requirements. The City, through their planning processes, should be ensuring that defensible space is provided and accounted for *within proposed development areas*, and not transferred to adjacent open space or conservation lands. The NOP identifies approximately 136.5 acres of "Recreation and Conservation land" and 196.61 acres of "Conservation land". CDFW requests that the DEIR clearly identify: (1) if these lands are being proposed as mitigation to offset impacts associated with the project; and (2) if these lands are also proposed to serve as defensible space. Please note that lands proposed to be managed for defensible space purposes will have lower conservation resource value as they require in-perpetuity vegetation management.

2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. An evaluation of impacts to adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs. The proposed Project has the potential to impact lands managed by the Bureau of Land Management (BLM) and the Western Riverside County Regional Conservation Authority (RCA). CDFW encourages the City to contact the BLM and RCA to

determine if any portion of the project will impact adjacent conserved lands, and to work collaboratively to avoid and minimize impacts.

4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The DEIR should analyze the cumulative effects of the plan's land use designations, policies and programs on the environment. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

### **Alternatives Analysis**

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]). The no Project alternative should evaluate how the changing environment, such as climate change and drought, may affect the community if a new or revised general plan were not adopted.

### **Mitigation Measures for Project Impacts to Biological Resources**

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

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities,

alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.

3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: burrowing owl, northern harrier, vermilion flycatcher, loggerhead shrike, yellow warbler, and yellow-breasted chat.
4. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail.

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

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

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

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

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

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

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

by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

CDFW recommends that the DEIR include specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. If pre-construction surveys are proposed in the DEIR, CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

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

### **California Endangered Species Act**

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

a covered activity under the MSHCP. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

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

Based on review of CNDDDB, and/or knowledge of the project site/vicinity/general area, CDFW is aware that the following CESA-listed species have the potential to occur onsite/have previously been reported onsite: least Bell's vireo (*Vireo bellii pusillus*), Mountain Lion (*Puma concolor*).

### **Western Riverside County Multiple Species Habitat Conservation Plan**

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

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

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

- a. Addressing the collection of fees as set forth in Section 8.5 of the MSHCP.
- b. Demonstrating how the Project complies with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of

the MSHCP; surveys as set forth in Section 6.3.2 of the MSHCP; compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; and compliance with the Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

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

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

For example, the entirety of the Project is located within the Potrero/Badlands Subunit (SU1) of the Pass Area Plan and occurs within MSHCP Criteria Cells 933, 936, 1030, 1032 and 1125 in or adjacent to Cell Groups A and W. The MSHCP states that

conservation within Cell Group A will contribute to the assembly of Proposed Core 3. Conservation within this Cell Group will focus on chaparral, coastal sage scrub, and grassland habitat. Areas conserved within this Cell Group will be connected to chaparral and coastal sage scrub habitat proposed for conservation in Cell Groups Y to the west and B to the south and in Cell 1125 in the Pass Area Plan to the north and to chaparral, coastal sage scrub, and grassland habitat proposed for conservation in Cell 1032 in the Pass Area Plan also to the north. Conservation within this Cell Group will range from 55 to 65 percent of the Cell Group focusing on the western portion of the Cell Group. The Planning Species and Biological Issues and Considerations for SU1 of the Pass Area Plan are identified in Section 3.3.10 of the MSHCP.

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

CDFW recommends that the DEIR also include a discussion of the Project and MSHCP Section 7.4, which identifies and discusses allowable uses in the MSHCP Conservation Area. For example, if trails are proposed as part of the Project, the DEIR should discuss whether the trail is identified on Figure 7-4, and provide details regarding trail construction (siting and design), and operations and maintenance that demonstrate that the proposed trail is consistent with MSHCP Section 7.4.

The NOP identifies that the Project includes the annexation of property to the City of Beaumont. Annexation and deannexation of lands within the MSHCP is discussed in Section 11.5 of the Implementing Agreement. Section 11.5 states that each MSHCP Permittee shall enforce the terms of the MSHCP, the Permits, and the Implementing Agreement, to all individuals or entities subject to the Permittee's jurisdiction, including lands in the MSHCP annexed into the Permittees' jurisdiction, provided that the Minor Amendment requirements of Section 20.4.1(E) of the Implementing Agreement and Section 6.10.2 of the MSHCP have been met. Section 20.4.1(E) of the Implementing

Agreement provides that for an annexation/deannexation to be considered as a Minor Amendment, it cannot *preclude MSHCP Reserve Assembly, significantly increase the cost of the MSHCP Conservation Area management or assembly or preclude achieve Covered Species conservation goals*. If these Minor Amendment requirements cannot be met, a Major Amendment will be required. CDFW recommends that the DEIR specifically address whether lands annexed/deannexed as part of the Project will the requirements of a Minor Amendment, as provided in MSHCP Section 6.10.2 and Section 20.4 of the Implementing Agreement.

Regardless of whether take of threatened and/or endangered species is obtained through the MSHCP or through a CESA ITP, the DEIR needs to address how the proposed Project will affect the policies and procedures of the MSHCP. Therefore, all surveys required by the MSHCP policies and procedures listed above to determine consistency with the MSHCP should be conducted and results included in the DEIR so that CDFW can adequately assess whether the Project will impact the MSHCP.

### **Lake and Streambed Alteration Program**

Based on review of material submitted with the NOP and review of aerial photography multiple drainage features traverse the site. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. To ensure compliance with Fish and Game Code section 1602 CDFW recommends that the County condition the DEIR to include a mitigation measure for consultation with CDFW to determine if Fish and Game Code section 1600 *et seq.* resources may occur within the proposed Project alignment. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

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

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code, § 21065). To facilitate issuance of an LSA Agreement, if necessary,

the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

## **ADDITIONAL COMMENTS AND RECOMMENDATIONS**

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

## **ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

## **FILING FEES**

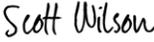
The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order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

Christina Taylor, Community Development Director  
City of Beaumont  
September 29, 2020  
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## CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the City of Beaumont's Beaumont Pointe Specific Plan (SCH No. 2020099007). CDFW recommends that the County address the comments and concerns identified in this letter in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, please contact Eric Chan, Environmental Scientist, at (909) 483-6317 or at [eric.chan@wildlife.ca.gov](mailto:eric.chan@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
8091B1A9242F49C...

