

City of Riverside

HOUSING AND PUBLIC SAFETY ELEMENT UPDATES AND ENVIRONMENTAL JUSTICE POLICIES

FINAL ENVIRONMENTAL IMPACT REPORT

State Clearinghouse No. 2021040089

September 2021

Matthew Taylor, Senior Planner
Community & Economic Development Department, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522

Prepared by:
ICF

Contents

Chapters 1 through 7 and Appendices A through G are part of the Draft Environmental Impact Report (under separate cover).

FINAL ENVIRONMENTAL IMPACT REPORT

Chapter 8 Introduction.....	8-1
8.1 Introduction	8-1
8.2 CEQA Requirements.....	8-1
8.3 CEQA Process	8-2
8.3.1 Public Participation Process.....	8-2
8.3.2 Evaluation and Response to Comment.....	8-4
8.3.3 Final EIR Certification and Approval	8-5
8.3.4 Notice of Determination	8-5
Chapter 9 Comment Letters	9-1
9.1 Comment Letter 1: Deborah De Chambeau, Riverside County Flood Control and Water Conservation District	9-3
9.2 Comment Letter 2: Mary J. Humboldt.....	9-9
9.3 Comment Letter 3a: Malissa McKeith, Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Workshop on Draft Environmental Impact Report)	9-11
9.4 Comment Letter 3b: Malissa McKeith, Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Environmental Justice Issues in Proposed Housing Element).....	9-14
9.5 Comment Letter 3c: Malissa McKeith, Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Public Comment Regarding RHNA Deadlines).....	9-17
9.6 Comment Letter 3d: Malissa McKeith, Citizens United for Resources and the Environment	9-20
9.7 Comment Letter 4: Thomas Key, PG, California Department of Conservation, California Geological Survey	9-61
9.8 Comment Letter 5: Jim Buysse	9-64
9.9 Comment Letter 6: Jay & Diana Gazzolo	9-67
9.10 Comment Letter 7: Amy Minter, Chatten-Brown, Carstens & Minter, LLP on behalf of the Victoria Avenue Neighborhood Alliance	9-69
9.11 Comment Letter 8: Ana Gonzalez, Riverside Unified School District	9-76
9.12 Comment Letter 9: Nancy Magi.....	9-78
9.13 Comment Letter 10: Frank Byrne	9-81

9.14	Comment Letter N/A: Mitchell M. Tsai, Attorney At Law, on behalf of the Southwest Regional Council of Carpenters	9-84
Chapter 10 Responses to Comments		10-1
10.1	Format of Responses to Comments.....	10-2
10.2	Comment Letter 1: Deborah De Chambeau, Riverside County Flood Control and Water Conservation District	10-3
10.3	Comment Letter 2: Mary J. Humboldt.....	10-8
10.4	Comment Letter 3a: Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Workshop on Draft Environmental Impact Report)	10-13
10.5	Comment Letter 3b: Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Environmental Justice Issues in Proposed Housing Element)	10-20
10.6	Comment Letter 3c: Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Public Comment Regarding RHNA Deadlines).....	10-24
10.7	Comment Letter 3d: Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Workshop on Draft Environmental Impact Report)	10-28
10.8	Comment Letter 4: Thomas Key, PG, California Department of Conservation, California Geologic Survey	10-47
10.9	Comment Letter 5: Jim Buysse	10-49
10.10	Comment Letter 6: Jay & Diana Gazzolo	10-51
10.11	Comment Letter 7: Amy Minter, Chatten-Brown, Carstens & Minter, LLP on behalf of the Victoria Avenue Neighborhood Alliance	10-54
10.12	Comment Letter 8: Ana Gonzalez, Riverside Unified School District	10-58
10.13	Comment Letter 9: Nancy Magi.....	10-59
10.14	Comment Letter 10: Frank Byrne	10-62
Chapter 11 Errata to the Draft EIR.....		11-1
11.1	Introduction	11-1
11.2	Clarifications and Modifications	11-1
11.2.1	Executive Summary.....	11-2
11.2.2	Chapter 2, Project Description.....	11-5
11.2.3	Section 3.2, Biological Resources.....	11-5
11.2.4	Section 3.11, Recreation	11-7
11.2.5	Section 3.12, Transportation	11-8
11.2.6	Section 3.13, Tribal Cultural Resources	11-9
11.2.7	Section 3.14, Utilities and Service Systems	11-12
11.2.8	Section 3.14, Utilities and Service Systems	11-12

11.2.9 Section 3.16, Cumulative Impacts.....	11-14
11.2.10 Section 4.5, Environmentally Superior Alternative.....	11-20
11.2.11 Chapter 7, References.....	11-21
Chapter 12 Mitigation Monitoring and Reporting Program	12-1

Tables

Table	Page
9-1 Comment Letters Received.....	9-1

Acronyms and Abbreviations

AFY	acre-feet per year
BMP	best management practice
CEQA	California Environmental Quality Act
City	City of Riverside
CLOMR	Conditional Letter of Map Revision
CURE	Citizens United for Resources and the Environment
DCR	Delivery Capability Report
District	Riverside County Flood Control and Water Conservation District
DU	dwelling unit
DWR	State of California Department of Water Resources
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
GHG	greenhouse gas
GP 2025	<i>Riverside General Plan 2025</i>
GPCD	per capita per day
LID	low-impact development
LOMR	Letter of Map Revision
mgd	million gallons per day
MWD	Metropolitan Water District
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
OPR	State Office of Planning and Research
Project	Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Project
RHNA	Regional Housing Needs Assessment
RPU	Riverside Public Utilities
RTP	Regional Transportation Plan
RUSD	Riverside Unified School District
RWQCP	Regional Water Quality Control Plant
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCS	Sustainable Communities Strategy
SWP	State Water Project
TAC	toxic air contaminants
UWMP	Urban Water Management Plan
VMT	vehicle miles traveled
WMWD	Western Municipal Water District

WQMP

Water Quality Management Plan

WRC MSHCP

Western Riverside County Multiple Species Habitat Conservation Plan

8.1 Introduction

The Final Environmental Impact Report (EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). The EIR assesses potential environmental impacts related to the implementation of Phase 1 Update of *Riverside General Plan 2025*, consisting of the Housing and Public Safety Element Updates and Environmental Justice Policies Project (Project). The Final EIR comprises the following documents:

- Draft EIR (State Clearinghouse No. 2021040089) and Appendices dated July 2021;
- Final EIR and Response to Comments;
- Errata to the Draft EIR; and
- Mitigation Monitoring and Reporting Program.

The purpose of this document is to respond to comments received by the City of Riverside (City) Community & Economic Development Department, Planning Division regarding the environmental information and analyses contained in the Draft EIR (July 2021). Additionally, any corrections to the text and figures of the Draft EIR, generated either from responses to comments or independently by the City, are provided in this volume of the Final EIR.

8.2 CEQA Requirements

Before the City may approve the Project, it must certify that the Final EIR: (a) has been completed in compliance with CEQA; (b) was presented to the Riverside City Council who reviewed and considered the Final EIR prior to approving the project; and (c) reflects the City's independent judgment and analysis.

The Draft EIR along with the revisions to the Draft EIR (clarifications and modifications), responses to comments, and associated appendices constitute the Final EIR for the Project. Section 15132 of the State CEQA Guidelines specifies the following:

The Final EIR shall consist of:

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

Section 15004 of the State CEQA Guidelines states that before the approval of any project subject to CEQA, the lead agency must consider the final environmental document, which in this case is the

Final EIR. “Approval” is defined by Section 15352 of the State CEQA Guidelines as “the decision by a public agency which commits the agency to a definite course of action in regard to a project intended to be carried out by any person.”

This Final EIR has been prepared pursuant to the requirements of CEQA. This Final EIR for the Project presents the following chapters as a continuation of those included in the Draft EIR:

- Chapter 8: Introduction and CEQA process
- Chapter 9: A list of persons, organizations, and public agencies commenting on the Draft EIR, and the written comments received on the Draft EIR
- Chapter 10: Written responses to each comment identified in Chapter 9
- Chapter 11: Clarifications and modifications made to the Draft EIR in the form of Errata in response to comments received or initiated by the lead agency
- Chapter 12: Mitigation Monitoring and Reporting Program for compliance with adopted mitigation measures during project implementation

8.3 CEQA Process

For this Project, the City is the lead agency under CEQA and the proponent of the Project. CEQA requires lead agencies to consider potential environmental effects that may occur with implementation of a project and to avoid or substantially lessen significant effects on the environment, when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the project (the lead agency) is required to prepare an EIR.

8.3.1 Public Participation Process

The basic purposes of CEQA are to (1) inform decision-makers and the public about the potential significant environmental effects of proposed activities, (2) identify the ways that environmental effects can be avoided or significantly reduced, (3) prevent significant, avoidable environmental effects by requiring changes in projects through the use of alternatives or mitigation measures when feasible, and (4) disclose to the public reasons why an implementing agency may approve a project even if significant unavoidable environmental effects are involved.

The Draft EIR was prepared to comply with CEQA regulations and is to be used by local decision makers and the public in their review of the potential environmental impacts of the Project and alternatives, and mitigation measures that would minimize or avoid the potential environmental effects. The City will consider the information presented in this Final EIR, along with other factors, prior to approving the Project.

Notice of Preparation and Public Scoping

Pursuant to Section 15082 of the State CEQA Guidelines, the lead agency is required to send a Notice of Preparation (NOP) stating that an EIR will be prepared to the State Office of Planning and Research (OPR), responsible and trustee agencies, and federal agencies involved in funding or approving the Project. The NOP must provide sufficient information in order for responsible

agencies to make a meaningful response. At a minimum, the NOP must include a description of the project, location of the project, and probable environmental effects of the project (State CEQA Guidelines §15082(a)(1)). Within 30 days after receiving the NOP, responsible and trustee agencies and OPR shall provide the lead agency with specific detail about the scope and content of the environmental information related to that agency's area of statutory responsibility that must be included in the Draft EIR (State CEQA Guidelines §15082(b)).

On April 5, 2021, an NOP along with the Initial Study for the Project was submitted to the California OPR and distributed to responsible and trustee agencies and other interested parties for a 30-day review period that ended May 5, 2021. A public scoping meeting was held virtually on April 22, 2021. The NOP was mailed to local, state, and federal agencies and groups or individuals who had expressed interest in the Project. Copies of the NOP and Initial Study were made available for public review on the Project website (<https://riversideca.gov/cedd/planning/riverside-housing-public-safety-element-and-environmental-justice-approach>) and at the City offices at 3900 Main Street, 3rd Floor, Riverside, CA 92522.

Notice of Availability of the Draft EIR

The Notice of Availability of the Draft EIR was posted on July 19, 2021, with the County Clerk in Riverside County. The Draft EIR was circulated to federal, state, and local agencies and interested parties that requested a copy of the Draft EIR. The 45-day review and comment period ended on September 2, 2021. The first public meeting was held at City Hall on August 5, 2021. A second public meeting was also scheduled to continue the first meeting, due to technical difficulties, on August 13, 2021. Comments on the Draft EIR were accepted through September 2, 2021. Notifications of the availability of the Draft EIR and the public review period were sent by Certified U.S. Mail and email utilizing a Project-specific distribution list. Copies of the Draft EIR were also made available for review, including at the offices of the Community & Economic Development Department at City Hall, eight branches of the Riverside Public Library, and the Project website. A notification was also posted on the City's official Facebook account.

Two public meetings were held at in the Art Pick Council Chamber during the public comment period at the following dates, times, and locations:

Thursday, August 5, 2021, at 9 a.m.
Riverside City Hall
3900 Main Street
Riverside, CA 92522

Friday, August 13, 2021, at 9 a.m.
Riverside City Hall
3900 Main Street
Riverside, CA 92522

Summary of Draft EIR Public Meeting Comments

Key comment themes were expressed during public meetings held on August 5, 2021, and August 13, 2021, for the Project. Comment themes, separated out by CEQA impact comments and non-CEQA concern comments, including the following:

CEQA Impact Comments:

- Environmental justice populations will experience the largest environmental and public health impacts with the location of proposed housing units (Opportunity Sites) near major transportation corridors and other air emissions and noise sources.

- Too many housing units are proposed with the Housing Element and the number of proposed units should be reduced to reduce environmental impacts.
- The construction of new housing units will burden the City's existing infrastructure system including utilities in the City like availability of water and energy.
- The construction of new housing units will burden the City's existing public service systems, like schools and police staffing, in the City.
- The Project will contribute to traffic impacts and increase vehicle miles traveled throughout the City.
- The Project will result in air quality and greenhouse gas emissions, causing health impacts throughout the City that contradicts the state's reduction emissions reductions goals.
- The Project would result in land and ownership impacts, reduction in home property values, and negative impacts on neighborhoods.
- Infrastructure constraints to rezoning must be considered and provide the City with an option to slow the Housing Element's rezoning.
- An alternative with a lower number of units should be pursued, instead of the Project.

Non-CEQA Concern Comments:

- The EIR and the Opportunity Site maps are difficult to read and understand.
- The City did not adequately notify and reach the public during the project process, and additional communication and outreach to City residents should occur moving forward to notify the community of project updates and for better engagement.
- The number of proposed housing units seem to be unnecessarily larger than what is required by the state.
- Explain how the City will maintain proposed housing as affordable housing.
- Homelessness is an ongoing issue in the City to resolve and the City should clean up the City before new housing units are proposed.
- What are the ramifications if the City does not comply with the housing mandate?
- What is the applicant's/developer's share of cost for proposing their housing projects in the City?
- The project timeline is moving too fast and recommend that the Project slow down to allow additional time to review and comment on the Project.

These oral comments provided during the two public meetings were also expressed as part of the written comments and are addressed in Chapter 10, *Responses to Comments*.

8.3.2 Evaluation and Response to Comment

The Draft EIR for the Project was made available for public comment beginning on July 19, 2021, and ending on September 2, 2021. The City received 13 comments on the Draft EIR from state and local agencies, interest groups, and the public during the public review period and one additional letter was received after the comment period closed on September 2, 2021 (14 letters total). Refer to Chapter 9, *Comment Letters*, for copies of all comments received by the City. Responses to those

individual comments provided during the comment period are provided in Chapter 10, *Responses to Comments*.

8.3.3 Final EIR Certification and Approval

As the lead agency, the City provided the Final EIR to commenters in September 2021 and made it available for review at the following locations:

- City offices, 900 Main Street, 3rd Floor, Riverside, CA 92522
- Riverside New Main Library, Arlington Library, Arlanza Public Library, SSgt. Salvador J. Lara Casa Blanca Library, SPC. Jesus S. Duran Eastside Library, La Sierra Library, Marcy Branch Library, Orange Terrace Library
- Online on the City's website at <https://riversideca.gov/cedd/planning/riverside-housing-public-safety-element-and-environmental-justice-approach>

Prior to considering the Project for approval on October 5, 2021, the City, as the lead agency, will review and consider the information presented in the Final EIR and will certify that the Final EIR:

- a. Has been completed in compliance with CEQA;
- b. Has been presented to the Riverside City Council as the decision-making body for the Lead Agency, which reviewed and considered it prior to approving the Project; and
- c. Reflects the City's independent judgment and analysis.

Once the Final EIR is certified, the Riverside City Council may proceed to consider project approval (State CEQA Guidelines §15090). Prior to approving the Project, the City must make written findings and adopt statements of overriding considerations for each significant environmental effect identified in the Final EIR in accordance with Sections 15091 and 15093 of the State CEQA Guidelines.

8.3.4 Notice of Determination

Pursuant to Section 15094 of the State CEQA Guidelines, the City will file a Notice of Determination with OPR and the County Clerk for Riverside County within 5 working days after Project approval.

Chapter 9

Comment Letters

The Draft Environmental Impact Report (EIR) for the Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Project (Project) was circulated for public review for 45 days (July 19, 2021, through September 2, 2021) in accordance with the requirements of California Environmental Quality Act Guidelines Section 15105(a). The City of Riverside received 13 comment letters and emails during the public review period, as shown in Table 9-1 and included within this chapter. One additional comment letter was received after the comment period concluded and is included in this chapter for informational purposes only. The 13 comment letters that were received during the public review period have been marked with brackets that delineate comments pertaining to environmental issues and the information and analysis contained in the Draft EIR. Responses to these comments are provided in Chapter 10.

Table 9-1. Comment Letters Received

Comment Letter #	Commenter Name	Commenter Agency/Organization	Type of Commenter	Date of Comment
1	Deborah De Chambeau	Riverside County Flood Control and Water Conservation District	Local Agency	8/3/2021
2	Mary J. Humboldt	N/A	Individual	8/13/2021
3a	Malissa McKeith	Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Workshop on Draft Environmental Impact Report)	NGO	8/13/2021
3b	Malissa McKeith	Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Environmental Justice Issues in Proposed Housing Element)	NGO	8/13/2021
3c	Malissa McKeith	Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Public Comment Regarding RHNA Deadlines)	NGO	8/29/2021
3d	Malissa McKeith	Citizens United for Resources and the Environment	NGO	9/2/2021
4	Thomas Key, PG	California Department of Conservation, California Geological Survey	State Agency	8/19/2021
5	Jim Buysse	N/A	Individual	9/1/2021
6	Jay & Diana Gazzolo	N/A	Individual	9/1/2021
7	Amy Minter	Chatten-Brown, Carstens & Minter, LLP on behalf of the Victoria Avenue Neighborhood Alliance	NGO	9/1/2021
8	Ana Gonzalez	Riverside Unified School District	Local Agency	9/2/2021
9	Nancy Magi	N/A	Individual	9/2/2021
10	Frank Byrne	N/A	Individual	9/2/2021

Comment Letter #	Commenter Name	Commenter Agency/Organization	Type of Commenter	Date of Comment
N/A	Mitchell M. Tsai	Mitchell M. Tsai, Attorney At Law, on behalf of the Southwest Regional Council of Carpenters	NGO	9/7/2021

NGO = non-governmental organization

9.1 Comment Letter 1: Deborah De Chambeau, Riverside County Flood Control and Water Conservation District

Letter 1

JASON E. UHLEY
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
951.788.9965 FAX
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

239454

August 3, 2021

City of Riverside
Planning Department
3900 Main Street
Riverside, CA 92522

Attention: Matthew Taylor

Re: PR 2021-001058, Riverside Housing
and Public Safety Element Updates and
Environmental Justice Policies Project

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 July 20, 2021. 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 ___ 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.

1-1

- This project is located within the limits of the District's _____ Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit. 1-1
cont.

- 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. 1-2

- The District's previous comments are still valid (see attached letter dated 05/06/21). 1-2

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. 1-3

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. 1-4

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. 1-5

Very truly yours,



DEBORAH DE CHAMBEAU
Engineering Project Manager

Attachment

ec: Riverside County Planning Department
Attn: Phayvanh Nanthavongdouangsy

City of Riverside
Re: PR 2021-001058, Riverside Housing
and Public Safety Element Updates and
Environmental Justice Policies Project

- 2 -

August 3, 2021
239454

SLJ:ju

JASON E. UHLEY
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
951.788.9965 FAX
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

238063

May 6, 2021

City of Riverside
Planning Department
3900 Main Street
Riverside, CA 92522

Attention: Matthew Taylor

Re: PR 2021-001058, Riverside Housing
and Public Safety Element Updates and
Environmental Justice Policies Project

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 April 6, 2021. 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 ____ 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.

- This project is located within the limits of the District's _____ Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- 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.
- 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: Phayvanh Nanthavongdouangsy

SLJ:blm

9.2 Comment Letter 2: Mary J. Humboldt

Letter 2

Comments to Riverside Planning Commissioners

Special Meeting: Housing Plan Workshop, Agenda Item #2, August 13, 2021

Riverside's current level of water consumption is about 84,000 ac ft/yr with a 20% reserve emergency capacity. The addition of 25,000 dwelling units will exhaust the existing capacity to serve and require additional capital investment in new water to maintain the reserve. A 30,000 ac-ft/yr increase to serve the new units will consume all our available drinking water at a time when drought severity is increasing. To accomplish this build-out we will have to import water. Primary sources of imported water from northern California and the Colorado River are overdrawn and very expensive.

2-1

Currently development fees for water don't cover the full cost of new water service infrastructure or new water sources. Current water customers pay debt service on \$600 million for projects serving future development already planned. If global warming conditions continue to reduce rain and snowfall in the western states, regional shortages can only become worse.

Riverside has long been blessed with plentiful local water supplies, which are now critical to protect our living environment. We need to plant more trees to improve air quality, foster agriculture, and build more parks and green spaces to cool and shade us.

2-2

Protecting lower-cost water and power resources for current residents and businesses, while improving air quality, reinforcing stable neighborhoods and attracting better local jobs must be our priority. Riverside residents, who are not public employees, have a median family income of \$34,000 (Press-Enterprise), and are already paying much higher water and electric rates.

Riverside residents need environmental justice. This huge arbitrary number of housing units is imposed on us by unaccountable State and regional bureaucrats. This threatens to overtax our limited resources and hurt Riverside's future.

2-3



Mary J. Humboldt

7407 Dufferin Ave., Riverside, CA 92504

9.3 Comment Letter 3a: Malissa McKeith, Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Workshop on Draft Environmental Impact Report)

Letter 3a

1

August 13, 2021

MEMORANDUM

TO: HONORABLE PLANNING COMMISSION

RE: WORKSHOP ON DRAFT ENVIRONMENTAL IMPACT REPORT

Thank you for holding a workshop today. Our apologies for the late input; however, we were unaware that an EIR for the Housing Element was circulating. CURE's comments this morning will address some "big picture" issues, and we will supplement those comments once we have the benefit of the presentation.

3a-1

1. Notice

If the City can send emails to notify residents when trash deliver is late, then they surely can give an e-mail blast out concerning the most critical decision that will affect resident's quality of life. Not everyone mines the website nor uses facebook. In that regard, when special workshops are posted, perhaps the clerk can somehow highlight that on the home page of the COUNCIL/MEETINGS homepage.

3a-2

2. Timing

The EIR apparently was issued on July 16, 2021, with comments due on September 2, 2021, and final adoption of the housing element in mid-October. This presupposes that there will be NO comments requiring recirculation of the EiR, nor will it give staff or the public a true opportunity to digest and respond to comments. Further, many people (including our City Manager) was on vacation in August or kids are getting back to school. This is the second time the city has adopted consequential "plans" in the past six months ostensibly because of state deadlines that can and should be extended to accommodate meaningful discussion.

3a-3

3. Engagement

A "workshop" with three minute comments is not "interaction". Nor are powerpoints a true reflecting of what these housing element decisions will mean. First, the public deserves input from experts both who support the City's approach or other possible approaches. Staff instead presents their findings and data, and a public largely ill-equipped to respond to lengthy technical documents is expected to respond. The California Public Utilities Commission has an administrative process that truly allows for engagement with both an office of Ratepayer Advocate defending the public and compensation for qualified intervenors and experts.

3a-4

Further, the City should provide a 3D model that actually reveals what Riverside will look like if this plan is implemented with the resulting increase in traffic, smog and noise affecting neighborhoods. The EIR is a drab, unimaginative documents designed to avoid legal challenges and is not a replacement for the kind of analysis the public needs to make choice. Further, the

3a-5



model should specify what the cost of infrastructure will be to support those new units and how, with a structural deficit, the City intends to pay for them.

3a-5
cont.

4. New Information

2020 census information is trickling in now. The City should step back and analyze how this data informs future decisions and how it matches up with assumptions adopted during the last General Plan discussion.

3a-6

5. Environmental Justice

Putting hundred if not thousands of units within 2500 feet of freeways and railroad tracks is the antithesis of environmental justice and defies all the scientific evidence demonstrating how the lung and brain development of children will be stunted leading to long-term health consequences, learning disabilities and early death. CURE will submit several studies highlighting these problems; however, City Staff and Council already are well aware of the serious air quality, climate and temperature factors that will worsen with growth. There is no mitigation that truly protects units that close to increasing diesel emission. Moreover, poorer people purchase/lease these units, and they are least able to afford high electricity bills to run air conditioning units.

3a-7

6. Water Availability

If every drop of Riverside's water goes to housing, then perhaps we have enough; however, the urban water management plan and council have acknowledged that Riverside must assess the baseline benefits from trees and green spaces and evaluate how much additional tree planting/water is needed to combat and adapt to climate. This EIR does not realistically evaluate the limitations of our resources in this area.

3a-8

The State has countervailing policies to its housing demands. How a court reconciles them remains to be seen. Riverside must maintain its green spaces and tree coverage to protect the public's health and safety. The legislature cannot undermine the City's police powers to do so because it arbitrarily sets housing requirements. Other options to address homelessness and lack of affordable should be considered before worsening the environment in our City.

9.4 Comment Letter 3b: Malissa McKeith, Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Environmental Justice Issues in Proposed Housing Element)

Letter 3b



Citizens United for Resources and the Environment

TO: HONORABLE PLANNING COMMISSION

RE: ENVIRONMENTAL JUSTICE ISSUES IN PROPOSED HOUSING ELEMENT

Thank you again for providing input.

This letter summarizes some key issues to address environmental justice issues in our community that are worsened by the proposed housing element.

1. No units should be sited cited within 2500 feet of freeways or railroads. Who moves there: the poor!!!! The American Lung Association has long established the impacts particularly on children. Eliminating all units in this area will still allow the City to reach the 18000 goal.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4486117/>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4486117/>

<https://www.latimes.com/local/lanow/la-me-ln-freeway-pollution-advisory-20171227-story.html>

<https://gustancho.com/buying-home-near-railroad-tracks>

2. Notice how the rich up the hill aren't impacted?

In 2012, the City adopted an EIR with a preferred alternative that required opening Overlook for traffic circulation. This would significantly reduce traffic on Arlington and Central. None of the proposed housing along Central should be approved because the ability for ingress and egress and the increased pollution for individuals living in the vicinity

3. Climate Change is more critical than complying with RHNA

The legislature has adopted conflicting mandates. On the one hand, we are required to reduce Green House Gas reductions, expand green spaces, and ensure poorer communities have more trees. One critical tool for doing so is the application of water for public benefits as the City Council just acknowledged; however, determining how much water is needed and actually allocating that water particularly in poorer communities. The City Council received comments from C-CERT showing how regional logistics expansion will worsen our air quality.

4. This plan does not address Affordable Housing

Most homes will be market based attracting more people to our region who have to drive for jobs. This proposal does not discuss other options to address affordability, i.e. subsidizing rents; converting some apartments to affordable units, or converting unused retail to housing. These options would have fewer environmental impacts but are not thoroughly analyzed.

3b-1

3b-2

3a-3

3b-4



Citizens United for Resources and the Environment

5. EJ organizations should receive grants to respond

Most non-profit organizations and poorer residents lack the attorneys and technical consultants needed to review, understand and comment. This is an oversight that makes this effort almost meaningless no matter how many public hearings you hold.

CURE intends to supplement its comments as part of this process.

3b-5

9.5 Comment Letter 3c: Malissa McKeith, Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Public Comment Regarding RHNA Deadlines)

Letter 3c



Citizens United for Resources and the Environment

August 29, 2020

To: Honorable Planning Commission

Re: Public Comment Regarding RHNA Deadlines

CURE urgently recommends that the Planning Commission call upon the Mayor, City Attorney, and our state elected officials to convene a meeting in Sacramento to explain in detail why the October 15, 2021 deadline, cannot be met without violating the time requirements of CEQA as well as the due process clause of the State and federal constitutions. CURE recognizes the City failed previously to timely comply with RHNA; however, new information and the unique circumstances confronting Riverside necessitate our city coming together to resist jumping off a cliff with no soft landing.

3c-1

1. Timing

Staff has confirmed that between September 2 and 9, 2021, they cannot provide written responses to Draft EIR comments and propose a final EIR to the Planning Commission. They are claiming that only the City Council must approve the final and are assuming that there will be no need to recirculate the EIR. This “cram down” violates the letter if not the spirit of CEQA and prevents this body and the public from an opportunity to provide meaningful input so that our elected officials understand the consequences.

3c-2

2. Staff misrepresented that future projects return to the PC

CURE clarified that staff is (1) proposing simultaneous zoning ordinances which would allow administrative approval of projects under 50,000 once they are included in the Housing Element. Those projects are “by right” so that there will be no more review by the PC or appeal process for the public. Worse yet, staff has not finalized the ordinances for public consumption that will go before you and council apparently on the same schedule as the final EIR. No one has the capacity to keep up with what’s happening and the illusion this constitutes “notice” is offensive.

3c-3

3. The proposed 31,000 houses is far beyond what the law requires.

RHNA requires approximately 18,500 houses. Staff acknowledges their goal of 31,000 or even 24,000 is not required by law. They are doing this for a matter of convenience so that, if we fall below 18,000, they don’t have to come back for new zoning. That policy decision should be made FIRST by the city council and not by staff.

3c-4

4. The new Census Numbers reflect less population growth than anticipated.

Because we are only getting new census information, it is unclear how this affects the underlying assumptions. This alone justifies a short 60-90 extension by the state.

3c-5

5. The DEIR fails to acknowledge significant unmitigated impacts on water and impacts to infrastructure including the financing needed to upgrade.

3c-6

CURE appreciates the comments/questions of the Commissioners at the last meeting. We will submit expert input on this shortcoming before September 2.

3c-7



Citizens United for Resources and the Environment

9.6 Comment Letter 3d: Malissa McKeith, Citizens United for Resources and the Environment



Letter 3d

Citizens United for Resources and the Environment

September 2, 2021

Via Email (planning@rivco.org)
The Honorable Planning Commission
City of Riverside
Department 4080
Lemon Street 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409

Re: Comments on the Pending RHNA Proceedings including Responses to Draft Environmental Impact Report (“DEIR”)

Honorable Commissioners:

Citizens United for Resources and the Environment (“CURE”), a 501(c)(3), is committed to empowering local communities to demand accountability in government decisions involving natural resources and land use. CURE promotes planning and decision-making that equitably balances efforts to achieve economic stability and sustainable growth while ensuring public health and safety, food security and species preservation. CURE’s members include residents in the City of Riverside (“City”) impacted by the environmental impacts of the Project.¹

3d-1

I. INTRODUCTION

The City of Riverside (“Riverside”) is where the arguably well-intended social engineering of the California Legislature meets the real world. Without any public comment, the Southern California Association of Governments (“SCAG”) decided that Riverside had the means and capacity to shoulder the burden of an additional 18,458 dwelling units (“DUs”) without providing any of the financial support needed to build the infrastructure required to support this housing. Worse yet, in passing RHNA, the Legislature ignored many other stated policies such as reduction of Green House Gas emission, climate adaptation, and the Governor’s recent 30x30 Plan proposing that 30 percent of open space remain to combat climate. Reconciling these conflicts and

3d-2

¹ CURE has appeared as a party plaintiff several times in federal and state courts over the past two decades on impact litigations involving water and land use issues. Its board and membership over the years has included several nationally recognized academic and legal experts on environmental justice, land planning, and water availability.

implementing RHNA has been left to local governments like Riverside which lack the financial wherewithal to shoulder the burdens imposed.²

The “Project” as defined by the DEIR ballooned from the already unrealistic 18,458 to 31,564 dwelling units. According to the DEIR, “The implementation of this Project could result in an increase of up to 31,564 new DUs and 3,181,930 square feet of nonresidential development, or up to 31,175 DUs and 1,433,460 square feet over existing conditions.” (DEIR at 2-1).

Despite the negative impacts that Riversiders would be expected to subsidize and endure, the DEIR fails entirely to address the actual housing problems faced by Riverside: namely affordability and homelessness. Rather, this document is an open door for developers to build moderate priced housing while Riverside taxpayers fund most of the infrastructure. The City can hardly afford these added burdens given its structural deficits. The low income DU projections in the DEIR are negligible (4,861 DUs) and most of those units are located in areas densely populated and contiguous to the 91 Freeway or Union Pacific rail lines - a perfect blue print for exposing underserved communities to even more pollution. The DEIR and zoning changes do not include inclusionary housing requirements or call for the conversion of market-based housing to affordable housing. In reality, this proposal will add to increased segregation and defies any claims of Environmental Justice.

Whatever the grand vision of the Legislature, the DEIR does not reflect the vision of the Riverside community. Despite widespread discontent amongst residents who are actually aware of the Project, staff repeatedly has told the public that Riverside simply has no choice and that RHNA is a *fait accompli*. Covid-19 also prevented genuine public outreach to explain the overall impact of these changes. The DEIR lists a smattering of conversations and meeting staff has held and, according to the head of Planning, approximately 400 residents attended zoom and/or meetings about RHNA - less than .2 percent of the population. And, when pressed about the absurdity of expecting our City to absorb so much housing, staff essentially implied that the RHNA zoning was a paper exercise and that these numbers were no guarantee anything would be built.

The claim that significantly modifying the General Plan Housing Element, Zoning Codes, and Specific Plans has no real impact because “it may never be implemented” is duplicitous and would render the entire DEIR process a meaningless exercise. Re-zoning nearly 1000 acres of Riverside will allow developers to build “by right” with little or in many case no further public scrutiny. In fact, one of the stated goals of the Project is “Removing governmental and other constraints to housing production.” - apparently public input and review by the Planning Commission. (DEIR at ES-3). Though those

² Based on this, it appears the RHNA requirements may be an unfunded mandate, violative of the California constitution. (Cal. Const., art. 13B, § 6.)

3d-2
cont.

“other constraints” are not identified, one might suspect the DEIR is referring to the impacted public who typically is unaware of proposed development until development is imminent in which event it will be long past the time to object. That would be particularly the case here since the City’s outreach has not involved actual notice to residents - either by mail or email - despite CURE requesting that the City use its global email system often triggered for trash pickup delays. Worse yet, staff is proposing extensive revisions to Specific Plans and administrative changes to the zoning code which amount to hundreds of pages and have not been openly vetted before the September 9, 2021 Planning Commission Meeting.³

Simply put, the DEIR has no vision about what Riverside residents want our city to be in the next 10-20 years. It is a piecemeal, rote analysis by consultants who don’t live here that merely dotted “I”s and crossed “T”s in an effort to comply with artificial deadlines and unfunded state mandates. As a Charter City, Riverside traditionally has acted independently from many of Sacramento’s dictates which has held our community in good stead over the decades. CURE urges this body to reject the DEIR and RHNA process in its entirety at this time and send a strong message to the City Council that Riverside should take all steps necessary to develop a realistic Housing Element based upon Riverside’s needs and its actual fiscal capacity for infrastructure development.

The remainder of this correspondence focuses on clear procedural and substantive defects in the DEIR requiring recirculation of the document and precluding the City Council from approving the Final EIR. The DEIR is entirely defective and requires recirculation in the area of water availability (DEIR Section 3-14) where the DEIR incredibly states with no substantial evidence that the Riverside Public Utilities (“RPU”) has available water for 31,500 units, and hence there would be no significant impact on water supply. In reality, Riverside has actual water entitlements to provide only up to 5,000 afy of new water (as opposed to the 30,000 afy water staff projected would satisfy the project). Assuming Riverside wants to allocate 100 percent of its available water supply to housing (as opposed to new industry, urban green spaces, parks or other uses), that water would be only sufficient to satisfy the low and affordable housing earmarks of the project - the area where Riverside should be focused at this stage in its development. There is not any water (except on paper) to build more.

3d-2
cont.

³ The Planning Commission agenda posted for this meeting was the first notice to the public of the actual zoning ordinance language being amended. Exhibit 23 to the 9-2-2021 agenda is a 61 single spaced, redlined page of zoning changes. The accompanying staff report’s explanation about the changes or their impacts are generic. The attached email from Mary Kopaskie-Brown, Head of Planning, confirmed that the new ordinances will allow administrative approvals of commercial buildings to 50,000 square feet and housing projects up to 100 units without public review. (See 9/2/2021 email from Kopaskie-Brown to McKeith, attached).

CURE recommends as follows:

1. The City Manager and City Attorney inform the state of the specific efforts that Riverside has taken to comply with RHNA but that Riverside has not fully completed the procedural requirements of the California Environmental Quality Act (“CEQA”) and hence will not meet the October 15, 2021 deadline. In passing RHNA, the Legislature did not give municipalities a free pass to ignore CEQA.

2. The City Manager and City Attorney should inform the state that the City lacks sufficient infrastructure to support a Project of this magnitude particularly in the area of water availability.

3. The City Attorney’s office should explore Riverside’s right to oppose unfunded state mandates that overly burden an inland, poorer City like Riverside while not imposing similar mandates on wealthier cities with better property tax bases to support growth.

4. The Housing Element should prioritize and focus on affordable housing and such housing should be located more than 2000 feet from heavily polluted areas like the 91/215/60 freeways.

As discussed below, the Government Code would permit the City to up-zone 75 percent of low-income housing at this time upon a finding of inadequate infrastructure which would legally delay full RHNA implementation. This option would allow the City to complete the General Plan before committing Riverside to build the next inland metropolis, and gradually provide for more housing as infrastructure necessary to support that housing is funded.

Lastly, the DEIR’s handling of the impacts of climate on the community are nothing but a listing of various state and local “policies” to adapt to climate without any specifics. At a time when climate adaptation should be the most urgent priority of the area, the DEIR merely concedes that this Project will worsen the problem without providing any concrete analysis of how much worse or what can be done locally to address it.

3d-3

3d-4

II. THE RUSHED PROCESS FORCED UPON THE PUBLIC VIOLATES THE LETTER AND SPIRIT OF THE CITY’S 2025 ENVISION STRATEGIC PLAN, CEQA AND VIOLATES THE DUE PROCESS CLAUSES OF THE FEDERAL AND STATE CONSTITUTION.

The October 15, 2021 supposed “deadline” does not excuse the haphazard, rushed approach staff is compelling this body and the public to follow. The DEIR was published on July 19, 2021 with comments due on September 2, 2021, at the time when many families are on vacation or kids are returning to school. On complicated programmatic EIRs such as that before the Planning Commission, it is not uncommon for more time to be provided to comment. Regardless, staff is proposing that this body recommend the DEIR to council *before* staff responds to public comments, robbing both the public and this body of the ability to review issues posed by comments on the DEIR. When asked about how staff could possibly accomplish that feat consistent with the Brown Act and CEQA, staff stated that there was no legal requirement for the Planning Commission to approve the EIR and that they were taking a “calculated risk” that the DEIR did not need to be recirculated. Even if this may be “technically” true, on a document with far reaching ramifications for our City, one would hope that the Planning Commission and public had a genuine chance to digest the issues. Moreover, without the final EIR, which includes all revisions and responses to comments, the Planning Commission will be unable to provide recommendations that the City Council can rely upon when making the required finding that the final EIR has been completed in compliance with CEQA. (See CEQA Guideline § 15090.) Staff’s attitude and this rush to the inevitable is wholly inconsistent with the 2025 Envision Strategic Plan and should not be allowed. It also fails to allow adequate time to prepare written responses to comments, which “must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.” (CEQA Guidelines § 15088, subd. (c).)

3d-5

In the Agenda Notice,⁴ staff states that: “All significant effects of the proposed project have been reduced to less than significant with implementation of mitigation

3d-6

⁴ The City is proposing sweeping zoning changes with admittedly adverse environmental impacts that will materially change the nature of the community forever. Despite having an email alert system that reaches the most of the population, the City choose not to inform the public through this means of communication. The City has failed to mail the required notice to owners of real property with 300 feet of properties that would be rezoned. (Gov. code § 65091.) The rezoning of properties in many instances will directly impact the value and quality of life of residents with unmitigated impacts. Further, once zoned, those properties can be developed "by right" without further public input.

The extent to which actual notice is required before the government takes action impacting a fundamental right is long recognized. "The due process clause of the Fourteenth Amendment requires 'at a minimum...that deprive of life, liberty or property by adjudication be preceded by notice and opportunity for hearing.'" (*Mullano v. Central Hanover Tr. Co* (1950) 339 U.S. 306.)

measures, with the exception of impacts to air quality, greenhouse gas emissions, noise, population and housing and transportation.” Without reading another word, this statement strains credulity. As a matter of common sense, how can the introduction of 31,500 dwelling units (roughly 100,000 people) have no significant impacts on parks, police and fire service, schools, infrastructure and traffic. And how can these changes not have a direct impact on property values and quality of life? These conclusions, on their face, are suspect. When delving further, the Commission will see that much of the analysis is based upon unsupported “wishful” thinking and consultant “speak” or relying on policies, the implementation of which is not guaranteed.

3d-6
cont.

III. INFRASTRUCTURE CONSTRAINTS TO REZONING MUST BE CONSIDERED AND PROVIDE THE CITY WITH AN OPTION TO SLOW THE HOUSING ELEMENT’S REZONING.

The Planning Commission should recommend to the Council that it require the City Attorney’s office to negotiate rational housing numbers with the State and to take all necessary action to protect Riverside residents against unfunded mandates and the negative impacts of these state mandates. Despite pointed questions from this body at the August 13, 2021 workshop, staff was unable to answer questions concerning impact fees or how the necessary infrastructure to support housing would be funded, and there is no evidence in the record that the City has the financial wherewithal to support the infrastructure needed for such massive increases in housing.