Scott Wilson  
Environmental Program Manager

cc: California Department of Fish and Wildlife  
HCPB CEQA Coordinator

Office of Planning and Research, State Clearinghouse  
[State.clearinghouse@opr.ca.gov](mailto:State.clearinghouse@opr.ca.gov)

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Western Riverside County Regional Conservation Authority  
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## NATIVE AMERICAN HERITAGE COMMISSION

September 8, 2020

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**Re: 2020099007, Beaumont Pointe Specific Plan Project, Riverside County**

Dear Ms. Taylor:

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

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

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

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

## AB 52

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

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a.** A brief description of the project.
  - b.** The lead agency contact information.
  - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
  
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
  - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
  
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a.** Alternatives to the project.
  - b.** Recommended mitigation measures.
  - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
  
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a.** Type of environmental review necessary.
  - b.** Significance of the tribal cultural resources.
  - c.** Significance of the project's impacts on tribal cultural resources.
  - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
  
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
  
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

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

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

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

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

### NAHC Recommendations for Cultural Resources Assessments

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

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

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

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

Sincerely,



Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse



# Rincon Band of Luiseño Indians

## CULTURAL RESOURCES DEPARTMENT

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One Government Center Lane | Valley Center | CA 92082  
(760) 749-1051 | Fax: (760) 749-8901 | [rincon-nsn.gov](http://rincon-nsn.gov)



September 11, 2020

Sent via email: [ctaylor@beaumontca.gov](mailto:ctaylor@beaumontca.gov)

Community Development Director  
City of Beaumont  
550 East 6<sup>th</sup> Street  
Beaumont, CA 92223

**Re: PLAN2019-0284**

Dear Ms. Taylor,

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

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

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

Thank you for submitting this project for Tribal review. If you have additional questions or concerns, please do not hesitate to contact our office at your convenience at (760) 297-2635 or via electronic mail at [crd@rincon-nsn.gov](mailto:crd@rincon-nsn.gov).

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

Sincerely,

*Deneen Pelton*

Administrative Assistant II  
Cultural Resources Department



Hans W. Kernkamp, General Manager-Chief Engineer

VIA ELECTRONIC MAIL ONLY

[ctaylor@beaumontca.gov](mailto:ctaylor@beaumontca.gov)

October 5, 2020

Christina Taylor  
Community Development Director  
City of Beaumont  
550 East 6<sup>th</sup> Street  
Beaumont CA, 92223

**RE: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the City of Beaumont General Plan Amendment, Adoption of the Beaumont Pointe Specific Plan and Annexation of the Project Site into the City of Beaumont from Unincorporated Riverside County (Project).**

Dear Ms. Taylor:

The Riverside County Department of Waste Resources (RCDWR) has reviewed the NOP addressing a DEIR for the City of Beaumont (City) General Plan Amendment, Specific Plan Adoption and Project site annexation into the City from unincorporated Riverside County. The RCDWR offers the following comments for your consideration while preparing the Project's DEIR.

1. Build-out of the Project may have the potential to increase the amount of waste that could adversely affect solid waste facilities. To assess waste impacts, the DEIR should include the projected maximum amount of waste generated from build-out of the Project, using appropriate waste generation factors for the proposed General Plan land uses.

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

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

2. The following information can be useful in the analysis of the solid waste impacts:
  - a) Solid waste generated within the Project area is collected by Waste Management Inc. (WMI), with the bulk of recyclable waste and green waste delivered to the Moreno Valley Solid Waste Recycling and Transfer Facility (MVTTS) for processing. The MVTTS is located at 17700 Indian Street in Moreno Valley. It is permitted for a 2,500-tpd operation.
  - b) While the Lamb Canyon Landfill is the closest landfill to Project site, the City's waste hauler could also use the Badlands Landfill and the El Sobrante Landfill for disposal of the City's residual waste. Descriptions of the local landfills are provided below:

Lamb Canyon Landfill:

The Lamb Canyon Landfill is located between the City of Beaumont and City of San Jacinto at 16411 Lamb Canyon Road (State Route 79), south of Interstate 10 and north of Highway 74. The landfill is owned and operated by Riverside County. The landfill property encompasses approximately 1,189 acres, of which 703.4 acres encompass the current landfill permit area. Of the 703.4-acre landfill permit area, approximately 144.6 acres are permitted for waste disposal. The landfill is currently permitted to receive 5,000 tpd of MSW for disposal and 500 tpd for beneficial reuse. The site has an estimated total disposal capacity of approximately 20.7 million tons.<sup>1</sup> As of January 1, 2020 (beginning of day), the landfill has a total remaining capacity of approximately 8.7 million tons<sup>2</sup>. The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2029.<sup>3</sup> From January 2019 to December 2019, the Lamb Canyon Landfill accepted a daily average of 1,925 tons with a period total of approximately 591,125 tons. Landfill expansion potential exists at the Lamb Canyon Landfill site.

Badlands Landfill:

The Badlands Landfill is located northeast of the City of Moreno Valley at 31125 Ironwood Avenue and accessed from State Highway 60 at Theodore Avenue. The landfill is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, with a total permitted disturbance area of 278 acres, of which 150 acres are permitted for refuse disposal. The landfill is currently permitted to receive 4,500 tpd of MSW for disposal and 300 tpd for beneficial reuse. The site has an estimated total capacity of approximately 20.5 million tons<sup>4</sup>. As of January 1, 2020 (beginning of day), the landfill had a total remaining disposal capacity of approximately 5.1 million tons.<sup>5</sup> The current landfill remaining disposal capacity is estimated to last, at a minimum, until approximately 2022.<sup>6</sup> From January 2019 to December 2019, the Badlands Landfill accepted a daily average of 2,878 tons with a period total of approximately 886,388 tons. Landfill expansion potential exists at the Badlands Landfill site.

EI Sobrante Landfill:

The EI Sobrante Landfill is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. The EI Sobrante Landfill has a total disposal capacity of approximately 209.9 million cubic yards and can receive up to 70,000 tons per week (tpw) of refuse. USA Waste must allot at least 28,000 tpw for County refuse. The landfill's permit allows a

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<sup>1</sup> GASB\_18\_2019 – Engineering Estimate for total landfill capacity

<sup>2</sup> GASB\_18\_2019 & SiteInfo

<sup>3</sup> SWFP # 33-AA-0007

<sup>4</sup> GASB\_18\_2019 – Engineering Estimate for total landfill capacity

<sup>5</sup> GASB\_18\_2019 & SiteInfo

<sup>6</sup> SWFP # 33-AA-0006

maximum of 16,054 tons per day (tpd) of waste to be accepted into the landfill, due to the limits on vehicle trips. If needed, 5,000 tpd must be reserved for County waste, leaving

the maximum commitment of Non-County waste at 11,054 tpd. Per the 2019 Annual Report, the landfill had a remaining in-County disposal capacity of approximately 52.8 million tons.<sup>7</sup> In 2019, the El Sobrante Landfill accepted a daily average of 11,139 tons with a period total of approximately 3,419,617 tons. The landfill is expected to reach capacity in approximately 2060.

3. Additionally, you may wish to consider incorporating the following measures to help reduce the Project's anticipated solid waste impacts and enhance the City's efforts to comply with the State's mandate of 65% solid waste diversion from landfilling:

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

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<sup>7</sup> 2019 El Sobrante Landfill Annual Report- Based on 132,130, 376 tons remaining capacity (40% for in-county waste).

For more information, please visit:

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

- AB 1826 requires businesses that generate 8 cubic yards or more of organic waste per week to arrange for organic waste recycling services. The threshold amount of organic waste generated requiring compliance by businesses is reduced in subsequent years. Businesses subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
  - Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
  - Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.

Thank you for allowing us the opportunity to comment on the NOP. We would appreciate a copy of the Draft EIR on CD for review and comment when available. Please continue to include the RCDWR in future transmittals. Please call me at (951) 486-3200 if you have any questions regarding the above comments.

Sincerely,



Jose Merlan  
Urban/Regional Planner IV



RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

233849

September 25, 2020

City of Beaumont  
550 East 6<sup>th</sup> Street  
Beaumont, CA 92223

Attention: Christina Taylor

Re: Plan 2019-0284  
Beaumont Pointe Specific Plan

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received September 4, 2020. The District has not reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, \_\_\_\_\_. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension of the adopted Beaumont Master Drainage Plan. The District would consider accepting ownership of such facilities on written request of the City. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, \_\_\_\_\_. For further information, contact the District's encroachment permit section at 951.955.1266.

City of Beaumont  
Re: Plan 2019-0284  
Beaumont Pointe Specific Plan

233849

The District's previous comments are still valid.

**GENERAL INFORMATION**

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



DEBORAH DE CHAMBEAU  
Engineering Project Manager

cc: Riverside County Planning Department  
Attn: John Hildebrand

SLJ:blm



SOUTHERN CALIFORNIA  
ASSOCIATION OF GOVERNMENTS  
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October 14, 2020

Ms. Christina Taylor, Community Development Director  
City of Beaumont, City Hall  
550 East 6<sup>th</sup> Street  
Beaumont, California 92223  
Phone: (951) 572-3212  
E-mail: [ctaylor@beaumontca.gov](mailto:ctaylor@beaumontca.gov)

**RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Beaumont Pointe Specific Plan [SCAG NO. IGR10271]**

Dear Ms. Taylor,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Beaumont Pointe Specific Plan (“proposed project”) to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG’s adopted regional plans, to be determined by the lead agencies.<sup>1</sup>

Pursuant to Senate Bill (SB) 375, SCAG is the designated Regional Transportation Planning Agency under state law and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy (SCS). SCAG’s feedback is intended to assist local jurisdictions and project proponents to implement projects that have the potential to contribute to attainment of Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and align with RTP/SCS policies. Finally, SCAG is also the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for Federal financial assistance and direct Federal development activities, pursuant to Presidential Executive Order 12372.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Beaumont Pointe Specific Plan in Riverside County. The proposed project includes 251,000 square feet (sf) of commercial uses, a 125-room hotel, 4,995,999 sf of industrial/warehouse uses and 333.1 acres of open space.

**When available, please email environmental documentation to [IGR@scag.ca.gov](mailto:IGR@scag.ca.gov) providing, at a minimum, the full public comment period for review.**

If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Anita Au, Associate Regional Planner, at (213) 236-1874 or [IGR@scag.ca.gov](mailto:IGR@scag.ca.gov). Thank you.

Sincerely,

Ping Chang  
Manager, Compliance and Performance Monitoring

<sup>1</sup>Lead agencies such as local jurisdictions have the sole discretion in determining a local project’s consistency with the 2020 RTP/SCS (Connect SoCal) for the purpose of determining consistency for CEQA.

**COMMENTS ON THE NOTICE OF PREPARATION OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
BEAUMONT POINTE SPECIFIC PLAN [SCAG NO. IGR10271]**

**CONSISTENCY WITH CONNECT SOCIAL**

SCAG provides informational resources to facilitate the consistency of the proposed project with the adopted 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS or Connect SoCal). For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with Connect SoCal.