State Law does not require the City to rezone lands in the City to meet all of the RHNA housing units if there is inadequate infrastructure to support those units and a lack of funding to address the infrastructure inadequacies. (Gov. Code § 65583, subd. (f).) Once the City has completed rezoning to accommodate 75% of the very low and low-income housing unit allotments, the City can determine at a public hearing that “[T]he local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.” (Gov. Code § 65583, subd. (f)(2).) This would require the City to have zoned adequate opportunity sites to provide 3,646

3d-7

California law is well settled that the application of general standards to specific parcels of real property is adjudicatory in nature and therefore subject to notice and hearing requirements. (*Horn v. County of Ventura* (1979) 24 Cal. 3d 605, 614.) The sweeping nature of RHNA and the rezoning of nearly 1000 acres raises issues of first impression as to the adequacy of the City's notice where residents will be barred in the future from challenging various developments. Under those circumstances, the City has failed to take reasonable steps to ensure that affected, adjacent property owners received actual notice with specifics about the properties directly impacting them. This could have been accomplished through email notification and more specific outreach.

very low income housing units and 2,298 low income housing units. Once that has been achieved, the constraints of the City’s lack of water supply and water infrastructure provide the City with additional time before rezoning land for additional units.

3d-7
cont.

RPU’s 2020 Urban Water Management Plan (“UWMP”) contains substantial evidence that the City does not have sufficient “wet” water at this time without investing in substantial infrastructure for which the City has not yet budgeted. Even with that infrastructure, there are no guarantees that imported water will be available. As discussed in detail in section IV below, the DEIR’s conclusion that the construction of 31,000 new units does not have a significant impact on water availability is unsupported by any substantial evidence and is simply false. RPU only has sufficient water entitlements for approximately 5,000 afy of new water – enough to accommodate 2,298 low income and very low income housing.

IV. THE DEIR LACKS SUBSTANTIAL EVIDENCE TO SUPPORT THE FINDING THAT THIS PROJECT HAS NO SIGNIFICANT IMPACT ON WATER RESOURCES

The 2020 UWMP recognizes that water is required for climate adaptation and committed to evaluating base line conditions to assess how much water is needed to enhance and expand green spaces. The EIR fails to address any climate related issues involving water and how water will be available for green spaces, trees and parks if allocated entirely to housing.

3d-8

Section 3.14 of the DEIR discusses the City’s water supplies and “planned” sources of water and concludes that the development of 31,500 DUs has “no significant impact” on the environment. The DEIR is defective in several key respects requiring recirculation.

1. The DEIR relies on the outdated and superseded 2016 UWMP, one that completely fails to address the impacts of climate change on the City’s water supply, and thus lacks the substantial evidence necessary to support a claim that the project would have a less than significant water supply impact. (Pub. Resources Code §21082.2, subd. (c).) California has recognized for many years the impacts of climate change on water supplies within the state. (Executive Order S-3-05; see also *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1160.) Despite this, the DEIR completely fails to assess the extent that climate change may impact the City’s water supply. Omitting any discussion of this impact from the DEIR deprives the public of a full understanding of environmental issues resulting in a prejudicial informational defect under CEQA. (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 510, 514, 518-519; see also *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 514–515; *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918, 935.) Further, the failure to address the impact of climate change on the City’s available

3d-9

water supply is also a failure of the City to protect water resources for its citizens as required by the public trust doctrine. (See *Nat'l Audubon Soc'y v. Superior Court* (1983) 33 Cal. 3d 419, 433–34.) The City has not met its affirmative duty to take public water resources into account to the extent feasible despite the fact that adoption of the proposed Housing Element would impact those resources.

2. Substantial evidence does not support the conclusion that the City's existing water can support the Project. The DEIR is silent about the precise amount of water needed to provide for 31,500 new units.⁵ Without this information, the DEIR fails to clearly and coherently explain how long-term water demand for the City would be met, the environmental impacts of exploiting planned sources of water, and mitigation of those impacts as required by CEQA. (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 416; *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 284 [failure to discuss uncertainties in planned water sources and to explain discrepancies in water supply and demand estimates]; *Madera Oversight Coalition, Inc. v. County of Madera* (2011) 199 Cal.App.4th 48, 104; *California Oak Foundation v. City of Santa Clarita* (2005) 133 Cal.App.4th 1219, 1239-41; *Santa Clarita Organization For Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 722-25.) Despite the lack of information contained in the DEIR, City Staff confirmed in email communications that the water demand for the 31,500 housing units proposed in the updated Housing Element is 30,000 acre feet per year (afy). (See email from Matthew Taylor to Malissa McKeith, 8/ /2021 attached.) Neither the 2016 UMWP on which the DEIR is based nor the more recent 2021 update (dubbed the 2020 UWMP) support this conclusion. CURE and its consultants spent hundreds of hours working on revisions to the UWMP with RPU staff. Based on those discussions, a reading of the 2016 and 2020 UWMP, and the contracts and documents referenced in the UWMP, the City has sufficient entitlement to service approximately an additional 5,000 afy at most. Currently, RPU uses approximately 81,000 afy annually. Its entitlement in the Bunker Hill Basin (a secure source of groundwater) means that RPU could extract up to 86,000 afy with minimal infrastructure development. This estimate of "wet" water is approximately 25,000 afy short of what staff projects is needed for the proposed Housing Element.

3d-9
cont.

3. The DEIR relies upon RPU's "planned" development of approximately 13,000 afy of reclaim water. To date, RPU has developed and delivered approximately 213 afy. RPU staff confirmed that the City has not yet budgeted or approved allocation for the infrastructure necessary to build the additional 13,000 afy of water. Further, as currently envisioned, 11,000 afy of that water is intended for habitat management of the Santa Ana

⁵ Nor can staff's citation to SB 610 water supply assessments for developments over 500 unit allay concerns. Virtually none of the Opportunity Sites are large enough for a project of that size, meaning that most projects individually will escape review while cumulatively will have a significant impact on water supplies.

River. (See Appendix G to the 2020 UWMP.) In other words, this water is paper water at best and cannot be relied upon to support the Project. (*Planning & Conservation League v. Department of Water Resources* (2000) 83 Cal.App.4th 892, 908, fn. 5.)

4. RPU (and the DEIR) also cite to the potential import of approximately 21,000 afy from the Metropolitan Water District. The UWMP indicates that the RPU has the ability to acquire 21,000 afy of treated State Water Project water. Appendix H to the 2020 UWMP is the 1983 contract between the City and Western Municipal Water District indicating that this right only exists if the State Water Project has water availability (See paragraph 7, page 6). As of 2021, only 5 percent of State Water Project water is available to State Contractors which would cut Riverside’s possible share to 1500 afy. (<https://agnetwest.com/dwr-issues-allocation-reduction-for-state-water-project/>, incorporated by reference.) Moreover, the Bureau of Reclamation last month announced a historic shortage on the Colorado River for the first time ever. <https://www.wwdmag.com/one-water/bureau-reclamation-announces-first-ever-water-shortage-lake-mead-colorado-river> RPU’s 1983 contract does not entitle it to Colorado River water; however, even if that supply is available, RPU has no guaranteed right to substitute it for its State Water Project rights under the 1983 contract. With increased climate change and a worsening drought, the availability of imported water is vastly different than 40 years ago - a fact that the DEIR fails to recognize or evaluate. Reliance on speculative sources and unrealistic allocations of paper water are and insufficient bases for decisionmaking under CEQA. (*Vineyard Area Citizens, supra*, 40 Cal.4th 412, 432.)

3d-9
cont.

5. The DEIR does not quantify how the stated mitigation measures can, in fact, generate sufficient water to offset the nearly 25,000 afy shortfall. It merely references conservation measures required by the State Department of Water Resources and the City’s owner water conservation ordinance. Those conservations ordinances have significant adverse impacts on tree canopies and other urban green spaces, an issue that the City Council recognized and agreed to evaluate prior to implementation of the current water conservation plan and ordinance. CURE incorporates by reference the extensive administrative record from the June 22, 2021 City Council Meeting highlight the demonstrated impact on climate, heat islands, and air pollution caused when water conservation results in the loss of thousands of trees as occurred in 2015. The current DEIR contains no evaluation of how the proposed conservation m would actually satisfy new water demands and, as importantly, how those mitigation measures would, in fact cause worse environmental impacts due to increased pollution and heat. This is a particularly significant problem in disadvantaged communities. Mitigation measures must be fully enforceable, so it could be argued that without any method to fund the measures they are not fully enforceable. (CEQA Guidelines § 15126.4, subd. (a)(2).) CEQA case law has found that mitigation programs for cumulative impacts can be adequate, but only if mitigation fees are imposed as part of a “reasonable plan of actual mitigation that the relevant agency commits itself to implementing.” (*Anderson First Coalition v. City of*

3d-10

Anderson (2005) 130 Cal.App.4th 1173, 1188, citation to *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 140.)

3d-10
cont.

CURE retained HDR Consultants in May 2021 and again in connection with the evaluation of the DEIR. HDR is a nationally recognized environmental consulting firm with expertise in water, climate adaptation and air quality issues. In the attached letter to CURE, HDR concludes that the DEIR fails to establish that water exists to support the Project and that such an increased demand would have a significant impact on the City’s water supply. The mitigation measures stated are not sufficient to mitigate those impacts to insignificance.

3d-11

V. THE CITY CANNOT REJECT THE LESS IMPACTFUL AND FEASIBLE ALTERNATIVE 4.

The alternatives analysis is the “core of an EIR.” (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564.) “One of [an EIR’s] major functions . . . is to ensure that *all reasonable alternatives* to proposed projects are thoroughly assessed by the responsible official.” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 400, citation omitted.) CEQA also includes a substantive mandate that prohibits approval of projects with significant adverse environmental impacts if there are feasible alternatives that would reduce or eliminate those impacts. (Pub. Resources Code § 21002; CEQA Guidelines § 15021, subd. (a)(2); *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467, 546.) In order to approve a project with significant, unavoidable impacts, CEQA requires an agency to find that less impactful alternatives are infeasible. (Pub. Resources Code § 21081, subds. (a)(3), (b); Guidelines § 15093, subd. (c).) Alternatives that would substantially lessen or avoid a project’s significant adverse effects only can be rejected if they are “truly infeasible.” (*City of Marina v. Board of Trustees of California State University* (2006) 39 Cal.4th 341, 369.)

3d-12

The DEIR for the 2021-2029 Housing Element acknowledges that adoption of the proposed project would result in significant and unavoidable air quality, greenhouse gas, noise, population and transportation impacts. As set forth above, the DEIR failed to disclose the proposed project’s significant adverse water supply impacts.

The DEIR includes Alternative 4, an alternative that includes a reduced number of opportunity sites, with a focus on meeting the RHNA requirement of 18,458 housing units, but not substantially exceeding these units as the proposed project would. (DEIR 4-24.) The DEIR discloses that Alternative 4 would eliminate one of the project’s significant and unavoidable impacts—population and housing impacts. (DEIR p. 4-28 to 4-29, 4-32.) Due to Alternative 4’s more focused growth and limit on opportunity sites, it would also substantially lessen the proposed project’s significant air quality, greenhouse gas, noise and transportation impacts. (DEIR 4-25, 4-27, 4-28, 4-29.)

Despite this elimination of one of the project’s significant adverse impacts and a substantial reduction in the remainder of the project’s significant impacts, the DEIR incorrectly identifies the proposed project and Alternative 3 as the environmentally superior alternative under CEQA Guidelines §15126.6(e)(2), despite the fact both of these alternatives would have a significant adverse impact on population and housing, an impact that Alternative 4 would eliminate. An alternative need only avoid or substantially lessen any one of a project’s significant impacts to be considered environmentally superior. (Guidelines § 15021, subd. (a)(2).)

The DEIR’s assessment is based on a claim that Alternative 4 would slightly increase land use impacts of the project; however, even with that slight increase, land use impacts would remain less than significant under Alternative 4. Only significant adverse impacts are considered when identifying the environmentally superior alternative. Thus, Alternative 4’s slight increase in land use impacts is not a basis to reject it as the environmentally superior alternative. Alternative 4 would eliminate one significant adverse impact of the project and Alternative 3 and would substantially lessen the remainder of the significant adverse impacts, as such, it is clearly the environmentally superior alternative.

As the environmentally superior alternative, the City can only reject Alternative 4 if it is truly infeasible. CEQA defines feasible as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” (Pub. Resources Code § 21061.1.) Alternative 4 would comply with the requirement to identify opportunity sites for the 18,458 housing units the City was allocated. (Gov. Code § 65583.) The DEIR also finds that Alternative 4 would meet the project objectives. (DEIR 4-32.) Thus, because Alternative 4 is a feasible alternative that would eliminate and substantially lessen the project’s significant adverse impacts, the City cannot make the findings required to adopt the proposed Housing Element. (Pub. Resources Code § 21081; CEQA Guidelines §15091, subd. (a).) Thus, the Planning Commission should at a minimum, recommend Alternative 4 and limit the identification of opportunity sites to address the RHNA-required 18,458 units rather than adopting a 60 percent increase beyond what the State requires.

3d-12
cont.

VI. THE PROPOSED PROJECT ADVERSELY AND DISPARATELY IMPACTS LOW INCOME RESIDENTS.

The proposed upzoning violates all principles of Environmental Justice because it would place much of the low income and very low income housing within 2000 feet of the freeway and rail lines, thus disparately impacting the poor and most vulnerable residents of the City. The record lacks substantial evidence that the mitigation measures proposed would protect sensitive receptors from increased asthma and lung cancer. The California Air Resources Board has identified that public exposure to air pollution is

3d-13

substantially elevated near freeways and rail lines and as such recommends significant buffer zones between housing and these uses to reduce public health impacts. (<https://www.arb.ca.gov/ch/handbook.pdf>; https://www.arb.ca.gov/ch/rd_technical_advisory_final.pdf, both incorporated by reference.)

3d-13
cont.

VII. CONCLUSION

Regardless of the RHNA mandates, the City is obligated to comply with CEQA. The DEIR must be recirculated based upon its failure to recognize that the development of the Project would have a significant, unmitigated impact on the City's water supply. The DEIR does not realistically evaluate what water actually is available and fails to recognize increased limitations on imported water due to drought and climate change. It completely ignores the impact on allocating all available water to housing versus sustaining and even expanding the City's greenspaces to offset climate.

More importantly, the City can and should complete its general plan before adopting an unsustainable Housing Element. This can be done by limiting the current Project/zoning to low income housing only based upon a lack of infrastructure. The City further should premise any additional increase in housing beyond low income to identifying the funding necessary to build the infrastructure and should demand the State pay for those improvements.

At a minimum, the City should require recirculation of the DEIR and ensure that the planning Commission and public have a final EIR that truly evaluates and mitigates significant impacts.

CURE looks forward to working with the City toward protecting our public from the adverse impacts of unsustainable housing demands from the State.

Regards,

/s/

Malissa Hathaway McKeith, Esq.

Enclosures: Technical Memorandum from HDR
Emails from City Planning Staff
Hard copies of the Administrative Record and exhibits filed and hand-delivered to the City Clerk and the Planning Commission

3d-14

ATTACHMENT 1

----- Forwarded message -----

From: **Taylor, Matthew** <MTaylor@riversideca.gov>

Date: Fri, Aug 20, 2021 at 11:54

Subject: RE: [External] Re: Greetings - time to speak?

To: Malissa Mckeith <malissacurepres@gmail.com>, Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>

CC: Murray, David <DMurray@riversideca.gov>

Good morning Malissa,

I have some follow-up answers for you. I am combining both of your emails just to manage the number of threads going back and forth.

First, this wasn't in your email, but you asked how many Opportunity Sites are within 2,500 feet of a freeway or railroad. There are 72 sites comprising 264 individual parcels within 2500 feet of a freeway and 88 sites comprising 254 individual parcels within 2,500 feet of a railroad (a majority of these are in both categories given that railroads roughly parallel both SR-91 and I-215). This analysis does not include sites that are already zoned for housing and are not proposed for rezoning. I should add that these buffers capture virtually every site on the Magnolia/Market/University High Quality Transit Corridor, as well all sites in our Downtown east of Market Street.

Now, to your written questions:

1. Can I also get the government code that spells out what flexibility if any the state has.

We are not aware of any government code that provides flexibility to the deadline. I would refer you to Government Code §65588 for timing provisions.

2. Matthew - you mentioned that the company we use can run 3D models that would show that traffic and air quality might look like. If there's no time to do this for the housing

element, what about the general plan update?

During our conversation, I think we may have misunderstood one another about this modeling. I was referring to 3d simulation of what future development on a specific sites might look like based on zoning parameters; i.e., modeling buildings using GIS-based software. We can explore the potential for 3D-modeling as part of the Phase 2 GP Update.

3. Also this issue of when staff can administratively change the items that are not approved by the PC is a material change in our code and a policy decision. It's also NOT required by RHNA regardless of what we decide on the number of units. Why is it being rushed. Or am I confused that it is required. This seems to be an internal city issue.

Any proposed Zoning Code amendments, recommended by staff, must be reviewed and recommended by CPC to the City Council. City Council must adopt any zoning changes. You may have been referring to increasing the development size threshold for requiring Site Plan Review approval in the Mixed Use zones, which staff can recommend. While this change is not strictly required by Housing Element law, what *is* required by HE law is that standalone residential development on any HE site in a Mixed Use Zone be permitted by right. We are proposing this change to help streamline and encourage *mixed-use* developments in the MU zones (as opposed to a preponderance of residential-only by-right projects where mixed uses are more appropriate). CPC and Council may or may not agree with this change.

4. How many jobs were created in the city of Riverside over the past 5 years.

According to California EDD:

Year	Total Nonfarm Employment	Unemployment Rate
2016	140,700	5.5
2017	143,900	4.7
2018	147,000	3.9
2019	148,900	3.7
2020	140,300	9.0
2021 (June Preliminary)	144,300	7.3

5. How many acre feet new water is the eir assuming for 18000, 24000 and 31000 units

I assume you mean new water demand, at maximum buildout. For 31,564 units,

that number is assumed to be 30,848afy additional demand. 18,458 and 24,000 units were not analyzed because they are not the maximum buildout of the Project.

6. Doesn't bypassing the PC approving the final EIR run afoul of our own strategic plan and procedures where zone changes are being considered?

City Council is the approving/certifying authority for all EIRs. It is not uncommon to bring projects with an EIR to the Planning Commission for consideration and recommendation in a draft state, and publish the Final EIR for Council consideration. I am not clear what part or parts of the Strategic Plan you are referencing here.

7. No way can residents be expected to consume all this information. It's not as if they have lawyers and consultants on call. When you add the zoning ordinance changes, it's the straw

We understand that it is daunting and will continue to make ourselves available to assist anyone.

8. Someone is going to have to choose between appealing the state or simply telling them that our public needs and deserves another 60 days come what may. I just don't see people at the state — once they appreciate the problem — having heart burn even if they won't technically move a legislative deadline. It's a risk I'd take just like you're taking the risk that recirculating the EIR won't be legally required.

This is a decision that Council will make after weighing the risks/benefits. Please note, HCD does not have the authority to move legislative deadlines.

9. The census is new material information in itself if we actually wanted to take the time needed to vet all these consequences. Maybe the reduction in population works to our advantage.

We are assessing the census and this information will be used in the Phase 2 update, including any refreshing needed on the Housing Element or Public Safety Element.

///

Let me know if there's anything else we can do for you. Thanks,

Matthew Taylor | Senior Planner

951.826.5944 | mtaylor@riversideca.gov

City of Riverside

Community & Economic Development Department

Planning Division

3900 Main Street | 3rd Floor | Riverside 92522

From: Malissa Mckeith <malissacurepres@gmail.com>
Sent: Tuesday, August 17, 2021 12:39 PM
To: Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>
Cc: Murray, David <DMurray@riversideca.gov>; Taylor, Matthew <MTaylor@riversideca.gov>
Subject: Re: [External] Re: Greetings - time to speak?

Thanks Mary. Very enlightening if not frustrating. I'm sure for you too.

Followup questions.

1. How many jobs were created in the city of Riverside over the past 5 years.
2. How many acre feet new water is the air assuming for 18000, 24000 and 31000 units

3. Doesn't bypassing the PC approving the final EIR run afoul of our own strategic plan and procedures where zone changes are being considered?