**CONNECT SOCIAL GOALS**

The SCAG Regional Council fully adopted Connect SoCal in September 2020. Connect SoCal, also known as the 2020 – 2045 RTP/SCS, builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <https://www.connectsocial.org/Pages/Connect-SoCal-Final-Plan.aspx>). The goals included in Connect SoCal may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project. Among the relevant goals of Connect SoCal are the following:

<b>SCAG CONNECT SOCIAL GOALS</b>	
Goal #1:	<i>Encourage regional economic prosperity and global competitiveness</i>
Goal #2:	<i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>
Goal #3:	<i>Enhance the preservation, security, and resilience of the regional transportation system</i>
Goal #4:	<i>Increase person and goods movement and travel choices within the transportation system</i>
Goal #5:	<i>Reduce greenhouse gas emissions and improve air quality</i>
Goal #6:	<i>Support healthy and equitable communities</i>
Goal #7:	<i>Adapt to a changing climate and support an integrated regional development pattern and transportation network</i>
Goal #8:	<i>Leverage new transportation technologies and data-driven solutions that result in more efficient travel</i>
Goal #9:	<i>Encourage development of diverse housing types in areas that are supported by multiple transportation options</i>
Goal #10:	<i>Promote conservation of natural and agricultural lands and restoration of habitats</i>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG CONNECT SOCIAL GOALS	
Goal	Analysis
Goal #1: <i>Encourage regional economic prosperity and global competitiveness</i>	<i>Consistent: Statement as to why;                      Not-Consistent: Statement as to why;                      Or                      Not Applicable: Statement as to why;                      DEIR page number reference</i>
Goal #2: <i>Improve mobility, accessibility, reliability and travel safety for people and goods</i>	<i>Consistent: Statement as to why;                      Not-Consistent: Statement as to why;                      Or                      Not Applicable: Statement as to why;                      DEIR page number reference</i>
etc.	etc.

**Connect SoCal Strategies**

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. To view Connect SoCal and the accompanying technical reports, please visit: <https://www.connectsocial.org/Pages/Connect-SoCal-Final-Plan.aspx>. Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

**DEMOGRAPHICS AND GROWTH FORECASTS**

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG’s 197 jurisdictions provided feedback on the forecast of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e. transportation analysis zone (TAZ)) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California’s GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal’s Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the Connect SoCal Demographics and Growth Forecast Technical Report: [https://www.connectsocial.org/Documents/Adopted/fConnectSoCal\\_Demographics-And-Growth-Forecast.pdf](https://www.connectsocial.org/Documents/Adopted/fConnectSoCal_Demographics-And-Growth-Forecast.pdf). The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of Beaumont Forecasts			
	Year 2020	Year 2030	Year 2035	Year 2040	Year 2020	Year 2030	Year 2035	Year 2045
Population	19,517,731	20,821,171	21,443,006	22,503,899	53,414	67,734	74,243	80,171
Households	6,333,458	6,902,821	7,170,110	7,633,451	16,692	21,168	23,202	25,052
Employment	8,695,427	9,303,627	9,566,384	10,048,822	10,998	13,600	14,782	15,914

**MITIGATION MEASURES**

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for Connect SoCal for guidance, as appropriate. SCAG’s Regional Council certified the PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on May 7, 2020 and also adopted a PEIR Addendum and amended the MMRP on September 3, 2020 (please see: <https://www.connectsocial.org/Pages/Final-2020-PEIR.aspx>; and scroll to the bottom of the page for the PEIR Addendum). The PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.



# South Coast Air Quality Management District

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SENT VIA E-MAIL:

October 1, 2020

[ctaylor@beaumontca.gov](mailto:ctaylor@beaumontca.gov)

Christina Taylor, Director  
City of Beaumont, Community Development Department  
550 East Sixth Street  
Beaumont, CA 92223

## **Notice of Preparation of a Draft Environmental Impact Report for the Beaumont Pointe Specific Plan (Proposed Project)**

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

### **CEQA Air Quality Analysis**

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website<sup>1</sup> as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod<sup>2</sup> land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds<sup>3</sup> and localized significance thresholds (LSTs)<sup>4</sup> to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road

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

<sup>2</sup> CalEEMod is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

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

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

mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment<sup>5</sup>.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*<sup>6</sup> is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory<sup>7</sup>.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES IV), completed in May 2015, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions, and that the areas in Riverside County within the South Coast Air Basin have cancer risk of 223 in one million<sup>8</sup>. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

### **Mitigation Measures**

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook<sup>1</sup>, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan<sup>9</sup>, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy<sup>10</sup>.

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

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

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

<sup>8</sup> South Coast AQMD. May 2015. *Multiple Air Toxics Exposure Study in the South Coast Air Basin*. Available at: <http://www.aqmd.gov/docs/default-source/air-quality/air-toxic-studies/mates-iv/mates-iv-final-draft-report-4-1-15.pdf>.

<sup>9</sup> South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

<sup>10</sup> Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: [https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A\\_ConnectSoCal\\_PEIR.pdf](https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf).

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

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NO<sub>x</sub> emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule<sup>11</sup> and the Heavy-Duty Low NO<sub>x</sub> Omnibus Regulation<sup>12</sup>, ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year<sup>13</sup> that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NO<sub>x</sub> emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

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

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

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<sup>11</sup> CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

<sup>12</sup> CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NO<sub>x</sub> Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

<sup>13</sup> CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

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

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

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

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS  
RVC200908-03  
Control Number



October 6, 2020

*Sent via email*

Christina Taylor  
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**Re: Comments on Notice of Preparation of a Draft Environmental Impact Report for the Beaumont Pointe Specific Plan (SCH 2020099007)**

Dear Ms. Taylor,

These comments are submitted on behalf of the Center for Biological Diversity (Center) regarding the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Beaumont Pointe Specific Plan (SCH 2020099007). The Center has reviewed the NOP and provides these comments for consideration by the City of Beaumont (City) as they prepare the EIR.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Riverside County.