4. No way can residents be expected to consume all this information. It's not as if they have lawyers and consultants on call. When you add the zoning ordinance changes, it's the straw

Someone is going to have to choose between appeasing the state or simply telling them that our public needs and deserves another 60 days come what may. I just don't see people at the state — once they appreciate the problem — having heart burn even if they won't technically move a legislative deadline. It's a risk I'd take just like you're taking the risk that recirculating the EIR won't be legally required.

The census is new material information in itself if we actually wanted to take the time needed to vet all these consequences. Maybe the reduction in population works to our advantage.

Anyhw looking forward to the answers. I did enjoy speaking the Matt a lot. Tough situation.

On Tue, Aug 17, 2021 at 12:10 Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov> wrote:

Hi Malissa

Sorry I had to drop off the call today – getting ready for City Council today.

Hope that Matthew and Dave were able to provide the information you were seeking.

Let us know if you have additional questions.

Mary Kopaskie-Brown

City Planner

City of Riverside

mkopaskie-brown@riversideca.gov

(951) 826-5108

From: Taylor, Matthew <MTaylor@riversideca.gov>
Sent: Tuesday, August 17, 2021 11:09 AM
To: Malissa Mckeith <malissacurepres@gmail.com>; Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>
Subject: RE: [External] Re: Greetings - time to speak?

Letter attached.

In terms of HE update schedule – see [Gov. Code §65588](#).

From: Malissa Mckeith <malissacurepres@gmail.com>
Sent: Tuesday, August 17, 2021 9:49 AM
To: Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>; Taylor, Matthew <MTaylor@riversideca.gov>
Subject: [External] Re: Greetings - time to speak?

Hi Guys:

Just confirming the call at 10:00. I wanted to highlight a couple issues to better focus. It may require more than 30 minutes in which event I have time or we can schedule a second call.

First, I thought the responses to several legal issues like takings and RLUPA were spot on. This is complicated for the average person and ideas that get floated around the internet don't pan out in the real world.

However, I do not believe the impression you gave the PC that

projects will return to them for review is entirely accurate. My understanding is that once a site is zoned and complies with the city's design criteria, that development is "by right", and that a developer can rely on the programmatic EIR for traffic, air quality and other more traditional issues. PLEASE CLARIFY.

Second, what is the MINIMUM that Riverside is required to do by law? This is fuzzy. Is it 18000 or 24000? And if I am correct and newly zoned projects are "buy right", doesn't this mean that any of the sites can be developed?

Third, how hard is it for the consultants to run a program showing all units within 2500 feet of a freeway or train track. I understand the policies behind so-called "transit" corridors but living by a freeway doesn't mean there is greater public transportation or that people will use it. And it concentrates poverty in one area.

Fourth, I am interested in learning more details about what changes the 2020 census brought to bear on segregation. The maps were nice but I don't know what they mean and how it has changed.

Fifth, does the city have inclusionary zoning ordinances on the books? if not, wouldn't this help.

Sixth, did the city identify retail or commercial buildings that could be targeted for conversion as a means of satifying RHNA

Seventh, has there been any consideration for prioritizing sites for affordable since we know not all of these properties will be developed. In fact, acting like they will be seems rather delusional.

Eighth - what's the answer to the PC's question about how much a developer pays in impact fees for infrastructure. I believe universally documented by the league of cities, that housing does not generate the income needed to support it in infrastructure, schools, and other offsets. AM I WRONG. if not, has the city done

any analysis of the cost associated with the 18K or 24 K or 31 K build out?

Ninth, we DO NOT have sufficient "wet" water to support the proposed units regardless of mitigation. As one of the PC commissioner's noted, this is a significant impact that requires mitigation and I don't see how you mitigate it to insignificance. I am intimately familiar with the urban water management plans. Further, the statement that 500+ developments require an assessment is a red herring. We don't have developments proposed of that size.

Finally, how can you conceivably get comments on the 2nd and have the PC approve a final on the 9th. That assumes there will be no credible comments. I am told by many housing advocates that they are being told the real deadline is February and not October. I'm not suggesting we "blow off" the state but that we educate them on the realities of some of these issues and that you, as staff, choose the need for true public input over arbitrary deadlines. Provide some context to the PC about the fact that the State isn't going to rain down on us with penalties if we are moving forward in good faith. More importantly, staff sitting in cubicles in Sacramento are very divorced from the realities of the State's conflicting mandates on climate, air quality, etc.

Last, WTF - Malibu has to build 79 houses. I did a quick survey around wealthy cities and find that the RHNA disproportionately burdens poorer cities like ours. Given the pollution caused by the new warehouses this, in itself, is a violation of environmental justice policies and unfair.

ok - you have 10 minutes to figure all this out!!!!

Malissa Hathaway McKeith

Citizens United for Resources and the Environment, Inc. ("CURE")

www.curegroup.org

213-300-3550

On Wed, Aug 11, 2021 at 5:06 PM Malissa Mckeith <malissacurepres@gmail.com> wrote:

Hi Mary

Hope you are well. It's been a long time. Covid has put everything on hold.

I could use 15 minutes to ask questions about the upcoming housing element hearing at the PC and council. I'm not representing anyone but people ask me questions and I don't want to give out wrong information.

Could we schedule a time to speak.

Thanks

Malissa Hathaway McKeith
Citizens United for Resources and the Environment, Inc. (CURE)
www.curegroup.org
213-300-3550

Keep Riverside healthy: Maintain healthy diet and exercise, wash your hands, and get vaccinated. RiversideCA.gov/COVID-19

--

Malissa Hathaway McKeith

Citizens United for Resources and the Environment, Inc. ("CURE")

www.curegroup.org

213-300-3550

--

Malissa Hathaway McKeith

Citizens United for Resources and the Environment, Inc. ("CURE")

www.curegroup.org

213-300-3550

ATTACHMENT 2

Begin forwarded message:

From: "Kopaskie-Brown, Mary" <MKopaskie-Brown@riversideca.gov>
Subject: RE: [External] Greetings - time to speak?
Date: September 2, 2021 at 10:42:45 AM PDT
To: Malissa Mckeith <malissacurepres@gmail.com>
Cc: "Beaumont, Anthony" <ABeaumont@riversideca.gov>, "Murray, David" <DMurray@riversideca.gov>

See below in red.

Mary Kopaskie-Brown
City Planner
City of Riverside
mkopaskie-brown@riversideca.gov
(951) 826-5108

From: Malissa Mckeith <malissacurepres@gmail.com>
Sent: Thursday, September 2, 2021 5:50 AM
To: Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>
Cc: Beaumont, Anthony <ABeaumont@riversideca.gov>; Murray, David <DMurray@riversideca.gov>
Subject: Re: [External] Greetings - time to speak?

Mary - I didn't hear back from anyone yesterday. Can you PLEASE RESPOND ASAP to the two questions below:

1. Is there any "cheat sheet" or staff report that outlines the changes in the zoning ordinances that were posted last week particularly on the issue of administrative review.
 - [Planning Commission Staff report - https://riversideca.legistar.com/View.ashx?M=F&ID=9770249&GUID=9D9D162D-1622-480D-895A-12F08EBE1566](https://riversideca.legistar.com/View.ashx?M=F&ID=9770249&GUID=9D9D162D-1622-480D-895A-12F08EBE1566) – Page 15
 - [See page 57 on the document link: https://riversideca.legistar.com/View.ashx?M=F&ID=9770231&GUID=674A1FF9-1807-45AB-893C-6C97131642B1](https://riversideca.legistar.com/View.ashx?M=F&ID=9770231&GUID=674A1FF9-1807-45AB-893C-6C97131642B1) – clip below

19.770.030 - Applicability and permit requirements.

The following commercial or mixed-use projects require a site plan review permit:

- A. *Commercial.* In addition to any other permits required by the Zoning Code, no new building, structure, exterior alteration or enlargement of an existing building or structure exceeding 10,000 square feet shall be commenced in the Commercial Regional Center Zone (CRC) (Chapter 19.110) until a Site Plan Review Permit has been granted pursuant to this chapter.
- B. *Mixed-Use.* In addition to any other permits required by the Zoning Code, no new building, structure or exterior alteration or enlargement of an existing building or structure exceeding ~~4050,000~~ 4050,000 square feet of nonresidential space or 100 residential units, whichever is greater, shall be commenced in any Mixed-Use Village or Urban Zones (Chapter 19.120) until a site plan review permit has been granted pursuant to this chapter.
- C. *Planning Commission requirement.* The Planning Commission, at its discretion, may require a site plan review permit as a condition for any project.
- D. *Exemption.*
 1. Any site plan review included as part of the review for conditional use permits, minor conditional use permits and planned residential development permits and design review is subject to the requirements of Chapters 19.730 (Minor Conditional Use Permit), 19.760 (Conditional Use Permits) and 19.780 (Planned Residential Development Permit) and is therefore exempt from the requirement of a separate site plan review permit unless such site plan review is deferred at the time of approval of such permits.
 2. ~~Stand-alone multi-family residential uses in any Mixed-Use zone are permitted by right, pursuant to Government Code Section 65583.2. Stand-alone multi-family residential~~

- 2. Are there going to be two sessions at the PC as you had suggested when we spoke last months - one on the EIR and one of these newly posted zone changes.
 - The presentation will be in 2 parts.

Thank you. If I'm confused, just give me a call if easier at 213-300-3550

On Sep 1, 2021, at 10:46 AM, Malissa Mckeith <malissacurepres@gmail.com> wrote:

Mary

Thanks for the census response.

I'm curious who approved the 31000 target. Did council or the PC? Or was this a staff driven decision? I can't find it agendized anywhere.

- There is no 31,000 unit target
- See staff report Page 5 – Explanation of RHNA obligation and buffer:

Table 1 – City of Riverside RHNA

Income level	Income limit – percent of Riverside County median family income (\$75,300/year) ¹	Total number of units
Very Low Income	Less than 50% (\$37,650/year)	4,861
Low Income	50-80% (\$60,250/year)	3,064
Moderate Income	80-120% (\$90,360/year)	3,139
Above-Moderate Income	More than 120% (over \$90,360/year)	7,394
Subtotal		18,458
No Net Loss buffer (30%)		5,538
Total		23,996

¹Department of Housing and Urban Development FY 2020 Income Limits Documentation System

- See staff report Page 21 – Explanation of DEIR evaluation (except)
 - To evaluate the potential environmental impacts of the project, the DEIR assumes that all proposed Opportunity Sites to be rezoned would be developed with 100% of the maximum density allowed during the 8-year 6th Cycle. As a result, the DEIR analyzes the potential addition of 31,564 dwelling units to the City. However, it is highly unlikely that this amount of development would occur, as the realistic development capacity of the Opportunity Sites is approximately 24,000 units (based on the development trends analyzed in Appendix B of the draft Housing Element [Exhibit 11]).

As to the ordinance, the link is a dense redlined document. I pulled it up yesterday and cringed. You can't expect the public to absorb it and timely comment when we are struggling with the EIR. Is there a staff report or summary that highlights major changes?

- Planning Commission Staff report - <https://riversideca.legistar.com/View.ashx?M=F&ID=9770249&GUID=9D9D162D-1622-480D-895A-12F08EBE1566> – Page 15

Three questions.

You mentioned the PC would have two sessions — one for the EIR and one for the Zoning Ordinances which are new. Is that still the case?

- The presentation will be in 2 parts.

Second are you changing the requirements for PC review of mixed uses or other projects from 10k sq feet to 50k?

- See page 57 on the document link: <https://riversideca.legistar.com/View.ashx?M=F&ID=9770231&GUID=674A1FF9-1807-45AB-893C-6C97131642B1> – clip below

19.770.030 - Applicability and permit requirements.

The following commercial or mixed-use projects require a site plan review permit:

- A. *Commercial.* In addition to any other permits required by the Zoning Code, no new building, structure, exterior alteration or enlargement of an existing building or structure exceeding 10,000 square feet shall be commenced in the Commercial Regional Center Zone (CRC) (Chapter 19.110) until a Site Plan Review Permit has been granted pursuant to this chapter.
- B. *Mixed-Use.* In addition to any other permits required by the Zoning Code, no new building, structure or exterior alteration or enlargement of an existing building or structure exceeding ~~4050,000~~ square feet of nonresidential space or 100 residential units, whichever is greater, shall be commenced in any Mixed-Use Village or Urban Zones (Chapter 19.120) until a site plan review permit has been granted pursuant to this chapter.
- C. *Planning Commission requirement.* The Planning Commission, at its discretion, may require a site plan review permit as a condition for any project.
- D. *Exemption.*
 - 1. Any site plan review included as part of the review for conditional use permits, minor conditional use permits and planned residential development permits and design review is subject to the requirements of Chapters 19.730 (Minor Conditional Use Permit), 19.760 (Conditional Use Permits) and 19.780 (Planned Residential Development Permit) and is therefore exempt from the requirement of a separate site plan review permit unless such site plan review is deferred at the time of approval of such permits.
 - 2. ~~Stand-alone multi-family residential uses in any Mixed-Use zone are permitted by right, pursuant to Government Code Section 65583.2. Stand-alone multi-family residential~~

Third. The PC asked about what percentage of impact fees pay for development. On the water infrastructure front, the last fee schedule is from the 1990s with no CPI adjustment. Is there any recognition whether in or outside the EIR that the city can't afford the infrastructure needed. Where does this get addressed in the overall process?

- The City will continue to complete long range plans and include upgrade projects as needed in the Capital Improvement Program
- The City will continue to apply for grants for capital improvements
- When a development project is under review, the applicant will be required to make and pay for improvements for extending or increasing service if there are capacity issues – this could be both on-site and off-site
- Additional questions can be addressed at the Planning Commission hearing

Just give me a straight answer. I don't have the capacity to review everything that's being pushed through on such an accelerated basis. Don't forget that you've worked on this for years where the public has only received much of this information in the last 45 days. And as much as you attempted stakeholder outreach, 400 residents out of 330,000 is a very very low percentage.

Thank you.

On Wed, Sep 1, 2021 at 09:38 Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov> wrote:

Hi Malissa

Further to your queries:

1. You mentioned that zoning ordinance amendments are being updated that would allow for approvals of mixed use projects up to 50,000 sq feet. Are those pending still? You and Matthew had indicated that these were proposed changes. Please clarify.

- Please see the attachment from the Planning Commission agenda: <https://riversideca.legistar.com/View.ashx?M=F&ID=9770231&GUID=674A1FF9-1807-45AB-893C-6C97131642B1> Chapter 19.120 Mixed Use Zones and 19.770 – Site Plan Review Permit.

2. The 2020 census was not evaluated in the current draft EIR because the data was not yet circulated. You indicated on August 13, 2021, that staff was reviewing the new information as it was coming in. Apparently, the 11,000 increase between 2010 and 2020 was substantially less than the

30,000 increase estimated. Does this change anything? How do these numbers differ from the assumptions in the existing GP from, I believe, 2006?.

- The 2020 Census does not change anything in our Phase 1 Update project. The RHNA obligation is 18,458.
- The 2020 Census estimate (334,772) differs by approximately 12,095 from the assumption from Riverside General Plan 2025 (projected 346,867 by the end of the Planning period (2025))

Thanks!

Mary Kopaskie-Brown
City Planner
City of Riverside
mkopaskie-brown@riversideca.gov
(951) 826-5108

From: Malissa Mckeith <malissacurepres@gmail.com>
Sent: Monday, August 30, 2021 1:59 PM
To: Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>
Cc: Murray, David <DMurray@riversideca.gov>; Taylor, Matthew <MTaylor@riversideca.gov>; Beaumon, Anthony <ABeaumon@riversideca.gov>
Subject: Re: FW: [External] Greetings - time to speak?

Mary:

1. You mentioned that zoning ordinance amendments are being updated that would allow for approvals of mixed use projects up to 50,000 sq feet. Are those pending still? You and Matthew had indicated that these were proposed changes. Please clarify.

2. The 2020 census was not evaluated in the current draft EIR because the data was not yet circulated. You indicated on August 13, 2021, that staff was reviewing the new information as it was coming in. Apparently, the 11,000 increase between 2010 and 2020 was substantially less than the 30,000 increase estimated. Does this change anything? How do these numbers differ from the assumptions in the existing GP from, I believe, 2006?.

Give me a call if you'd like to speak. Thanks.

Malissa Hathaway McKeith
Citizens United for Resources and the Environment, Inc. ("CURE")
www.curegroup.org
213-300-3550

On Mon, Aug 30, 2021 at 1:46 PM Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov> wrote:

Good afternoon Malissa

Matthew is out for a few days, so Dave and I will be able to answer your questions.

- Do we have the draft ordinance concerning administrative review of various sized projects? Maybe if I read it I would figure out what's covered and what's not
 - Title 19 identifies the Approving and Appeal Authorities for various project types (Chapter 19.650 – Table 19.650.020 - https://library.municode.com/ca/riverside/codes/code_of_ordinances?nodeId=PTIICOOR_TIT19ZO_ARTIXLAUSDEPEREPR_CH19.650APAPAU).

The Phase 1 GP update is not proposing any changes to this Chapter so there is no draft ordinance.

- Also has the city done an analysis of the census relative to demographic patterns, segregation, etc. if so can I get a copy.
 - This information is included in the DEIR Chapter 3.9 - https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Draft_EIR_Vol1_07_19_21.pdf
 - Additional information can be found in the Housing Element Technical Background Report 1 (Community Profile) and Technical Background Report 6 (Affirmatively Furthering Fair Housing) - https://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/2021-08-06%20Revised%20Draft%20HE%20TBR%20-%20Web.pdf

Thanks.

Mary Kopaskie-Brown AICP, MCIP, OPPI
City of Riverside – City Planner
Community & Economic Development
mkopaskie-brown@riversideca.gov
Main: (951) 826-5371
Direct: (951) 826-5108

From: Malissa Mckeith <malissacurepres@gmail.com>
Sent: Monday, August 30, 2021 6:16 AM
To: Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>; Taylor, Matthew <MTaylor@riversideca.gov>
Subject: Re: [External] Greetings - time to speak?

Morning.

Do we have the draft ordinance concerning administrative review of various sized projects? Maybe if I read it I would figure out what's covered and what's not

Also has the city done an analysis of the census relative to demographic patterns, segregation, etc. if so can I get a copy.

Thanks.

On Thu, Aug 12, 2021 at 07:15 Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov> wrote:

Good morning Malissa

We are happy to set up a time to chat about the Housing Element.

Would Tuesday at 10:00am work?

Let us know!

Mary Kopaskie-Brown AICP, MCIP, OPPI
City of Riverside – City Planner
Community & Economic Development
mkopaskie-brown@riversideca.gov
Main: (951) 826-5371
Direct: (951) 826-5108

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

From: Malissa Mckeith <malissacurepres@gmail.com>
Sent: Wednesday, August 11, 2021 5:07 PM
To: Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>
Subject: [External] Greetings - time to speak?

Hi Mary

Hope you are well. It's been a long time. Covid has put everything on hold.

I could use 15 minutes to ask questions about the upcoming housing element hearing at the PC and council. I'm not representing anyone but people ask me questions and I don't want to give out wrong information.

Could we schedule a time to speak.

Thanks

Malissa Hathaway McKeith
Citizens United for Resources and the Environment, Inc. (CURE) www.curegroup.org
213-300-3550

Keep Riverside healthy: Maintain healthy diet and exercise, wash your hands, and get vaccinated. RiversideCA.gov/COVID-19<<http://riversideca.gov/COVID-19>>

--

Malissa Hathaway McKeith
Citizens United for Resources and the Environment, Inc. ("CURE")
www.curegroup.org
213-300-3550

--

Malissa Hathaway McKeith
Citizens United for Resources and the Environment, Inc. ("CURE")
www.curegroup.org
213-300-3550

ATTACHMENT 3



September 2, 2021

Ms. Malissa McKeith, President
Citizens United for Resources and the Environment, Inc.
2873 Rumsey Drive
Riverside, CA 92506
Sent Via Email to: malissacurepres@gmail.com

RE: DEIR Comments: City of Riverside RHNA Project

Dear Malissa,

At your request we reviewed the City of Riverside’s Draft EIR (DEIR) for alignment with the State of California’s 6th Regional Housing Needs Assessment (RHNA) cycle and requirements of SB 166 ([DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RIVERSIDE HOUSING AND PUBLIC SAFETY ELEMENT UPDATES AND ENVIRONMENTAL JUSTICE POLICIES PROJECT \(ca.gov\)](#)).

Comments:

These comments also reflect on our earlier review of the Draft Riverside Public Utilities (RPU) 2020 Urban Water Management Plan (UWMP) and our discussions with RPU staff related to issues involving the need to develop a baseline to determine how much water is required to adapt to climate through sustaining trees and greenspaces.¹ The Final 2020 UWMP is at [Riverside Public Utilities | Urban Water Management Plan \(riversideca.gov\)](#).

Based upon our recent involvement with the City’s climate policies relating to the Draft UWMP and review of this EIR, our comments are shown below.

- 1) The DEIR relies on the City's 2016 UWMP to conclude that the City has water for 31,564 new residential units. There is a Final 2020 update to the City’s 2016 UWMP. We recommend that EIR be revised to take into account the projections and conclusions of the City’s 2020 Update, and further to acknowledge/reference the 2020 update.
- 2) We note that although the DEIR proposes a total of 31,564 residential units, the City cites the ‘goal’ for 24,000 new dwelling units total, based on the total of an RHNA obligation of 18,458 dwelling units and 5,500 units to meet SB 166 needs. Since the city infrastructure required to support new housing is significant in resources and costs, it is unclear why

¹ RPU and the City of Riverside included HDR’s recommendations for a baseline study of impacts of tree canopies and green spaces to inform future decision like the item pending here as to the impacts on communities, particularly disadvantaged communities if reductions in trees occurs. The City also agreed to undertake this evaluation and return to council within eight months and prior to adopting conservation measures under the proposed Water Conservation Ordinances.

3d-15

3d-16

3d-17

there is a large disparity of 7,564 extra units, considering the number of units proposed (31,564) versus those needed to meet housing obligations (24,000).

3d-17
cont.

- 3) The DEIR concludes in Section 3.14.5 (p. 3.14-20), that the environmental impact of development of 31,564 new residential units in the City would be less than significant and thus, no mitigation is required (Excerpt below).

3.14.5 Impacts and Mitigation Measures

Impact UT-1: The Project would not result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electrical power, natural gas, or telecommunications facilities. This impact would be less than significant and no mitigation is required.

3d-18

In our review, we were unable to find data and evidence in the DEIR to support this conclusion in general, and in particular, for water supply.

- 4) We note that the DEIR does not specify the amount of water required to service 31,564 additional new residential units. However, in an email from Matthew Taylor (City of Riverside) to Malissa McKeith dated August 20, 2021 [Att 1], Taylor indicates in Item 5 that this water demand is expected to be 30,848 afy (acre feet per year).

3d-19

The DEIR does not reference new or expanded water supply or distribution that would be needed for 30,848 afy of new water use. Nor does the DEIR address the wastewater or stormwater facilities that would be required to service the over 30,000 proposed new residential units.

- 5) In both of the 2016 and 2020 UWMPs, the projected water demand was planned for future housing units (both single and multi-family) that are considerably fewer in number, than the total projected housing units proposed in the RHNA DEIR. That is, the total projected future housing shown for 2025 to 2040 (Table 5-3 in the 2016 UWMP Plan [Att 2] is 3,798 and for 2025 to 2045, Table 4-3 in the 2020 UWMP [Att 3]) is 6,383 *versus the* 31,564 proposed new residential units in the RHNA DEIR. Compared to the 2020 UWMP, the proposed new growth in residential housing under the RHNA is almost a 500% increase compared to the plan for the City's future water supply for residential use.

3d-20

The EIR should reconcile this concerning inconsistency and address this as a significant impact. It should also quantitatively demonstrate how the City's water supply will grow by about 500% and how the water delivery infrastructure will be developed to accommodate this significant increase in new water demand for residential use.

- 6) In the DEIR, the water supply projections for this RHNA project rely upon the 2016 UWMP which do not include consideration of climate change impacts upon local water supply. The water supply projections in the UWMP (whether either from 2016 or 2021 update) are based upon projections that do not include an analysis by RPU of the impacts of climate change on future water supply. Thus, the City did not quantify reductions in water supply due to climate change. This may be because the City receives most of its water from regional groundwater basins, and data are limited on how the impacts of climate change could impact water supply for recharge. However, recharge has been evaluated in the Watershed IRWMP referenced in the Riverside UWMP. Riverside does not have as much short-term sensitivity assuming groundwater levels stay the same over the long term, so a poor State Water Project (SWP) delivery in any given year is not as large of a concern. Still, quantifying long term effects of climate change upon recharge should be of interest for planning for sustainable groundwater management.

3d-21

We recommend a vulnerability assessment be conducted to understand increases to water demand, such as the RHNA project at full buildout, since increased evapotranspiration and consumption related to increased future temperatures could result in unsustainable groundwater withdrawals.

For this DEIR, we recommend that the impact of the reduced SWP water delivery for 2021 and projections for future years, also be included in considerations for this project.

- 7) This analysis referenced above should also include an estimate of water savings from planned mitigation measures that is based upon the evidence of historical experience with the similar equivalent measures implemented in residential units in the City.

3d-22

- 8) It does not appear that the assumptions made in the water supply calculations for residential development in the DEIR include the long-term water supply for irrigation of urban green spaces. If they were not, these two water supply commitments could be in conflict. Maintaining irrigation of urban green spaces is important and affords consistency with existing City goals, plans, programs and state programs and policies, all regarding climate-related benefits of maintaining and increasing urban greenspaces. Urban greenspace is threatened through climate change yet provides one of the least expensive adaptation measures. Existing carbon sequestration in urban green spaces (soil and vegetation) is beneficial; also these areas provide shade, reduce local air temperatures and improve air quality by removing pollutants. These benefits are widely acknowledged by the California Air Resources Board and other state agencies. These impacts do not appear to have been addressed in the DEIR.

3d-23

- 9) The disparity of urban green spaces by residential neighborhood and the increased temperatures where the tree canopy is lacking is well documented for disadvantaged communities and neighborhoods. (See CURE’s administrative record supporting the 6/22/2021 City Council Meeting and comments on the 2021 UWMP). The tree canopy or lack thereof and the ambient temperature by neighborhood in the nearby Los Angeles area were recently highlighted, in detail, in the July 2021 issue of National Geographic magazine (‘Beating the Heat’). The DEIR should address how the projected housing units under the RHNA will be served equitably by urban green spaces and tree plantings near homes (to reduce cooling needs of buildings and irrigation needs).

3d-23
cont.

For additional information on HDR’s technical and engineering expertise, see [Environmental Sciences | HDR \(hdrinc.com\)](#), [Sustainability & Resiliency | HDR \(hdrinc.com\)](#) and [Water | HDR \(hdrinc.com\)](#).

If you have questions or need further information on these comments, please feel free to reach out to me at 925.212.0358 or victoria.evans@hdrinc.com.

Sincerely,



Victoria A. Evans, MS, ENV SP

GHG Management Lead

From: [Malissa Mckeith](#)
To: [Amy Minter](#); [Evans, Victoria](#)
Subject: Fw august 20, 2021 Email from Matthew Taylor to Malissa Mckeith
Date: Thursday, September 2, 2021 9:50:57 AM

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

See item 5 confirming 30,009 afy demand.

----- Forwarded message -----

From: Taylor, Matthew <MTaylor@riversideca.gov>
Date: Fri, Aug 20, 2021 at 11:54
Subject: RE: [External] Re: Greetings - time to speak?
To: Malissa Mckeith <malissacurepres@gmail.com>, Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>
CC: Murray, David <DMurray@riversideca.gov>

Good morning Malissa,

I have some follow-up answers for you. I am combining both of your emails just to manage the number of threads going back and forth.

First, this wasn't in your email, but you asked how many Opportunity Sites are within 2,500 feet of a freeway or railroad. There are 72 sites comprising 264 individual parcels within 2500 feet of a freeway and 88 sites comprising 254 individual parcels within 2,500 feet of a railroad (a majority of these are in both categories given that railroads roughly parallel both SR-91 and I-215). This analysis does not include sites that are already zoned for housing and are not proposed for rezoning. I should add that these buffers capture virtually every site on the Magnolia/Market/University High Quality Transit Corridor, as well all sites in our Downtown east of Market Street.

Now, to your written questions:

1. Can I also get the government code that spells out what flexibility if any the state has.

We are not aware of any government code that provides flexibility to the deadline. I would refer you to Government Code §65588 for timing provisions.

- Matthew - you mentioned that the company we use can run 3D models that would show that traffic and air quality might look like. If there's no time to do this for the housing element, what about the general plan update?

During our conversation, I think we may have misunderstood one another about this modeling. I was referring to 3d simulation of what future development on a specific sites might look like based on zoning parameters; i.e., modeling buildings using GIS-based software. We can explore the potential for 3D-modeling as part of the Phase 2 GP Update.

- Also this issue of when staff can administratively change the items that are not approved by the PC is a material change in our code and a policy decision. It's also NOT required by RHNA regardless of what we decide on the number of units. Why is it being rushed. Or am I confused that it is required. This seems to be an internal city issue.

Any proposed Zoning Code amendments, recommended by staff, must be reviewed and recommended by CPC to the City Council. City Council must adopt any zoning changes. You may have been referring to increasing the development size threshold for requiring Site Plan Review approval in the Mixed Use zones, which staff can recommend. While this change is not strictly required by Housing Element law, what *is* required by HE law is that standalone residential development on any HE site in a Mixed Use Zone be permitted by right. We are proposing this change to help streamline and encourage *mixed-use* developments in the MU zones (as opposed to a preponderance of residential-only by-right projects where mixed uses are more appropriate). CPC and Council may or may not agree with this change.

- How many jobs were created in the city of Riverside over the past 5 years.

According to California EDD:

Year	Total Nonfarm Employment	Unemployment Rate
2016	140,700	5.5
2017	143,900	4.7
2018	147,000	3.9
2019	148,900	3.7
2020	140,300	9.0
2021 (June Preliminary)	144,300	7.3

5. How many acre feet new water is the eir assuming for 18000, 24000 and 31000 units

I assume you mean new water demand, at maximum buildout. For 31,564 units, that number is assumed to be 30,848afy additional demand. 18,458 and 24,000 units were not analyzed because they are not the maximum buildout of the Project.

6. Doesn't bypassing the PC approving the final EIR run afoul of our own strategic plan and procedures where zone changes are being considered?

City Council is the approving/certifying authority for all EIRs. It is not uncommon to bring projects with an EIR to the Planning Commission for consideration and recommendation in a draft state, and publish the Final EIR for Council consideration. I am not clear what part or parts of the Strategic Plan you are referencing here.

7. No way can residents be expected to consume all this information. It's not as if they have lawyers and consultants on call. When you add the zoning ordinance changes, it's the straw

We understand that it is daunting and will continue to make ourselves available to assist anyone.

8. Someone is going to have to choose between appeasing the state or simply telling them that our public needs and deserves another 60 days come what may. I just don't see people at the state — once they appreciate the problem — having heart burn even if they won't technically move a legislative deadline. It's a risk I'd take just like you're taking the risk that recirculating the EIR won't be legally required.

This is a decision that Council will make after weighing the risks/benefits. Please note, HCD does not have the authority to move legislative deadlines.

9. The census is new material information in itself if we actually wanted to take the time needed to vet all these consequences. Maybe the reduction in population works to our advantage.

We are assessing the census and this information will be used in the Phase 2 update, including any refreshing needed on the Housing Element or Public Safety Element.

///

Let me know if there's anything else we can do for you. Thanks,

Matthew Taylor | Senior Planner

951.826.5944 | mtaylor@riversideca.gov

City of Riverside

Community & Economic Development Department

Planning Division

3900 Main Street | 3rd Floor | Riverside 92522

From: Malissa Mckeith <malissacurepres@gmail.com>
Sent: Tuesday, August 17, 2021 12:39 PM
To: Kopaskie-Brown, Mary <MKopaskie-Brown@riversideca.gov>
Cc: Murray, David <DMurray@riversideca.gov>; Taylor, Matthew <MTaylor@riversideca.gov>
Subject: Re: [External] Re: Greetings - time to speak?

Thanks Mary. Very enlightening if not frustrating. I'm sure for you too.

Followup questions.

1. How many jobs were created in the city of Riverside over the past 5 years.

Table 5-2. DWR Table 4-2R. Demands for Raw and Potable Water - Projected

Use Type	Level of Treatment	2020	2025	2030	2035	2040
Single Family	Drinking Water	29,931	31,064	32,241	33,462	34,730
Multi-Family	Drinking Water	5,365	5,568	5,779	5,998	6,225
Commercial/Institutional	Drinking Water	9,959	10,337	10,728	11,135	11,556
Industrial	Drinking Water	9,845	10,218	10,605	11,006	11,423
Landscape	Drinking Water	1,050	100	150	200	250
Agricultural irrigation	Drinking Water	1,707	1,772	1,839	1,908	1,981
Other	Drinking Water	371	385	399	414	430
Deliveries to WMWD	Drinking Water	4,300	4,300	4,300	4,300	4,300
Wholesale to HGCWD	Drinking Water	0	0	0	0	0
Additional UCR Demand	Drinking Water	3,300	3,300	3,300	3,300	3,300
California Baptist University Added Demand	Drinking Water	150	150	150	150	150
GCC (Upper)	Drinking Water	6,000	6,000	6,000	6,000	6,000
GCC (Lower)	Raw Water	7,000	7,000	7,000	7,000	7,000
Overlying Uses	Raw Water	1,200	1,200	1,200	1,200	1,200
WMWD	Raw Water	2,500	2,500	2,500	2,500	2,500
Potable Water Loss	Drinking Water	5,278	5,375	5,559	5,750	5,948
Irrigation Water Loss	Raw Water	835	835	835	835	835
Total		88,791	90,104	92,585	95,159	97,827

Table 4-3. DWR 4-2 Projected Demands for Water (All Values in AF)

USE TYPE	ADDITIONAL DESCRIPTION	LEVEL OF TREATMENT WHEN DELIVERED	2025	2030	2035	2040	2045
Single Family		Drinking Water	35,069	36,349	37,677	39,053	40,479
Multi-Family		Drinking Water	6,306	6,537	6,775	7,023	7,279
Commercial / Institutional		Drinking Water	12,355	12,807	13,274	13,759	14,262
Landscape		Drinking Water	4,266	4,421	4,583	4,750	4,924
Agricultural Irrigation		Drinking Water	1,427	1,479	1,533	1,589	1,648
Other	Fire, Temporary, Special Service	Drinking Water	296	307	318	330	342
Wholesale	WMWD	Drinking Water	2,000	2,000	2,000	2,000	2,000
Wholesale	Norco	Drinking Water	1,000	1,000	1,000	1,000	1,000
Potable Losses		Drinking Water	5,193	5,383	5,579	5,783	5,994
Subtotal - Potable			67,912	70,283	72,739	75,287	77,928
GCC (Upper and Lower)		Raw Water	13,500	13,500	13,500	13,500	13,500
Overlying Uses		Raw Water	1,000	1,000	1,000	1,000	1,000
WMWD		Raw Water	2,000	2,000	2,000	2,000	2,000
Irrigation Water Losses		Raw Water	600	600	600	600	600
Subtotal – Non-Potable			17,100	17,100	17,100	17,100	17,100
TOTAL: POTABLE AND NON-POTABLE			85,012	87,383	89,839	92,387	95,028

9.7 Comment Letter 4: Thomas Key, PG, California Department of Conservation, California Geological Survey



August 19, 2021

Matthew Taylor, Senior Planner
City of Riverside Community & Economic Development Department, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522
Email: mtaylor@riversideca.gov

Subject: Riverside Housing & Public Safety Element Updates and Environmental Justice Policies Project Draft Environmental Impact Report (EIR)– SCH# 2021040089

Dear Mr. Taylor,

The California Department of Conservation, California Geological Survey (CGS) has reviewed the Draft Environmental Impact Report (EIR) for the City of Riverside (City) Housing & Public Safety Element Updates and Environmental Justice Policies Project (Project). We offer the following comments and recommendations with respect to the proposed project’s potential impacts on public safety.

Project Description:

The Project proposes to update the Housing and Public Safety Elements of the City’s 2025 General Plan. The Housing Element updates include the identification of “Opportunity Sites”, which are vacant or underused lots dispersed throughout the City that could accommodate new housing. The updates to the Public Safety Element incorporate new Environmental Justice Policies in establishing Opportunity Site selection criteria that reduce the short- and long-term risks of death, injuries, property damage, and economic and social disruption from natural hazards (such as floods, earthquakes, and landslides) when determining which sites are appropriate for future housing developments.

4-1

CGS Comments:

Section 2.2 lists Project objectives including to “Limit or prevent housing development in areas with development constraints, such as ... fire and flood hazard zones. As such, the City has limited or eliminated sites that are unsafe because they are in a flood zone or high-fire area. The EIR briefly describes the Opportunity Site inventory analysis and weighted suitability model used to identify the final list of Opportunity Sites.

4-2

An Opportunity Site was identified on the eastern edge of the intersection of Watkins Drive and East Big Springs Road in Ward 2 in the northeastern part of the City. This site is within a flood zone and a very high fire hazard zone. Additionally, the canyon upslope of the eastern end of East Big Springs Road is in the very high fire hazard zone. This canyon is the main drainage basin that would contribute flow to the East Big Springs Road flood hazard zone. The very high fire hazard in the potential flood hazard source

area within the Box Springs Mountain Reserve Park east of this Opportunity Site presents the potential for an additional risk of post-fire debris flows impacting the site. Debris flows are a specific type of landslide. Landslide hazards are discussed in this EIR, but from the perspective of potential impacts the Project might have on causing or increasing the likelihood of landslides. CGS agrees that this project appears unlikely to cause significant effects related to landslide hazards. The coincidence of the very high fire hazard in the flood hazard zone source area appears to be a naturally occurring baseline condition. Considering that, CGS recommends the following:

- 1) Reevaluate the suitability of the Watkins Drive/East Big Springs Road Opportunity Site, considering the potential post-fire debris flow hazard.
- 2) Include a post-fire debris flow hazard evaluation in the predevelopment checklist that will be developed as part of the Project to support the development review process for applicants proposing development on Opportunity Sites.

4-3

References:

California Department of Forestry and Fire Protection. 2020. California Fire Hazard Severity Zone Viewer. Available: <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>. Accessed August 2021.

Federal Emergency Management Agency (FEMA). 2008. FEMA's National Flood Hazard Layer (NFHL) Viewer. Available: <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>. Accessed: August 2021.

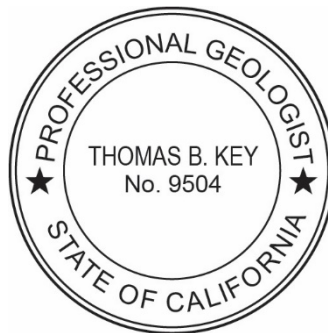
Thank you for giving us the opportunity to comment on the Draft EIR for the Riverside Housing & Public Safety Element Updates and Environmental Justice Policies Project. If you have any questions or concerns regarding the comments in this letter, please contact Thomas Key, Engineering Geologist, at 801 K Street, MS 13-40, Sacramento, California 95814, (916) 584-4854, thomas.key@conservation.ca.gov.

4-4

Sincerely,

Original signed by:

Thomas Key, PG 9504
Engineering Geologist
Sacramento, California



Original Signed by:

Cheryl Hayhurst, CEG 2639
Senior Engineering Geologist
Sacramento, California



9.8 Comment Letter 5: Jim Buysse

Letter 5

I'm Jim Buysse, a 30-year Riverside resident, and for 20 years of those years, I served as Vice Chancellor for Administration & Finance with the Riverside Community College District. I've been engaged in planning for half a century, beginning with my selection as a member of a four-person team which wrote the first postsecondary education master plan for the State of Colorado.

I understand and appreciate that City Council must consider the future development of our City. That makes your job as a Planning Commission exceedingly important. However, I believe this planning process is problematic in terms of its origin, how it's been done, and how the plan would be implemented.

The Housing Element plan was developed pursuant to a State mandate. Riverside was then given an "allocation" of units by SCAG. I seriously doubt that SCAG and our Planning Department can predict what the future will hold in terms of housing demand. Thus, this planning exercise is premised on specious assumptions.

Such planning must be decentralized to be effective. Various alternative futures should be assessed. Centralized planning never works, at least not in a positive way. Yet, the State proceeds with a "one size fits all" approach. But this State is very diverse. One size doesn't fit all, especially as regards local planning. We need a plan free from State and regional intervention, one that speaks to Riverside's particular characteristics. Cities in Orange County and elsewhere in the State are challenging this State mandate for this reason. Riverside should join them.

Second, the way the planning has been done, presumably pursuant to State dictates, is disconcerting. How is "fair housing" defined? What does "inclusion" mean? These words have become part of the common vernacular...albeit without common understanding of their meaning.