**I. The EIR must thoroughly disclose, analyze, and mitigate to the extent feasible the Project's anticipated greenhouse gas emissions**

The California Environmental Quality Act ("CEQA") requires an Environmental Impact Report ("EIR") to provide decision-making bodies and the public with detailed information about the effect a proposed project is likely to have on the environment, to list ways in which the significant effects of a project might be minimized, and to indicate alternatives to the project. (Pub. Res. Code § 21061.) In particular, CEQA requires a lead agency to mitigate to the extent feasible significant impacts, including a significant cumulative climate change impact. (CEQA Guidelines § 15064.4.)

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and climate change threats are becoming increasingly dangerous. In a 2018 *Special Report on Global Warming of 1.5°C* from the Intergovernmental Panel on Climate Change (IPCC), the leading international

scientific body for the assessment of climate change describes the devastating harms that would occur at 2°C warming, highlighting the necessity of limiting warming to 1.5°C to avoid catastrophic impacts to people and life on Earth. The report provides overwhelming evidence that climate hazards are more urgent and more severe than previously thought, and that aggressive reductions in emissions within the next decade are essential to avoid the most devastating climate change harms.

The impacts of climate change will be felt by humans and wildlife. In California, climate change will transform our climate, resulting in such impacts as increased temperatures and wildfires, and a reduction in snowpack and precipitation levels and water availability. In light of inadequate action on the national level, California has taken steps through legislation and regulation to fight climate change and reduce statewide GHG emissions. (Health & Saf. Code § 38550; *see also* Executive Order B-30-15 (2015); Executive Order S-3-05 (2005); Executive Order B-55-18 (2018).) The Legislature also passed S.B. 100 which requires renewables to account for 60 percent of electricity sales in 2030. Enforcement and compliance with these state-level actions are essential to help stabilize the climate and avoid catastrophic impacts to our environment. However, regional and municipal agencies also have a vital role in reducing our GHG emissions and fighting the climate crisis. Fundamental changes and hard choices in land use planning for the future by local land use agencies will be necessary to fully address and meet the state GHG emissions reduction goals.

Therefore, if the City concludes the Project will have significant GHG impacts, the Center urges the adoption of mitigation measures to reduce GHG emissions to net zero, with a priority given to direct emission reduction measures and on-site mitigation measures. If offsets are used as GHG mitigation, they should only be used when all direct emission reduction measures and on-site mitigation options are exhausted. Any offsets should be tied to local projects and allow for local direct investments that help the surrounding community through the creation of local jobs, reduction in nearby air pollution, and improve impacted infrastructure.

In a November 2018 report, the California Air Resources Board concluded that California is currently not on track to meet its greenhouse gas reduction targets, primarily due to GHG emissions from the transportation sector. Projects such as the one proposed in the NOP have the potential to widen the gap between where California needs to be to tackle the climate crisis and where it is headed. Therefore, the Center urges the City to take a hard and thorough look at the Project's anticipated GHG emissions, as well as associated air quality, traffic, and transportation impacts, when preparing the EIR.

## **II. The EIR must disclose, analyze, and mitigate to the extent feasible anticipated impacts to wildlife movement and habitat connectivity**

The Project would be located within an identified critical wildlife "linkage design" that connects the San Bernardino Mountains with the Badlands and San Jacinto Mountains (South Coast Wildlands 2008). The EIR must adequately assess and mitigate the Project's impacts to local, regional, and global wildlife movement and habitat connectivity.

Roads and development create barriers that lead to habitat loss and fragmentation, which harms native wildlife, plants, and people. As barriers to wildlife movement, poorly-planned development and roads can affect an animal's behavior, movement patterns, reproductive success, and physiological state, which can lead to significant impacts on individual wildlife, populations, communities, landscapes, and ecosystem function (Mitsch and Wilson 1996; Trombulak and Frissell 2000; van der Ree et al. 2011; Brehme et al. 2013; Haddad et al. 2015; Marsh and Jaeger 2015; Ceia-Hasse et al. 2018). For example, habitat fragmentation from roads and development has been shown to cause mortalities and harmful genetic isolation in mountain lions in southern California (Ernest et al. 2014; Riley et al. 2014; Vickers et al. 2015), increase local extinction risk in amphibians and reptiles (Cushman 2006; Brehme et al. 2018), cause high levels of avoidance behavior and mortality in birds and insects (Benítez-López et al. 2010; Loss et al. 2014; Kantola et al. 2019), and alter pollinator behavior and degrade habitats (Trombulak and Frissell 2000; Goverde et al. 2002; Aguilar et al. 2008). Habitat fragmentation also severely impacts plant communities. An 18-year study found that reconnected landscapes had nearly 14% more plant species compared to fragmented habitats, and that number is likely to continue to rise as time passes (Damschen et al. 2019). The authors conclude that efforts to preserve and enhance connectivity will pay off over the long-term (Damschen et al. 2019). In addition, connectivity between high quality habitat areas in heterogeneous landscapes is important to allow for range shifts and species migrations as climate changes (Heller and Zavaleta 2009; Cushman et al. 2013; Krosby et al. 2018). Loss of wildlife connectivity decreases biodiversity and degrades ecosystems.