Is there evidence we are neither fair nor inclusive? And how was the notion of segregation derived? Apparently, City "segregation" patterns were analyzed. Who's been engaging in segregation? City council? Again, where's the evidence? And environmental justice? That term tortures the English language. Get rid of the gobbledygook.

Additionally, when it comes to analysis, we see percentages, such as the percentage of the population. For example, less than 25% of low and moderate housing is located in various areas of the City. So what? That tells us little. Is that better or worse than a decade ago? What are the trend lines? And what are the benchmarks against which percentages are compared? Is the low/moderate income group of the same demographic composition today as that of the past? Was any of this considered? How deep was the data dive?

Further, what would Housing Element Plan implementation look like? Seems like zoning would be changed. Would that occur before a property is sold? Would it require eminent

domain? Would an owner losing property value sue for recompense? Would there be an appeal process for property owners?

Let's get real on this. People are where they are, but not by accident. One could say they have skin in the game. They've worked and saved to buy a home, and then to buy a bigger home in more pleasant surroundings with better schools as their families grew. Americans have been doing that for decades. It's called moving up and achieving the American dream.

These homeowners don't want to be in neighborhoods where people do not have skin in the game, as in those situations, properties tend not to be as well maintained. Parking can be more problematic. And they tend not to be as safe. I could go on, but that is reality. We need to be clear-eyed in looking at housing issues. We need a plan that is flexible. Utopian thinking simply won't work.

Also, how can low income housing work, when State and local governments add myriad regulations contributing to higher housing costs? The math doesn't work if these regulations are not ameliorated in a way that does not burden taxpayers. Builders, after all, will not build houses at a loss.

In closing, please tell City Council the Housing Element plan must be revisited until these kinds of questions are addressed and the language made more intelligible. Tell Council its duty is to Riverside residents, not to the State and its distant bureaucracy, and not to a regional group either. Lastly, tell the City it should join other California cities in challenging the State mandate. Simply stated, it's time to stand up for Riverside.

**5-1
cont.**

9.9 Comment Letter 6: Jay & Diana Gazzolo

Letter 6

From: dgazzolo@aol.com <dgazzolo@aol.com>
Sent: Wednesday, September 1, 2021 10:35 PM
To: Taylor, Matthew <MTaylor@riversideca.gov>
Subject: [External] Housing Element

9/1/2021

To: Matt Taylor
Senior Planner

Thank you for the opportunity to express our concerns with the Housing Element....This Housing Proposal appears to do more to satisfy the Politicians in Sacramento than it does to address the actual housing needs of Riverside residents..and future residents.

We are asking for further *clarification* and the *removal* of some of the site included in this proposal .

Please Clarify :

Why does the Housing Element Designate 24000units (as a cushion) when only 18458 units are required by the State.. WHY do we need a cushion of 5542 units if you **do not have to guarantee** building on them ?? It appears to be free zoning changes that will only benefit the developers.....not the surrounding community

"RHNA is ultimately a requirement that the region zone sufficiently in order for these homes to have the potential to be built , but it is not a requirement or guarantee that these homes will be built" ...SO WHY THE EXTRA 5542 UNITS ??

Why does the Housing Element require zoning changes to over 200 "opportunity sites" if these site **do not have to guarantee building**... The zoning change from R-1 to multi housing is significant and should assessed on a case-by-case basic...mass zoning changes circumvent the intense scrutiny typically given when site are considered for zoning changes *individually*. This is NOT *Sensible and Sound* City Planning !!!

Please consider the **Removal** the 6 "opportunity sites " on Central Ave. from the Housing Element ! By the City's own estimate,a total of 444dwelling units are proposed in the mile long corridor (Central Ave.between Glenhaven and Olivewood Cemetery) which also includes 5 schools and 4 places of worship.

This total figure is determined by reviewing the Housing Opportunity Site Information Tool and the RHNA Housing Element Opportunity Site Inventory.

Have you driven down Central Avenue lately ??What traffic Study was conducted ? What Environmental Impact Study ? How will the traffic flow when "U" turns are not allowed at most intersections on Central Ave.

At what point were plans submitted to build the"44 condos" ?

And at what point was the "44 condo" property added to the Housing Element ?

It appears these 800+ sites were chosen using a formulaic and procedural process devoid of consideration for the detrimental impact to on-the-ground, site specific communitiesWe are Riverside Residents and taxpayers ---Our public input and impact should be the primary concern !

Thank You,

Jay & Diana Gazzolo
Riverside Ca.

Keep Riverside healthy: Maintain healthy diet and exercise, wash your hands, and get vaccinated.

RiversideCA.gov/COVID-19

6-1

6-2

6-3

9.10 Comment Letter 7: Amy Minter, Chatten-Brown, Carstens & Minter, LLP on behalf of the Victoria Avenue Neighborhood Alliance

Letter 7



Chatten-Brown, Carstens & Minter LLP

Hermosa Beach Office
Phone: (310) 798-2400

San Diego Office
Phone: (619) 940-4522

2200 Pacific Coast Highway, Suite 318
Hermosa Beach, CA 90254
www.cbcearthlaw.com

Amy C. Minter

Email Address:
acm@cbcearthlaw.com
Direct Dial:
310-798-2409

September 1, 2021

Via Email (mtaylor@riversideca.gov)

Matthew Taylor
Senior Planner
City of Riverside
Community & Economic Development Department, Planning Division
3900 Main Street, 3rd Floor
Riverside, CA 92522

Re: Comments on Draft EIR for Riverside 2021-2029 Housing Element;
Case No. PR-2021-001058; SCH 2021040089

Dear Mr. Taylor:

On behalf of the Victoria Avenue Neighborhood Alliance (VANA), we submit these comments on the Draft 2021-2029 Housing Element and the draft environmental impact report (DEIR) prepared to analyze the Housing Element Update. VANA is a coalition of more than 650 community members in the Victoria neighborhood of the City of Riverside, that seek to stay informed on events and city business that affects our neighborhood, our quality of life, and community safety. VANA includes particular focus on land/property development, infrastructure, traffic issues, and crime and safety.

Our comments focus on the area identified as Opportunity Site 208 in the Housing Element Update, located at 2201 Fairview Avenue. The Housing Element Update proposes to significantly upzone this site to allow for a 44-unit condo development in the middle of a large lot single family home neighborhood. Development of this constrained site with such dense housing would result in adverse land use, geotechnical and traffic safety impacts not analyzed in the DEIR. Upzoning of this site would also result in illegal spot zoning. There are several additional opportunity sites located in the Victoria Neighborhood along Central Avenue/Alessandro Boulevard that would also result in significant traffic hazard and land use impacts. However, VANA has chosen to focus on Site 208 in these comments because there is already a project proposed for this site. The intent of including Site 208 as an Opportunity Site in the Housing Element is to provide an end-run around the detailed environmental review that would otherwise be required

7-1

for this project, which fails to provide the necessary protections for the surrounding community and the public disclosure required by the California Environmental Quality Act (CEQA).

The 2021-2029 Housing Element is intended to provide adequate opportunity sites to address the City’s Regional Housing Needs Assessment (RHNA) obligation of 18,458 dwelling units. Implementation of the Housing Element could result in a 31,175 dwelling unit increase—a nearly 60 percent increase above the City’s RHNA obligation. Thus, in addition to resulting in significant unanalyzed impacts, inclusion of Opportunity Site 208 is completely unnecessary to achieve the City’s RHNA obligation.

7-1
cont.

I. The DEIR’s Analysis of Impacts Resulting From Inclusion of Opportunity Site 208 Is Inadequate.

The California Environmental Quality Act (CEQA) serves two basic, interrelated functions: ensuring environmental protection and encouraging governmental transparency. (*Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal. 3d 553, 564.) CEQA requires full disclosure of a project’s significant environmental effects so that decision-makers and the public are informed of these consequences before the project is approved, to ensure that government officials are held accountable for these consequences. (*Laurel Heights Improvement Ass’n of San Francisco v. Regents of the University of California* (1988) 47 Cal.3d 376, 392.)

7-2

“In evaluating the significance of the environmental effect of a project, the lead agency shall consider direct physical changes in the environment which may be caused by the project **and reasonably foreseeable indirect physical changes** in the environment which may be caused by the project.” (CEQA Guidelines § 15064, subd. (d), emphasis added.) The development of areas identified as opportunity sites within the Housing Element, including Site 208, is a reasonably foreseeable consequence of the adoption of this plan. The Housing Element includes policies encouraging by-right development of opportunity sites or reliance on a categorical exemption to CEQA review for housing development at these sites. Thus, by failing to adequately disclose and analyze the significant adverse impacts associated with development of Site 208 at this time, the DEIR fails to meet either of CEQA’s important functions.

A. The DEIR Fails to Disclose Land Use Impacts Associated with Illegal Spot Zoning.

Opportunity Site 208 is currently zoned R-1-13000 with a land use designation of low density residential, which would allow for the development of 7 housing units on the site. Site 208 is surrounded by more than a half mile in each direction by sites also zoned R-1-13000 with only low-density residential development.

7-3

(See www.riversideca.gov/cedd/sites/riversideca.gov.chedd/files/pdf/planning/Zoning-Map.pdf, incorporated by reference.) In fact, there are no commercial, retail, apartments or condo developments within miles of the Victoria neighborhood where this site is located.

The Housing Element proposes to upzone Site 208 to R-3-2000, to allow for a more than sixfold increase in development to 44 units. Program 5-1 plans for this upzoning to occur within the 2021-2029 Housing Element cycle, making the upzoning a reasonably foreseeable consequence of the project. Upzoning Site 208 would create an island of dense development within the surrounding community, resulting in illegal spot zoning. “A spot zone results when a small parcel of land is subject to more or less restrictive zoning than surrounding properties.” (*Foothill Communities Coalition v. County of Orange* (2014) 222 Cal.App.4th 1302, 1312.) Here, with the upzoning, Site 208 would be subject to less restrictive zoning than the surrounding properties and is clearly spot zoning.

Spot zoning is illegal when it would be inconsistent with the existing General Plan and would adversely impact surrounding property owners. Site 208 has an existing General Plan designation of low density residential and zoning the site for 44 units would be inconsistent with this designation. It would also be inconsistent with several existing Land Use Element policies:

- Policy LU 89.1 provides for transfer of density away from steep hillsides and to flatter areas with less visually sensitive properties and where significantly less grading will result. Site 208 has slopes greater than 10% and would require significant grading to develop, making it a site that should have density transferred away from it, not to it.
- Objective LU-4 provides for the minimization of urban development in hillsides and Policy 4.2 requires compliance with the hillside grading provisions. Development of Site 208 with 44 condo units would require extensive grading, urbanization of this hillside site and would also necessitate variances from the hillside grading ordinance.
- Policy LU-8.2: “Avoid density increases or intrusion of nonresidential uses that are incompatible with existing neighborhoods.” Upzoning of Site 208 would be incompatible with the existing low-density neighborhood.
- Policy LU-30.3: “Ensure that the distinct character of each of Riverside’s neighborhoods is respected and reflected in all new development, especially infill development.” Significantly higher density development of Site 208 would not respect the distinct character of the surrounding neighborhood.

**7-3
cont.**

Moreover, as discussed below, rezoning of Site 208 to allow for a sixfold increase in development would have significant adverse impacts to surrounding community. Thus, rezoning of Site 208 to allow for development of 44 condo units would result in illegal spot zoning.

7-3
cont.

B. The DEIR Fails to Disclose Geotechnical Impacts Associated with Development of Site 208.

Site 208 is a steep hillside underlain with granite. Significant excavation of this hillside would be required to develop 44 condo units on the site. The City's Municipal Code requires hillside development to fit the natural terrain, but the high-density development of Site 208 would conflict with this requirement, instead including significant grading of the hillside. This would necessitate noisy excavation of the hard granite on the site, resulting in vibrations that could damage the surrounding homes built in the 1930s. Development of the site after rezoning would also require a 250 foot long and 19-foot-high retaining wall due to the steepness of the site. The impacts on surrounding properties associated with constructing such a massive retaining wall were not disclosed in the DEIR. The geotechnical impacts associated with upzoned development of Site 208 must be analyzed now, or this site should be removed as an opportunity site so it is not allowed to elude review of these impacts through the reliance on a future categorical exemption.

7-4

C. The DEIR Fails to Disclose Traffic Safety Impacts Associated with Development of Site 208.

Development of Site 208 after the significant upzoning proposed by the Housing Element would result in significant traffic safety impacts that the DEIR fails to address. The 44 condo unit project proposed for Site 208, with up to 150 residents, would generate a significant number of new daily trips. This is an area of the City without transit and located miles from commercial and office uses, requiring residents to rely on their own vehicles to access workplaces and shopping needs. The DEIR fails to assess the traffic impacts of placing a densely packed development in a car-dependent area of the City, despite proposed Housing Element policy 4.2 encouraging development that can rely on public transit.

7-5

The adjacent roadway, Central Avenue into Alessandro Boulevard, is a heavily traveled, winding street. A traffic report prepared by the Riverside Police Department found that this roadway corridor has one of the highest accident rates in the City with an average of 114 accidents per year at a rate of an accident every 3.2. The significant addition of cars at Site 208 would need to access Central Avenue from Fairview Street at an unsignalized intersection, adding to the existing traffic hazards along this roadway.

These traffic safety impacts must be analyzed in the DEIR if Site 208 is not removed as an opportunity site.

7-5
cont.

II. Site 208 is Not Necessary to Meet the City’s RHNA or HCD’s Recommendations.

The most recent RHNA obligation for the City requires the City to identify opportunity sites for the 18,458 housing units it was allocated. (Gov. Code § 65583.) Instead of focusing on the RHNA requirement, the updated Housing Element provides for a maximum net increase of 31,175 dwelling units, a 60% increase above the RHNA. (DEIR p. 2-12.) This is also a significant increase above the recommendations of the California Department of Housing and Community Development (HCD). To ensure sufficient capacity to accommodate the RHNA, HCD recommends jurisdictions create a buffer of 15 to 30 percent more capacity than required. (<https://hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sb-166-final.pdf>, incorporated by reference.) The City proposes to more than double this recommendation, demonstrating that inclusion of Site 208 is wholly unnecessary to achieve the RHNA or to follow the recommendations of HCD. Even without the 44 units at Site 208, the Housing Element would far exceed a 30 percent buffer for the RHNA.

Moreover, the HCD recommendations identify the need to focus on capacity for low-income housing. Site 208 is proposed for moderate housing, making it of less importance than the sites identified for low-income housing. Additionally, the overwhelming majority of opportunity sites identified for the Housing Element are for moderate income housing, again making the 44 units at Site 208 unnecessary. (Housing Element Appendix A.) Further, while the Housing Element identifies Site 208 for moderate income housing, as discussed above there are numerous site constraints that will significantly increase construction costs at the site. The significant construction costs will be passed along to the residents, making it unlikely this site will be able to provide any type of housing other than market rate.

7-6

As set forth in comments submitted by others, including CURE, the City also has a significantly inadequate water supply available to serve this level of new housing development. The Housing Element acknowledges that the production of housing in Riverside is directly impacted by the available water supply. As such, the Housing Element should eliminate sites such as Site 208 to ensure there is adequate water supply for the City’s planned and existing development.

Conclusion

As set forth herein, rezoning of Site 208 would result in significant adverse land use, geotechnical, traffic safety and water supply impacts that were not addressed in the

Mathew Taylor
September 1, 2021
Page 6 of 6

DEIR for the Housing Element. Additionally, inclusion of Site 208 as an opportunity site in the Housing Element is unnecessary to achieve the City's RHNA obligations or the inventory allotment recommended by the HCD. Thus, we urge the City remove this unnecessary and impactful site from consideration in the Housing Element.

7-6
cont.

Thank you for your time and consideration in this matter.

Sincerely,



Amy Minter

cc: Riverside Planning Commission

9.11 Comment Letter 8: Ana Gonzalez, Riverside Unified School District

Letter 8

OPERATIONS DIVISION

Planning and Development
3070 Washington Street, Riverside, CA 92504
P (951) 788-7496 F (951) 788-5446



9/2/2021

Mr. Taylor, Senior Planner
Planning Division
Community & Economic Development Department
3900 Main Street, 3rd Floor
Riverside, CA 92522

RE: City of Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report; State Clearinghouse No. 2021040089

Dear Mr. Taylor:

Riverside Unified School District (RUSD) thanks you and the City of Riverside for giving us the opportunity to review and comment on the *City of Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Draft Environmental Impact Report* dated July 2021.

RUSD understands that the primary purpose of this report is to comply with State law requiring regular updates to the Housing Element and not intended to approve or a deny any specific project. As such, RUSD has no issue with the Draft EIR, but requests that the City of Riverside notice and involve RUSD on all projects that can potentially impact RUSD facilities. This includes, but is not limited to: traffic and circulation modifications, utility infrastructure updates, liquor licenses, any/all construction, changes to land use and zoning, impacts to school safe routes, permitting and development of potential commercial/industrial businesses and handling or producing hazardous material or emissions.

8-1

Sincerely,

Ana Gonzalez, Director, Planning and Development
Riverside Unified School District

Cc: Sergio San Martin, Asst. Superintendent of Operations

RIVERSIDE UNIFIED SCHOOL DISTRICT

3380 14th Street
Riverside, CA 92501
951-788-7135

BUSINESS SERVICES

6050 Industrial Avenue
Riverside, CA 92504
951-352-6729

CENTRAL REGISTRATION CENTER

5700 Arlington Avenue
Riverside, CA 92504
951-352-1200

9.12 Comment Letter 9: Nancy Magi

Letter 9

From: Nancy Magi <troutquilt@sbcglobal.net>
Sent: Thursday, September 2, 2021 8:40 AM
To: Andrade, Frances <FANDRADE@riversideca.gov>
Subject: [External] Fwd: N Magi questions & comment on Housing Element

Good morning, Frances- will you please include this email in the Commissioners' packet for the September 9 meeting?
Thank you.

The Planning Commission agenda states in its conclusion, "All effects of the proposed project have been reduced to less than significant with implementation of mitigation measures,

WITH THE EXCEPTION OF . . .

AIR QUALITY
GREENHOUSE GAS EMISSIONS
NOISE
POLLUTION
HOUSING
TRANSPORTATION" (Caps mine)

THAT LIST OF MASSIVE NEGATIVE IMPACTS DESCRIBES A MAJOR ATTACK ON OUR QUALITY OF LIFE IN RIVERSIDE.

HOW CAN WE BUILD DENSE HOUSING AND IGNORE OUR

AIR QUALITY,
OUR GREEN SPACES,
OUR IMPACTED TRAFFIC AND
LACK OF PARKING SPACES . . .

AND STILL MAINTAIN A QUALITY OF LIFE?

THE ANSWER- WE CANNOT.

Nancy Magi

Sent from my iPad

Subject: N Magi questions & comment on Housing Element

Good Morning, Mary

Here are my questions and an observation as I meet the deadline for comments on the Housing Element for Riverside:

2). What is the difference between the "Land Use Policy Map" and 5). "Zoning Map"?

3). Where do Central/Alessandro roads fit into the "Specific Map"?

4) A). Please define "streamline" IN DETAIL in the context of the Housing Element.

4). B). Specifically which State legislation will the City's compliance achieve?

The agenda states in its conclusion, "All effects of the proposed project have been reduced to less than significant with implementation of mitigation measures,

WITH THE EXCEPTION OF . . .

AIR QUALITY
GREENHOUSE GAS EMISSIONS
NOISE
POLLUTION
HOUSING
TRANSPORTATION" (Caps mine)

THAT LIST OF MASSIVE NEGATIVE IMPACTS DESCRIBES A MAJOR ATTACK ON OUR QUALITY OF LIFE IN RIVERSIDE.

HOW CAN WE BUILD DENSE HOUSING AND IGNORE OUR

AIR QUALITY,
OUR GREEN SPACES,
OUR IMPACTED TRAFFIC AND
LACK OF PARKING SPACES . . .

AND STILL MAINTAIN A QUALITY OF LIFE?

THE ANSWER- WE CANNOT.

Nancy Magi

Sent from my iPad

9.13 Comment Letter 10: Frank Byrne

Letter 10

From: [Frank Byrne](#)
To: [Taylor, Matthew](#)
Subject: [External] Housing Element Update
Date: Thursday, September 2, 2021 4:58:37 PM

Dear Mr Taylor,

My name is Frank Byrne and I live in Ward 3 beside two of the proposed Opportunity Sites recommended for rezoning as part of the City's Housing Element update.

In the draft EIR, the Planning Division have evaluated several alternative scenarios to the proposed Project. Their conclusion was that all significant effects of the proposed project were reduced to less than significant with implementation of mitigation measures for impacts on:

- Biological resources
- Cultural resources
- Paleontological resources
- Hazards and hazardous materials
- Tribal cultural resources

I'm pleased that the deleterious effects of the Project on these resources can be mitigated. However, while these mitigation measures are important and should be implemented, I am extremely concerned about the inability of any mitigation measures to reduce impacts related to:

- Air quality
- Greenhouse gas emissions
- Noise
- Transportation
- Population
- Housing

These factors affect the health and well-being of the entire population of Riverside and beyond, and I think it is essential that additional efforts are made by the Planning Division to reduce their impacts to below significant levels.

Because of the inability of the mitigation measures to counteract those deleterious impacts, in order for the project to be approved, a Statement of Overriding Considerations is required to be adopted by the City Council. If that happens, the City is essentially telling the members of its community that they are less important than the City's need to have the current draft of the Housing Element update approved. Once approved, a massive rezoning will occur, including sites that are totally inappropriate for high density units. I am asking the Planning Commissioners and the Council Members to vote this proposed project down in order to protect the health of the citizens of Riverside, most of whom are unaware of the sweeping changes being proposed by The City with the rezoning of Opportunity Sites in their neighborhoods. According to the Planning Division, people within 300 feet of an Opportunity Site received notice of this meeting, which is a very small proportion of the total population of Riverside. I'm sure you understand that the impacts associated with the development of Opportunity Sites will go well beyond the 300-foot area around them. The Planning Division admitted as much in their EIR. Air quality, GGEs, noise – they don't recognize such arbitrary boundaries.

10-1
cont.

The Planning Division outlines various alternatives to their proposal in order to mitigate impacts. Rather than just complain, I would like to propose an additional alternative. The City's proposal accommodates potential housing at a 60% higher level than that required by RHNA. My alternative mitigation strategy is to reduce the number of Opportunity Sites, particularly high-density housing units in single-family residential areas. Such a strategy will immediately reduce the major impacts associated with the current proposal. Why would you not want to do that?

10-2

Thanks you,

Frank Byrne
2307 Central Ave,
Riverside,
CA 92506
951-323-0894

9.14 Comment Letter N/A: Mitchell M. Tsai, Attorney At Law, on behalf of the Southwest Regional Council of Carpenters

P: (626) 381-9248
F: (626) 389-5414
E: info@mitschsailaw.com



Mitchell M. Tsai
Attorney At Law

139 South Hudson Avenue
Suite 200
Pasadena, California 91101

VIA E-MAIL

September 7, 2021

Matthew Taylor
Senior Planner
City of Riverside
3900 Main Street, 3rd Floor
Riverside, CA 92522
Em: mtaylor@riversideca.gov

RE: City of Riverside Housing and Public Safety Element Updates Draft Environmental Impact Report

Dear Matthew Taylor,

On behalf of the Southwest Regional Council of Carpenters (“**Commenter**” or “**Southwest Carpenters**”), my Office is submitting these comments on the City of Riverside’s (“**City**” or “**Lead Agency**”) Draft Environmental Impact Report (“**DEIR or EIR**”) (SCH No. 2021040089) for the Housing and Public Safety Element Updates (“**Draft HEU**” or “**Project**”).

The Southwest Carpenters is a labor union representing 50,000 union carpenters in six states and has a strong interest in well ordered land use planning and addressing the environmental impacts of development projects.

Individual members of the Southwest Carpenters live, work and recreate in the City and surrounding communities and would be directly affected by the Project’s environmental impacts.

Commenters expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearings and proceedings related to this Project. Cal. Gov. Code § 65009(b); Cal. Pub. Res. Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

Commenters expressly reserves the right to supplement these comments at or prior to hearings on the Project, and at any later hearings and proceedings related to this

Project. Cal. Gov. Code § 65009(b); Cal. Pub. Res. Code § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

The City should require the Applicant provide additional community benefits such as requiring local hire and use of a skilled and trained workforce to build the Project. The City should require the use of workers who have graduated from a Joint Labor Management apprenticeship training program approved by the State of California, or have at least as many hours of on-the-job experience in the applicable craft which would be required to graduate from such a state approved apprenticeship training program or who are registered apprentices in an apprenticeship training program approved by the State of California.

Community benefits such as local hire and skilled and trained workforce requirements can also be helpful to reduce environmental impacts and improve the positive economic impact of the Project. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project Site can reduce the length of vendor trips, reduce greenhouse gas emissions and providing localized economic benefits. Local hire provisions requiring that a certain percentage of workers reside within 10 miles or less of the Project Site can reduce the length of vendor trips, reduce greenhouse gas emissions and providing localized economic benefits. As environmental consultants Matt Hagemann and Paul E. Rosenfeld note:

[A]ny local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling.

Skilled and trained workforce requirements promote the development of skilled trades that yield sustainable economic development. As the California Workforce Development Board and the UC Berkeley Center for Labor Research and Education concluded:

. . . labor should be considered an investment rather than a cost – and investments in growing, diversifying, and upskilling California’s workforce

can positively affect returns on climate mitigation efforts. In other words, well trained workers are key to delivering emissions reductions and moving California closer to its climate targets.¹

Recently, on May 7, 2021, the South Coast Air Quality Management District found that that the “[u]se of a local state-certified apprenticeship program or a skilled and trained workforce with a local hire component” can result in air pollutant reductions.²

Cities are increasingly adopting local skilled and trained workforce policies and requirements into general plans and municipal codes. For example, the City of Hayward 2040 General Plan requires the City to “promote local hiring . . . to help achieve a more positive jobs-housing balance, and reduce regional commuting, gas consumption, and greenhouse gas emissions.”³

In fact, the City of Hayward has gone as far as to adopt a Skilled Labor Force policy into its Downtown Specific Plan and municipal code, requiring developments in its Downtown area to requiring that the City “[c]ontribute to the stabilization of regional construction markets by spurring applicants of housing and nonresidential developments to require contractors to utilize apprentices from state-approved, joint labor-management training programs, . . .”⁴ In addition, the City of Hayward requires all projects 30,000 square feet or larger to “utilize apprentices from state-approved, joint labor-management training programs.”⁵

Locating jobs closer to residential areas can have significant environmental benefits. As the California Planning Roundtable noted in 2008:

¹ California Workforce Development Board (2020) Putting California on the High Road: A Jobs and Climate Action Plan for 2030 at p. ii, *available at* <https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf>

² South Coast Air Quality Management District (May 7, 2021) Certify Final Environmental Assessment and Adopt Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions Program, and Proposed Rule 316 – Fees for Rule 2305, Submit Rule 2305 for Inclusion Into the SIP, and Approve Supporting Budget Actions, *available at* <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2021/2021-May7-027.pdf?sfvrsn=10>

³ City of Hayward (2014) Hayward 2040 General Plan Policy Document at p. 3-99, *available at* https://www.hayward-ca.gov/sites/default/files/documents/General_Plan_FINAL.pdf.

⁴ City of Hayward (2019) Hayward Downtown Specific Plan at p. 5-24, *available at* <https://www.hayward-ca.gov/sites/default/files/Hayward%20Downtown%20Specific%20Plan.pdf>.

⁵ City of Hayward Municipal Code, Chapter 10, § 28.5.3.020(C).

People who live and work in the same jurisdiction would be more likely to take transit, walk, or bicycle to work than residents of less balanced communities and their vehicle trips would be shorter. Benefits would include potential reductions in both vehicle miles traveled and vehicle hours traveled.⁶

In addition, local hire mandates as well as skill training are critical facets of a strategy to reduce vehicle miles traveled. As planning experts Robert Cervero and Michael Duncan noted, simply placing jobs near housing stock is insufficient to achieve VMT reductions since the skill requirements of available local jobs must be matched to those held by local residents.⁷ Some municipalities have tied local hire and skilled and trained workforce policies to local development permits to address transportation issues. As Cervero and Duncan note:

In nearly built-out Berkeley, CA, the approach to balancing jobs and housing is to create local jobs rather than to develop new housing.” The city’s First Source program encourages businesses to hire local residents, especially for entry- and intermediate-level jobs, and sponsors vocational training to ensure residents are employment-ready. While the program is voluntary, some 300 businesses have used it to date, placing more than 3,000 city residents in local jobs since it was launched in 1986. When needed, these carrots are matched by sticks, since the city is not shy about negotiating corporate participation in First Source as a condition of approval for development permits.

The City should consider utilizing skilled and trained workforce policies and requirements to benefit the local area economically and mitigate greenhouse gas, air quality and transportation impacts.

⁶ California Planning Roundtable (2008) Deconstructing Jobs-Housing Balance at p. 6, available at <https://cprroundtable.org/static/media/uploads/publications/cpr-jobs-housing.pdf>

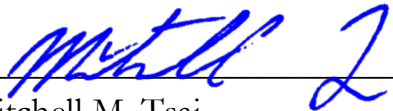
⁷ Cervero, Robert and Duncan, Michael (2006) Which Reduces Vehicle Travel More: Jobs-Housing Balance or Retail-Housing Mixing? Journal of the American Planning Association 72 (4), 475-490, 482, available at <http://reconnectingamerica.org/assets/Uploads/UTCT-825.pdf>.

The City should also require the Project to be built to standards exceeding the current 2019 California Green Building Code to mitigate the Project’s environmental impacts and to advance progress towards the State of California’s environmental goals.

IV. CONCLUSION

Commenters request that the City consider the aforementioned issues raised. Please contact my Office if you have any questions or concerns.

Sincerely,



Mitchell M. Tsai

Attorneys for Southwest Regional
Council of Carpenters

Attached:

March 8, 2021 SWAPE Letter to Mitchell M. Tsai re Local Hire Requirements and Considerations for Greenhouse Gas Modeling (Exhibit A);

Air Quality and GHG Expert Paul Rosenfeld CV (Exhibit B); and

Air Quality and GHG Expert Matt Hagemann CV (Exhibit C).

EXHIBIT A



Technical Consultation, Data Analysis and
Litigation Support for the Environment

2656 29th Street, Suite 201
Santa Monica, CA 90405

Matt Hagemann, P.G, C.Hg.
(949) 887-9013
mhagemann@swape.com

Paul E. Rosenfeld, PhD
(310) 795-2335
prosenfeld@swape.com

March 8, 2021

Mitchell M. Tsai
155 South El Molino, Suite 104
Pasadena, CA 91101

Subject: Local Hire Requirements and Considerations for Greenhouse Gas Modeling

Dear Mr. Tsai,

Soil Water Air Protection Enterprise (“SWAPE”) is pleased to provide the following draft technical report explaining the significance of worker trips required for construction of land use development projects with respect to the estimation of greenhouse gas (“GHG”) emissions. The report will also discuss the potential for local hire requirements to reduce the length of worker trips, and consequently, reduced or mitigate the potential GHG impacts.

Worker Trips and Greenhouse Gas Calculations

The California Emissions Estimator Model (“CalEEMod”) is a “statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects.”¹ CalEEMod quantifies construction-related emissions associated with land use projects resulting from off-road construction equipment; on-road mobile equipment associated with workers, vendors, and hauling; fugitive dust associated with grading, demolition, truck loading, and on-road vehicles traveling along paved and unpaved roads; and architectural coating activities; and paving.²

The number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.³

¹ “California Emissions Estimator Model.” CAPCOA, 2017, available at: <http://www.aqmd.gov/caleemod/home>.

² “California Emissions Estimator Model.” CAPCOA, 2017, available at: <http://www.aqmd.gov/caleemod/home>.

³ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

Specifically, the number and length of vehicle trips is utilized to estimate the vehicle miles travelled (“VMT”) associated with construction. Then, utilizing vehicle-class specific EMFAC 2014 emission factors, CalEEMod calculates the vehicle exhaust, evaporative, and dust emissions resulting from construction-related VMT, including personal vehicles for worker commuting.⁴

Specifically, in order to calculate VMT, CalEEMod multiplies the average daily trip rate by the average overall trip length (see excerpt below):

$$\text{“VMT}_d = \Sigma(\text{Average Daily Trip Rate}_i * \text{Average Overall Trip Length}_i)_n$$

Where:

n = Number of land uses being modeled.”⁵

Furthermore, to calculate the on-road emissions associated with worker trips, CalEEMod utilizes the following equation (see excerpt below):

$$\text{“Emissions}_{\text{pollutant}} = \text{VMT} * \text{EF}_{\text{running,pollutant}}$$

Where:

$\text{Emissions}_{\text{pollutant}}$ = emissions from vehicle running for each pollutant

VMT = vehicle miles traveled

$\text{EF}_{\text{running,pollutant}}$ = emission factor for running emissions.”⁶

Thus, there is a direct relationship between trip length and VMT, as well as a direct relationship between VMT and vehicle running emissions. In other words, when the trip length is increased, the VMT and vehicle running emissions increase as a result. Thus, vehicle running emissions can be reduced by decreasing the average overall trip length, by way of a local hire requirement or otherwise.

Default Worker Trip Parameters and Potential Local Hire Requirements

As previously discussed, the number, length, and vehicle class of worker trips are utilized by CalEEMod to calculate emissions associated with the on-road vehicle trips required to transport workers to and from the Project site during construction.⁷ In order to understand how local hire requirements and associated worker trip length reductions impact GHG emissions calculations, it is important to consider the CalEEMod default worker trip parameters. CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act (“CEQA”) requires that such changes be justified by substantial evidence.⁸ The default number of construction-related worker trips is calculated by multiplying the

⁴ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14-15.

⁵ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 23.

⁶ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.

⁷ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

⁸ CalEEMod User Guide, available at: <http://www.caleemod.com/>, p. 1, 9.

number of pieces of equipment for all phases by 1.25, with the exception of worker trips required for the building construction and architectural coating phases.⁹ Furthermore, the worker trip vehicle class is a 50/25/25 percent mix of light duty autos, light duty truck class 1 and light duty truck class 2, respectively.”¹⁰ Finally, the default worker trip length is consistent with the length of the operational home-to-work vehicle trips.¹¹ The operational home-to-work vehicle trip lengths are:

“[B]ased on the *location* and *urbanization* selected on the project characteristic screen. These values were *supplied by the air districts or use a default average for the state*. Each district (or county) also assigns trip lengths for urban and rural settings” (emphasis added).¹²

Thus, the default worker trip length is based on the location and urbanization level selected by the User when modeling emissions. The below table shows the CalEEMod default rural and urban worker trip lengths by air basin (see excerpt below and Attachment A).¹³

Worker Trip Length by Air Basin		
Air Basin	Rural (miles)	Urban (miles)
Great Basin Valleys	16.8	10.8
Lake County	16.8	10.8
Lake Tahoe	16.8	10.8
Mojave Desert	16.8	10.8
Mountain Counties	16.8	10.8
North Central Coast	17.1	12.3
North Coast	16.8	10.8
Northeast Plateau	16.8	10.8
Sacramento Valley	16.8	10.8
Salton Sea	14.6	11
San Diego	16.8	10.8
San Francisco Bay Area	10.8	10.8
San Joaquin Valley	16.8	10.8
South Central Coast	16.8	10.8
South Coast	19.8	14.7
Average	16.47	11.17
Minimum	10.80	10.80
Maximum	19.80	14.70
Range	9.00	3.90

⁹ “CalEEMod User’s Guide.” CAPCOA, November 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/01_user-39-s-guide2016-3-2_15november2017.pdf?sfvrsn=4, p. 34.

¹⁰ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 15.

¹¹ “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 14.

¹² “Appendix A Calculation Details for CalEEMod.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/02_appendix-a2016-3-2.pdf?sfvrsn=6, p. 21.

¹³ “Appendix D Default Data Tables.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-84 – D-86.

As demonstrated above, default rural worker trip lengths for air basins in California vary from 10.8- to 19.8- miles, with an average of 16.47 miles. Furthermore, default urban worker trip lengths vary from 10.8- to 14.7- miles, with an average of 11.17 miles. Thus, while default worker trip lengths vary by location, default urban worker trip lengths tend to be shorter in length. Based on these trends evident in the CalEEMod default worker trip lengths, we can reasonably assume that the efficacy of a local hire requirement is especially dependent upon the urbanization of the project site, as well as the project location.

Practical Application of a Local Hire Requirement and Associated Impact

To provide an example of the potential impact of a local hire provision on construction-related GHG emissions, we estimated the significance of a local hire provision for the Village South Specific Plan (“Project”) located in the City of Claremont (“City”). The Project proposed to construct 1,000 residential units, 100,000-SF of retail space, 45,000-SF of office space, as well as a 50-room hotel, on the 24-acre site. The Project location is classified as Urban and lies within the Los Angeles-South Coast County. As a result, the Project has a default worker trip length of 14.7 miles.¹⁴ In an effort to evaluate the potential for a local hire provision to reduce the Project’s construction-related GHG emissions, we prepared an updated model, reducing all worker trip lengths to 10 miles (see Attachment B). Our analysis estimates that if a local hire provision with a 10-mile radius were to be implemented, the GHG emissions associated with Project construction would decrease by approximately 17% (see table below and Attachment C).

Local Hire Provision Net Change	
Without Local Hire Provision	
Total Construction GHG Emissions (MT CO ₂ e)	3,623
Amortized Construction GHG Emissions (MT CO ₂ e/year)	120.77
With Local Hire Provision	
Total Construction GHG Emissions (MT CO ₂ e)	3,024
Amortized Construction GHG Emissions (MT CO ₂ e/year)	100.80
% Decrease in Construction-related GHG Emissions	17%

As demonstrated above, by implementing a local hire provision requiring 10 mile worker trip lengths, the Project could reduce potential GHG emissions associated with construction worker trips. More broadly, any local hire requirement that results in a decreased worker trip length from the default value has the potential to result in a reduction of construction-related GHG emissions, though the significance of the reduction would vary based on the location and urbanization level of the project site.

This serves as an example of the potential impacts of local hire requirements on estimated project-level GHG emissions, though it does not indicate that local hire requirements would result in reduced construction-related GHG emission for all projects. As previously described, the significance of a local hire requirement depends on the worker trip length enforced and the default worker trip length for the project’s urbanization level and location.

¹⁴ “Appendix D Default Data Tables.” CAPCOA, October 2017, available at: http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, p. D-85.

Disclaimer

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

Sincerely,

A handwritten signature in blue ink that reads "Matt Hagemann".

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

A handwritten signature in blue ink that reads "Paul E. Rosenfeld".

Paul E. Rosenfeld, Ph.D.

EXHIBIT B



Paul Rosenfeld, Ph.D.

Principal Environmental Chemist

Chemical Fate and Transport & Air Dispersion Modeling

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Thesis on wastewater treatment.

Professional Experience

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

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

Professional History:

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

Publications:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

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

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

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

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

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

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

Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

Rosenfeld, P.E., and Henry C. L., (2001). High carbon wood ash effect on biosolids microbial activity and odor. *Water Environment Research*. 131(1-4), 247-262.

Chollack, T. and **P. Rosenfeld**. (1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

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

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

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

Rosenfeld, P.E. (April 19-23, 2009). Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States” Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

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

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. *The 23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florida, Alabama. *The AEHS Annual Meeting*. Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.**, Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition*. Lecture conducted from Boston Massachusetts.

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

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel in Irvine, California.

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

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

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

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

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

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

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

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

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

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

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

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

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

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

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

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

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

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

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

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell*. Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest*. Lecture conducted from Lake Chelan, Washington.

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

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

Teaching Experience:

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

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

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

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

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

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

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

Academic Grants Awarded:

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

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

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

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

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

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

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

Deposition and/or Trial Testimony:

In the United States District Court For The District of New Jersey

Duarte et al, *Plaintiffs*, vs. United States Metals Refining Company et. al. *Defendant*.

Case No.: 2:17-cv-01624-ES-SCM

Rosenfeld Deposition. 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division

M/T Carla Maersk, *Plaintiffs*, vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS “Conti Perdido”
Defendant.