Edge effects of development in and adjacent to open space will likely impact key, wide-ranging predators, such as mountain lions and bobcats (Crooks 2002; Riley et al. 2006; Delaney et al. 2010; Lee et al. 2012; Smith et al. 2015; Vickers et al. 2015; Smith et al. 2017; Wang et al. 2017), as well as smaller species with poor dispersal abilities, such as song birds, small mammals, and herpetofauna (Cushman 2006; Slabbekoorn and Ripmeester 2008; Benítez-López et al. 2010; Kociolek et al. 2011). Limiting movement and dispersal can affect species' ability to find food, shelter, mates, and refugia after disturbances like fires or floods. Individuals can die off, populations can become isolated, sensitive species can become locally extinct, and important ecological processes like plant pollination and nutrient cycling can be lost. Negative edge effects from human activity, such as traffic, lighting, noise, domestic pets, pollutants, invasive weeds, and increased fire frequency, have been found to be biologically significant up to 300 meters (~1000 feet) away from anthropogenic features in terrestrial systems (Environmental Law Institute 2003)

It is important that the EIR consider corridor redundancy (*i.e.* the availability of alternative pathways for movement) because it allows for improved functional connectivity and resilience. Compared to a single pathway, multiple connections between habitat patches increase the probability of movement across landscapes by a wider variety of species, and they provide more habitat for low-mobility species while still allowing for their dispersal (Mcrae et al., 2012; Olson & Burnett, 2008; Pinto & Keitt, 2008). In addition, corridor redundancy provides resilience to uncertainty, impacts of climate change, and extreme events, like flooding or wildfires, by providing alternate escape routes or refugia for animals seeking safety (Cushman et al., 2013; Mcrae et al., 2008; Mcrae et al., 2012; Olson & Burnett, 2008; Pinto & Keitt, 2008).

Corridor redundancy is critical when considering the impacts of climate change on wildlife movement and habitat connectivity. Climate change is increasing stress on species and ecosystems, causing changes in distribution, phenology, physiology, vital rates, genetics, ecosystem structure and processes, and increasing species extinction risk (Warren et al. 2011). A 2016 analysis found that climate-related local extinctions are already widespread and have occurred in hundreds of species, including almost half of the 976 species surveyed (Wiens 2016). A separate study estimated that nearly half of terrestrial non-flying threatened mammals and nearly one-quarter of threatened birds may have already been negatively impacted by climate change in at least part of their distribution (Pacifiçi et al. 2017). A 2016 meta-analysis reported that climate change is already impacting 82 percent of key ecological processes that form the foundation of healthy ecosystems and on which humans depend for basic needs (Scheffers et al. 2016). Genes are changing, species' physiology and physical features such as body size are changing, species are moving to try to keep pace with suitable climate space, species are shifting their timing of breeding and migration, and entire ecosystems are under stress (Parmesan and Yohe 2003; Root et al. 2003; Parmesan 2006; Chen et al. 2011; Maclean and Wilson 2011; Warren et al. 2011; Cahill et al. 2012).

When assessing impacts to wildlife movement and habitat connectivity, the City must analyze the Project's potential impacts to riparian corridors. Riparian ecosystems have long been recognized as biodiversity hotspots performing important ecological functions in a transition zone between freshwater systems and upland habitats. Many species that rely on these aquatic habitats also rely on the adjacent upland habitats (*e.g.*, riparian areas along streams, and grassland habitat adjacent to wetlands). In fact, 60% of amphibian species, 16% of reptiles, 34% of birds and 12% of mammals in the Pacific Coast ecoregion depend on riparian-stream systems for survival (Kelsey and West 1998). Many other species, including mountain lions and bobcats, often use riparian areas and natural ridgelines as migration corridors or foraging habitat (Dickson et al, 2005; Hilty & Merenlender, 2004; Jennings & Lewison, 2013; Jennings & Zeller, 2017). Additionally, fish rely on healthy upland areas to influence suitable spawning habitat (Lohse et al. 2008), and agricultural encroachment on these habitats and over-aggressive removal of riparian areas have been identified as a major driver of declines in freshwater and anadromous fish (*e.g.*, Stillwater Sciences 2002; Lohse et al. 2008; Moyle et al. 2011). Therefore, buffers that allow for connectivity between the aquatic resource and upland habitat is vital for many species to persist.

It is estimated that 90-95% of historic riparian habitat in the state has been lost (Bowler 1989; Riparian Habitat Joint Venture 2009). Using 2002 land cover data from CalFire, the Riparian Habitat Joint Venture estimated that riparian vegetation makes up less than 0.5% of California's total land area at about 360,000 acres (Riparian Habitat Joint Venture 2004). This is alarming because riparian habitats perform a number of biological and physical functions that benefit wildlife, plants, and humans, and loss of what little is left will have severe, harmful impacts on special-status species, overall biodiversity, and ecosystem function. California cannot afford to lose more riparian corridors.

A literature review found that recommended buffers for wildlife often far exceeded 100 meters (~325 feet), well beyond the largest buffers implemented in practice (Robins 2002). For example, Kilgo et al. (1998) recommend more than 1,600 feet of riparian buffer to sustain bird

diversity. In addition, amphibians, which are considered environmental health indicators, have been found to migrate over 1,000 feet between aquatic and terrestrial habitats through multiple life stages (Semlitsch and Bodie 2003; Trenham and Shaffer 2005; Cushman 2006; Fellers and Kleeman 2007). Accommodating the more long-range dispersers is vital for continued survival of species populations and/or recolonization following a local extinction (Semlitsch and Bodie 2003; Cushman 2006). In addition, more extensive buffers provide resiliency in the face of climate change-driven alterations to these habitats, which will cause shifts in species ranges and distributions (Cushman et al., 2013; Heller & Zavaleta, 2009; Warren et al., 2011). This emphasizes the need for sizeable riparian and upland buffers around streams and wetlands in and adjacent to the Project area, as well as connectivity corridors between heterogeneous habitats. To protect the Project area's highly diverse ecosystems and the services they provide, the EIR should require a minimum buffer of 300 feet or more (depending on the needs of the species present or potentially present) from all perennial and intermittent streams and wetlands (including vernal pools) throughout and adjacent to the Project area. Again, the EIR must adequately assess and mitigate impacts to local, regional, and global wildlife movement and habitat connectivity.

It is widely recognized that the continuing fragmentation of habitat by humans threatens biodiversity and diminishes our (humans, plants, and animals) ability to adapt to climate change. In a report for the International Union for Conservation of Nature (IUCN), world-renown scientists from around the world stated that “[s]cience overwhelmingly shows that interconnected protected areas and other areas for biological diversity conservation are much more effective than disconnected areas in human-dominated systems, especially in the face of climate change” and “[i]t is imperative that the world moves toward a coherent global approach for ecological connectivity conservation, and begins to measure and monitor the effectiveness of efforts to protect connectivity and thereby achieve functional ecological networks” (Hilty et al. 2020).

Therefore, should the City conclude impacts to wildlife movement and habitat connectivity are significant and unavoidable, the Center urges the adoption of effective mitigation measures that address the needs of the target species. It is important to consider that different species have different behaviors and needs that affect how they move. For example, smaller species with poor dispersal abilities, like rodents and herpetofauna, would require more frequent intervals of crossings compared to larger wide-ranging species, like mountain lions or coyotes, to increase their chances of finding a crossing. Gunson et al. (2016) recommend that crossing structures generally be spaced about 300m (~0.19mi) apart for small animals when transportation infrastructure bisects large expanses of continuous habitat, though they recognize that some amphibians may need more frequent crossings no more than 50m (~0.03mi) apart. And for many amphibian and reptile species, undercrossings should have grated tops so that the light and moisture inside the crossings are similar to that of the ambient environment. Therefore, multiple crossings designed for different target species may be required. In-depth analyses that include on-the-ground movement studies of which species are moving in the area and their home range area, habitat use, and patterns of movement are needed to determine how to best implement such crossings. In addition, associated crossing infrastructure (*e.g.*, exclusionary fencing appropriate for target species, berms to buffer crossings from sound and light) should be included to improve chances of wildlife using crossings, and such crossings and associated

infrastructure should be designed and built in consultation with local and regional experts, including agency biologists. And to improve the effectiveness of any wildlife crossings, there should be protected habitat on both sides of the crossing; therefore, mitigation should also include acquiring unprotected lands on both sides of the roads where a wildlife crossing would be implemented, again, in consultation with local conservation organizations and stakeholders, and preserving and managing those lands in perpetuity to ensure that the wildlife crossings and associated infrastructure remain functional over time. Given that impacts of noise, light, and vibration can affect the use of wildlife crossings, even if crossings are designed with adequate parameters and fencing, the crossings should be built with wildlife responsive design; crossings should have sound and light berms to minimize light and sound at the entrance/exit as well as on/in/under the crossings structures, and they should be well-maintained on both sides of the crossing for animals to use them (Shilling 2020; Vickers 2020).

**III. The EIR must disclose, analyze, and mitigate to the extent feasible impacts to special-status species, including but not limited to mountain lions (*Puma concolor*), a candidate species under the California Endangered Species Act**

There is ample scientific evidence that indicates mountain lion populations in Southern California and along the Central Coast are imperiled and that human activities and land use planning that does not integrate adequate habitat connectivity can have adverse impacts on mountain lions. Continued habitat loss and fragmentation has led to 10 genetically isolated populations within California (Gustafson et al. 2018). There are six identified mountain lion populations in the ESU, and several are facing an extinction vortex due to high levels of inbreeding, low genetic diversity, and high human-caused mortality rates from car strikes on roads, depredation kills, rodenticide poisoning, poaching, disease, and increased human-caused wildfires (Ernest et al. 2003; Ernest et al. 2014; Riley et al. 2014; Vickers et al. 2015; Benson et al. 2016; Gustafson et al. 2018; Benson et al. 2019).

The effective population sizes of the six populations within the ESU range from 4 to 56.6 (Gustafson et al. 2018; Benson et al. 2019). An effective population size ( $N_e$ ) of 50 is assumed to be sufficient to prevent inbreeding depression over five generations, while an effective population size of 500 is considered sufficient to retain evolutionary potential in perpetuity (Traill et al. 2010; Frankham et al. 2014). Five of the six populations are well below that minimum threshold of 50 and none have an effective population size anywhere near 500, which indicates that these populations are at serious risk of becoming extirpated. The populations most relevant to the Project are in the San Gabriel/San Bernardino Mountains (SGSB) and the Eastern Peninsular Range (EPR). The SGSB and EPR populations have an estimated effective population size of 5 and 31.6, respectively (Gustafson et al. 2018). These effective population sizes are well below the minimum threshold of 50. Low genetic diversity and high human-caused mortalities are driving this population towards an extinction vortex similar to what the mountain lions in the Santa Monica and Santa Ana mountains are experiencing (Gustafson et al. 2018). Scientists predict that the Santa Monica and Santa Ana populations, with estimated effective population sizes of 6 and 4, respectively, are likely to become extinct within 50 years if gene flow with other mountain lion populations is not improved (Benson et al. 2016; Gustafson et al. 2018; Benson et al. 2019). This is detailed in the Center's petition to the California Fish and Game Commission

to protect Southern California and Central Coast mountain lions under the California Endangered Species Act (Yap et al. 2019).

Given the SGSB population's low genetic diversity, low effective population size, and patterns of isolation due to roads and development creating movement barriers (Gustafson et al. 2018), the SGSB mountain lion population likely has high risk of inbreeding depression and extinction. The loss of this population could undermine genetic connectivity not only for local mountain lion populations but also for mountain lions statewide because the SGSB population, along with the Tehachapi and Sierra Pelona Mountains, represents a critical linkage between mountain lion populations in the northern and southern mountain ranges of California (Gustafson et al. 2018). Continued land use that further fragments mountain lion habitat in the Southern California region without adequately minimizing impacts to functional connectivity could contribute to the extinction of pumas in the area.

The primary threat to the long-term survival of mountain lions in the Southern California/Central Coast ESU is genetic isolation due to lack of connectivity caused by continuous development in mountain lion habitat with little regard of their movement needs. Thus, the persistence of the six populations with the ESU relies heavily on being connected with mountain lions within subpopulations as well as throughout the ESU. Therefore, the City must adequately assess and mitigate impacts to mountain lions and mountain lion movement in and in the vicinity of the Project area.

Numerous studies highlight the impacts of human activities on mountain lions. For example, Shilling et al. (2019) reported 299 observed roadkill mountain lions throughout the state from 2015 to 2018, but these deaths are likely underreported. CDFW biologist Justin Dellinger estimates there could be 200 puma deaths on roads every year (Price 2020). And a recent UC Davis special report identified a 58% reduction in mountain lion road mortalities after a 71% decrease in road use due to COVID-19 pandemic "stay-at-home" orders (Nguyen et al. 2020). This report highlights how roads and traffic are deadly barriers to puma movement and gene flow.

In addition to causing direct mortality in pumas, human activities also alter these large carnivores' behavior in ways that likely further impede important movement and gene flow. For example, Smith et al. (2017) found that mountain lions are so fearful of humans and noise generated by humans that they will abandon the carcass of a deer and forgo the feeding opportunity just to avoid humans.<sup>1</sup> The study concluded that even "non-consumptive forms of human disturbance may alter the ecological role of large carnivores by affecting the link between these top predators and their prey" (Smith et al. 2017). In addition, mountain lions have been found to respond fearfully upon hearing human vocalizations, avoiding the area and moving more cautiously when hearing humans (Smith et al. 2017; Suraci et al. 2019).

Other studies have demonstrated that mountain lion behavior is impacted when exposed to other evidence of human presence, such as lighting or vehicles/traffic (Wilmers et al. 2013;

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<sup>1</sup> See also Sean Greene, "How a fear of humans affects the lives of California's mountain lions," *Los Angeles Times* (June 27, 2017), available at <http://beta.latimes.com/science/sciencenow/la-sci-sn-pumas-human-noise-20170627-story.html>.

Smith et al. 2015; Wang et al. 2017). In addition, preliminary results from study by researchers at UC Davis and University of Southern California, as well as those by other researchers, suggest that the light, noise, and other aspects of highways can have negative impacts on wildlife numbers and diversity near the highways (Shilling 2020; Vickers 2020). The researchers found a significant difference between species richness and species type (mammals, including mountain lions), with lower richness and fewer species at crossing structures compared to background areas 1 km away from the roads (Shilling 2020). They also found that as traffic noises surpassed 60 dBC, the number of visits by small to large mammals decreased and most of the species in their study avoid traffic noise (Shilling 2020). It is clear that different species have variable sensitivities to noise and light associated with development and transportation infrastructure; this can lead to changes in species distributions near roads and development, which can have ecosystem-level impacts (*e.g.*, Suraci et al. 2019). Thus, roads, traffic, and development have negative impacts on puma survival and behavior, which can reduce the genetic health of populations and ultimately diminish their chances of long-term survival.

Yovovich et al. (2020) further documented the impacts of human activities on mountain lions in the Santa Cruz Mountains, specifically on communication and reproductive behaviors important for their survival. Males use scrapes to delineate territories as well as attract potential mates (Allen et al. 2015; Allen et al. 2016), and the males in the study preferred to use relatively flat areas away from human influence as scrape habitat (Yovovich et al. 2020). Similarly, when nursing females (with kittens less than 8 weeks old) shrank their home ranges to an average of 9 km<sup>2</sup> while their young were most vulnerable, they also selected undeveloped lands away from human disturbance, opting for habitat with protective cover and sufficient water and prey availability (Yovovich et al. 2020). The loss of adequate undisturbed communication and nursery habitat could disrupt important communication and reproductive behaviors that facilitate social structure and overall survival. The authors predicted that future development within the Santa Cruz Mountains could reduce nursery and communication habitat by 20% and 50%, respectively, while further fragmenting the landscape. Such patterns likely extend to other regions within the proposed Southern California/Central Coast ESU. Thus, continued habitat loss and fragmentation due to roads and development extending into mountain lion habitat with little regard for their movement and behavioral needs threaten the long-term survival of mountain lions throughout the proposed Southern California/Central Coast ESU.

There are numerous scientific studies that provide insights on the profound impacts human activities and infrastructure have on mountain lion survival, and they emphasize the need to adequately assess and mitigate impacts to these CESA candidate species in the Project area. These studies add to the accumulating evidence that mountain lions require a habitat mosaic that provides sufficient room to roam away from human-disturbed areas and connected to expansive, intact, heterogeneous habitats (Beier et al. 1995; Dickson and Beier 2002; Dickson et al. 2005; Kertson et al. 2011; Zeller et al. 2017). Continued construction of roads and development in mountain lion habitat with little regard for their movement and behavioral needs has direct and indirect lethal and sublethal impacts that threaten the persistence of Southern California and Central Coast puma populations.

Mountain lions are a key indicator species of wildlife connectivity and healthy ecosystems. As the last remaining wide-ranging large carnivore in the region, the ability to move

through large swaths of interconnected habitat is vital for genetic connectivity and their long-term survival. Local extinction of mountain lions in the region could have severe ecological consequences. Many scavengers, including many raptors, foxes, and numerous insects, would lose a reliable food source (Ruth and Elbroch 2014; Elbroch et al. 2017; Barry et al. 2019). Fish, birds, amphibians, reptiles, rare native plants, and butterflies could potentially diminish if this apex predator were lost (Ripple and Beschta 2006; Ripple and Beschta 2008; Ripple et al. 2014). Loss of this ecosystem engineer and important predator-prey dynamics could have cascading effects on other plant and animal species, potentially leading to a decrease in biodiversity and diminished overall ecosystem function (Ripple et al. 2014; Elbroch et al. 2017; Barry et al. 2019; Benson et al. 2020b).

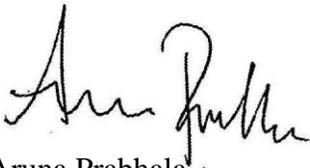
#### **IV. Conclusion**

Thank you for the opportunity to submit comments on the NOP for the Beaumont Pointe Specific Plan. Please include the Center on your notice list for all future updates to the Project and do not hesitate to contact the Center with any questions at the email listed below.

Sincerely,



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(Provided via OneDrive)

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