Case No.: 3:15-CV-00106 consolidated with 3:15-CV-00237

Rosenfeld Deposition. 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica

Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants

Case No.: No. BC615636

Rosenfeld Deposition, 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica

The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants

Case No.: No. BC646857

Rosenfeld Deposition, 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado

Bells et al. Plaintiff vs. The 3M Company et al., Defendants

Case: No 1:16-cv-02531-RBJ

Rosenfeld Deposition, 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District

Phillip Bales et al., Plaintiff vs. Dow Agrosiences, LLC, et al., Defendants

Cause No 1923

Rosenfeld Deposition, 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa

Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants

Cause No C12-01481

Rosenfeld Deposition, 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois

Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants

Case No.: No. 0i9-L-2295

Rosenfeld Deposition, 8-23-2017

In The Superior Court of the State of California, For The County of Los Angeles

Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC

Case No.: LC102019 (c/w BC582154)

Rosenfeld Deposition, 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division

Brenda J. Cooper, et al., *Plaintiffs*, vs. Meritor Inc., et al., *Defendants*

Case Number: 4:16-cv-52-DMB-JVM

Rosenfeld Deposition: July 2017

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

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

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

In The Iowa District Court For Wapello County
Jerry Dovico, et al., Plaintiffs vs. Valley View Sine LLC, et al., Defendants
Law No.: LALA105144 - Division A
Rosenfeld Deposition, August 2015

In The Iowa District Court For Wapello County
Doug Pauls, et al., et al., Plaintiffs vs. Richard Warren, et al., Defendants
Law No.: LALA105144 - Division A
Rosenfeld Deposition, August 2015

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

In The Third Judicial District County of Dona Ana, New Mexico
Betty Gonzalez, et al. Plaintiffs vs. Del Oro Dairy, Del Oro Real Estate LLC, Jerry Settles and Deward
DeRuyter, Defendants
Rosenfeld Deposition: July 2015

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

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case Number CACE07030358 (26)
Rosenfeld Deposition: December 2014

In the United States District Court Western District of Oklahoma
Tommy McCarty, et al., Plaintiffs, v. Oklahoma City Landfill, LLC d/b/a Southeast Oklahoma City
Landfill, et al. Defendants.
Case No. 5:12-cv-01152-C
Rosenfeld Deposition: July 2014

In the County Court of Dallas County Texas
Lisa Parr et al, *Plaintiff*, vs. Aruba et al, *Defendant*.
Case Number cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial: April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., *Plaintiffs*, vs. Republic Services, Inc., et al., *Defendants*
Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition: October 2012

In the United States District Court of Southern District of Texas Galveston Division
Kyle Cannon, Eugene Donovan, Genaro Ramirez, Carol Sassler, and Harvey Walton, each Individually and on behalf of those similarly situated, *Plaintiffs*, vs. BP Products North America, Inc., *Defendant*.
Case 3:10-cv-00622
Rosenfeld Deposition: February 2012
Rosenfeld Trial: April 2013

In the Circuit Court of Baltimore County Maryland
Philip E. Cvach, II et al., *Plaintiffs* vs. Two Farms, Inc. d/b/a Royal Farms, Defendants
Case Number: 03-C-12-012487 OT
Rosenfeld Deposition: September 2013

EXHIBIT C



1640 5th St., Suite 204 Santa
Santa Monica, California 90401
Tel: (949) 887-9013
Email: mhagemann@swape.com

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

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

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.

B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist

California Certified Hydrogeologist

Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

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

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt’s responsibilities have included:

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

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

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

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.

- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

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

Hydrogeology:

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

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

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

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

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

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

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

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

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

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

Policy:

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

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

Geology:

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

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

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

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

Teaching:

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

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

Matt taught physical geology (lecture and lab and introductory geology at Golden West College in Huntington Beach, California from 2010 to 2014.

Invited Testimony, Reports, Papers and Presentations:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Other Experience:

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

Chapter 10

Responses to Comments

According to the California Environmental Quality Act (CEQA) Guidelines, Sections 15132 and 15362, the Final Environmental Impact Report (EIR) must contain the comments received on the Draft EIR, either verbatim or in summary; a list of agencies, organizations, and persons commenting; and the response of the Lead Agency to the comments received. A total of 13 comment letters or emails providing comments on the Draft EIR (July 2021) were received by the City of Riverside (City) during the public review period, with three letters from federal, state, regional, or local agencies, six letters from community or conservation (non-governmental) organizations, and five from private individuals, as identified in Table 9-1 in Chapter 9. One additional comment letter was received after the comment period closed and is included in Chapter 9 for informational purposes only. Responses to all comments that address substantive environmental concerns in each of these letters and emails are provided in this chapter.

Section 15088 of the State CEQA Guidelines, Evaluation of and Response to Comments, states:

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

Information provided in the Final EIR clarifies, amplifies, or makes minor modifications to the Draft EIR. No significant changes have been made to the information contained in the Draft EIR as a result of the responses to comments, and no significant new information has been added that would require recirculation of the document.

The responses to comments, below, along with Chapter 11, *Errata to the Draft EIR*, are included as part of the Final EIR for consideration by the City prior to certification of the Final EIR.

10.1 Format of Responses to Comments

All of the substantive comments within the body of each comment letter and email have been identified and numbered. A copy of each comment letter is included in Chapter 9 and the City's responses are included in this chapter. Responses to comments were provided to the agencies that provided comments a minimum of 10 days prior to the City's certification of the Final EIR.

In the process of responding to some comments, minor revisions were made to the text of the EIR. None of the comments or responses constitutes "significant new information" (State CEQA Guidelines Section 15073.5) that would require recirculation of the Draft EIR, as detailed in Section 11.1, *Introduction*, in Chapter 11, *Errata to the Draft EIR*.

10.2 Comment Letter 1: Deborah De Chambeau, Riverside County Flood Control and Water Conservation District

10.2.1 Comment 1-1

Summary

The Riverside County Flood Control and Water Conservation District (District) states that the District does not normally recommend conditions for land divisions or other land use cases in incorporated cities and does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. The District's focus is normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities, and District Area Drainage Plan fees. The District states that it has not reviewed the proposed Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Project (Project) in detail but states that this Project would not be affected by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed. The District also provides the District's previous comments in the attached letter dated May 6, 2021, that is associated with the Notice of Preparation (NOP).

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.2.2 Comment 1-2

Summary

The District states that the 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.

Response

The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with the Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

As stated in Section 3.15, *Effects Not Found to Be Significant*, construction and development facilitated by the Project would have the potential to temporarily increase sediment loads and affect surface water quality. Individual development projects facilitated by the Project involving land

disturbance of 1 acre or more would be subject to NPDES requirements, and a project-specific Stormwater Pollution Prevention Plan would be developed and implemented in compliance with the Construction General Permit, local stormwater ordinances, and other related requirements. Also, individual development projects would generally require grading permits and interim erosion control plans to be submitted prior to construction. Construction best management practices (BMPs) would control or prevent the discharge of pollutants, including concrete, waste from pavement cutting, petroleum products, chemicals, wastewater, sediments, and non-stormwater discharges, to storm drains and watercourses. In addition, construction materials and wastes would be stored, handled, and disposed of in compliance with applicable regulations to prevent contact with stormwater (Draft EIR, page 3.15-20). Furthermore, the City requires individual development projects to comply with existing State Water Resources Control Board and City stormwater regulations, including compliance with NPDES requirements related to preventing the transport of pollutants. Project-specific Water Quality Management Plans (WQMPs) would be prepared that would outline the low-impact development (LID) BMPs required to meet water quality standards and reduce stormwater runoff. This is a standard requirement for projects listed on the City of Riverside Public Works Department Water Quality Management Plans Applicability Checklist. Implementation of the City's Municipal Separate Storm Sewer System permit, Drainage Area Management Plan, and WQMP would provide the most comprehensive and effective approach to reducing water quality impacts from urbanization (Draft EIR, page 3.15-21). As such, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality. Impacts would be less than significant with compliance with applicable state and local requirements, including NPDES permit requirements from the State Water Resources Control Board.

10.2.3 Comment 1-3

Summary

The District suggests that if a project involves a Federal Emergency Management Agency (FEMA)-mapped floodplain, then the City should require the applicants to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and 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.

Response

As stated in Chapter 2, *Project Description*, of the Draft EIR, the Housing Element shows the exact locations where future housing can be built (Opportunity Sites). As part of the analysis, the City endeavored to limit sites that are unsafe because they are in a flood zone (Draft EIR, pages 2-7 and 2-8). Also, one of the project objectives is to limit or prevent housing development in areas with development constraints, such as agricultural and conservation lands, airport influence areas, and, to the extent feasible, fire and flood hazard zones (Draft EIR, page 2-6). The Project also includes an update to the *Riverside General Plan 2025* (GP 2025) Public Safety Element to incorporate information on natural and human-caused hazards, along with new Policies. The purpose of the Public Safety Element is to reduce the potential short- and long-term risk of death, injuries, property damage, and economic and social disruption resulting from floods and other hazards (Draft EIR, page 2-8).

As stated in Section 3.15, *Effects Not Found to Be Significant*, the City is predominantly outside the FEMA 100-year floodplain in Zone X, an area with minimal flood hazard above the 500-year flood level. However, some areas of the City are within the FEMA 100-year floodplain (Zones A and AE). Flood hazards are greatest within and adjacent to channels, creeks, streams, and arroyos, including the Santa Ana River and several dams. Some portions of the Santa Ana River are also within the 100-year floodway (Zone AE). Moderate flood hazards, between the limits of the 100-year and 500-year floods (Zone X [shaded]), and areas with reduced flood risks because of levees are also present in the City. A portion of the southeastern section of the City is in FEMA Zone D (i.e., areas with possible but undermined flood hazards where no flood hazard analysis has been conducted) (Draft EIR, page 3.15-24).

Because the City participates in the National Flood Insurance Program, it must ensure that individual development projects meet federal standards for flood protection. To avoid flooding and/or placing new development within flood areas, the City requires building pads to be elevated above flood levels. Also, underground storm drains and streets must be designed to accommodate the 10-year storm from curb to curb, while 100-year storms are accommodated within street rights-of-way. In addition, the Draft EIR also notes that the District requires improvements to comply with its standards for flood control. Runoff from new development facilitated by the Project would be evaluated prior to approvals and construction and would be attenuated on site. As a result, offsite discharges would be the same as the undeveloped or baseline condition. Project-specific WQMPs, as applicable, would be prepared, outlining the LID BMPs required to reduce stormwater runoff. Future development must implement the BMPs identified in the project-specific Stormwater Pollution Prevention Plan prior to the commencement of construction to reduce on- or offsite flooding (Draft EIR, page 3.15-24).

The grading and drainage plans for individual development projects would be reviewed by the City during the development review process to ensure that onsite drainage and LID features would be adequate with respect to preventing on- or offsite flooding. Updates to the Public Safety Element would reduce the risks associated with flooding, with Policies and implementing Actions incorporated. The Public Safety Element Update indicates where existing flood hazard areas are located and where building in flood hazard areas should be avoided. It also provides guidance regarding where development and flood control infrastructure should be located to avoid contributing to flood hazards.

A CLOMR process allows FEMA and the local floodplain administrator to assess and permit a proposed project, agreeing to complete a LOMR after the projects are implemented. The purpose of completing the CLOMR process is to gain approval for a project ahead of time when there is proposed fill in the floodway and an expected rise in predicted flood depths. The CLOMR would serve as the approval for implementation of the proposed projects should a permit be needed. After the projects are implemented, a LOMR process would be completed for any necessary map revision documentation. The City will coordinate with the District for any required flood map revisions as well as any flooding easements and/or encroachment permits and any other FEMA or District requirements, as applicable, for future development projects that require a CLOMR or LOMR.

10.2.4 Comment 1-4

Summary

The District states the City should require applicants to obtain agreements, certificates and/or permits or written correspondence from the California Department of Fish and Wildlife, U.S. Army Corps of Engineers, or California Regional Water Quality Control Board indicating a project is exempt from these requirements if a natural watercourse or mapped floodplain is affected by a project.

Response

The City contains wetlands and potentially jurisdictional aquatic resources throughout the City, particularly along the Santa Ana River and its tributaries (as described in Draft EIR, Section 3.2.2, *Environmental Setting*, under *Aquatic Resources*, pages 3.2-13 and 3.2-14). However, the Project has been designed to avoid the placement of Opportunity Sites in areas containing greenbelts, arroyos and canyons, and other areas of high biological sensitivity (see Draft EIR, Chapter 2, *Project Description*, pages 2-7 and 2-8). Consequently, the majority of wetlands and potentially jurisdictional aquatic resources within the City would be avoided under the Project. However, some previously unknown wetlands and potentially jurisdictional aquatic resources may be present within or adjacent to the proposed Opportunity Sites (e.g., ditches and ephemeral drainages). Construction activities of future development under the Project could result in direct and indirect impacts on wetlands and potentially jurisdictional aquatic resources, as described in Section 3.2, *Biological Resources*.

Due to the programmatic scope of the Draft EIR, the impact analyses for wetlands and potentially jurisdictional aquatic resources included in the Draft EIR are broad and qualitative. Detailed, quantitative assessments for wetlands and potentially jurisdictional aquatic resources would be performed during the project-specific impact analysis that would occur during the independent development review process for each individual development project facilitated by the Project (Draft EIR, page 3-2-41).

Although future development facilitated by the Project could result in the removal and/or disturbance of Western Riverside County Multiple Species Habitat Conservation Plan (WRC MSHCP)-designated Riparian/Riverine habitats, wetlands, and/or potentially jurisdictional aquatic resources, and Opportunity Site projects that are not eligible for the ministerial approval process (and are projects per CEQA), implementation of Mitigation Measure **MM-BIO-1** (Draft EIR, page 3.2-35 and 3.2-36) would avoid or minimize any potential impacts on WRC MSHCP-designated Riparian/Riverine habitats, wetlands, and/or potentially jurisdictional aquatic resources. Mitigation Measure **MM-BIO-1** states if aquatic resources are present and cannot be avoided, a jurisdictional delineation may be required. Mitigation shall include an analysis of all the biological resources identified in the thresholds of significance, with a determination made regarding significance for each threshold. Reporting shall include regulatory assessment, impact analyses, and identification and implementation of appropriate measures based on the presence of biological and aquatic resources. The methods and results of any required survey would be provided to the Western Riverside County Regional Conservation Authority and wildlife agencies like California Department of Fish and Wildlife, U.S. Army Corps of Engineers, and California Regional Water Quality Control Board for any impacts within Riparian/Riverine areas, wetlands and jurisdictional areas, or Cell

areas as part of the WRC MSHCP consistency review. Consistency with the WRC MSHCP would ensure that impacts would be mitigated on a biologically equivalent basis (Draft EIR, page 3.2-34).

Because the City is a permittee under the WRC MSHCP, each individual development project that would potentially affect the described resources would go through the WRC MSHCP consistency review process to ensure that it is consistent with the requirements of the plan and, as described in Mitigation Measure **MM-BIO-1**, would implement additional project-specific mitigation, as needed. Consequently, impacts on WRC MSHCP-designated Riparian/Riverine habitats, wetlands, and/or potentially jurisdictional aquatic resources would be reduced with implementation of this measure and individual project-specific consistency with the WRC MSHCP. In addition, implementation of the Statewide NPDES Construction General Permit and construction site BMPs outlined in the Project's Stormwater Pollution Prevention Plan would reduce construction-related indirect impacts on wetlands and/or jurisdictional aquatic resources including impacts on natural watercourse or mapped floodplains from erosion, sedimentation, and pollution (Draft EIR, page 3.2-42).

10.3 Comment Letter 2: Mary J. Humboldt

10.3.1 Comment 2-1

Summary

The commenter provides background context regarding water consumption in the City and states that the addition of dwelling units (DUs) will exhaust the existing capacity to serve the City and require additional capital investment in new water to maintain the reserves. The commenter also states that the City will have to import water to support build-out of the Project, and regional shortages are likely to get worse if global warming conditions continue. Lastly, the commenter states that current development fees for water do not cover the full cost of new water.

Response

Implementation of the Project could result in the future development of an additional 31,564 housing units. This increase in housing units could increase population by approximately 103,530 residents and would result in a permanent increase in demand for water supply. As stated in the Draft EIR (page 3.14-20), at full build-out, development facilitated by the Project could increase water demands by approximately 28 million gallons per capita per day (GPCD) (30,848 acre-feet per year [AFY]) over existing conditions according to generation factors found in the Riverside Public Utilities (RPU) 2015 Urban Water Management Plan (UWMP). The estimated maximum water demand is 104,257 AFY with an estimated water supply of 124,703 AFY in year 2040. As stated in Section 3.14, *Utilities and Service Systems* (page 3.14-4), and Table 3.14-3 (page 3.14-5) in the Draft EIR, water supplies are estimated to accommodate demand projections through 2040 under normal and multiple dry-year conditions with continued investment in new local water supply and associated infrastructure. The analysis used demand factors from the 2015 UWMP because (1) it was approved at the time the analysis was completed and is consistent with what was available at the time the NOP was released in April 2021; (2) it is the basis for the 2020 UWMP dated July 2021; and (3) it represents a more conservative analysis and a larger impact than the 2020 UWMP as it relates to water demand. According to the 2015 UWMP, RPU's 10-year average base daily per-capita water use was 266 GPCD. The urban water use target for the RPU service area for 2020 based on the 2020 UWMP is 80 percent of 266 GPCD, or 213 GPCD (2020 UWMP, page 5-3). In 2015, the actual GPCD within RPU's service area was 180 and it was 189 in 2020, as stated in the 2020 UWMP. Using the urban water use target from the 2020 UWMP, development facilitated by the Project could increase water demands by approximately 22 million GPCD (24,678 AFY) over existing conditions, or a 20 percent reduction from the 2015 UWMP calculations. Therefore, the use of the 2015 UWMP represents a worst-case condition for water demand representing a greater water demand to ensure a more conservative impact analysis.

Future development would occur incrementally over time, based on market conditions and other factors, such that existing water services are not overburdened by substantially increased demands at any single point in time. In addition, compliance with the existing regulatory framework and implementation of existing GP 2025 Final Programmatic EIR Mitigation Measure UTL-1 (City to review population and development trends with respect to water sources and supply) would be required to determine if adequate water supplies are available to serve future development associated with the Project under normal, dry, and multiple-dry years. RPU would continue to

prioritize investment and completion of capital improvement projects to ensure that water is available to meet future demand in the long-term.

While development facilitated by the Project would require extension, relocation, and expansion of new water lines within and to the Opportunity Sites, future development would be subject to compliance with the local, state, and federal laws, ordinances, and regulations, as well as any project-specific mitigation measures necessary to ensure impacts would be reduced related to the provision of water service in the City. In compliance with Senate Bill (SB) 221 and SB 610 requirements, future development satisfying certain criteria would require preparation of a water supply assessment to verify sufficient water supply is available to meet future development's water demand. Future development associated with the Project would also be required to coordinate its demands with the capacity of the water system and work with RPU and Western Municipal Water District (WMWD) to coordinate water services. The combination of coordination between applicants and water providers and payment of all applicable fees, in addition to management of water supplies and resources and preparation of project-specific studies for individual development and implementation of any mitigation would anticipate the water needs of the community and would reduce impacts related to the provision of water services.

Also, none of the groundwater basins from which RPU extracts water from are currently in a critical overdraft condition. Furthermore, according to both the 2015 UWMP and the recently adopted RPU 2020 UWMP, RPU can access imported water as needed through an agreement with WMWD for up to 21,700 AFY of imported water. RPU's primary source of supply is local groundwater. RPU also distributes recycled water for nonpotable uses. These two locally controlled supplies have been highly reliable. Since 2009, RPU has been imported-water independent by relying solely on local water supplies to meet the water demands of its service area and is projected to continue to do so. As new information becomes available, such as refined population projections using the recently available 2020 Census data, RPU will use that information when estimating future water demands in its service area.

The 2020 UWMP also presents a comparison of expected supplies and demands during future conditions using the 2015 UWMP as the basis for the updated UWMP. RPU anticipates being able to meet all demands through 2045, even during a 5-year dry period through continued investment in new local water supply and associated infrastructure (wells, boosters, reservoirs, pipelines).¹ Because of the storage capacity of the groundwater basins, supplies are reliable from year to year as RPU can pump enough groundwater to meet demands. Both the 2015 and 2020 UWMP also take into account climate change and global warming considerations like temperatures increase, resulting in less precipitation as snow, which would affect the snowpack, and these plans are developed with consideration of those outside factors. Overall, the analysis and methods used in the preparation of the Draft EIR using the more conservative 2015 UWMP, as well as the additional data supplemented in the recently adopted 2020 UWMP, both demonstrate that the capacity for water supplies is adequate to accommodate needs for the Project and other development occurring within the City.

¹ These new local water supply and associated infrastructure projects are discussed in both the 2015 and 2020 UWMPs, with several of the projects in the planning phase that have not been funded or approved by City Council. These projects could include the Seven Oaks Dam Conservation Project, Riverside North Aquifer Storage and Recovery Project, Jackson-Arlington Project, Riverside Habitat, Parks, and Water Project, among others (2020 UWMP, pages 6-13 through 6-15).

10.3.2 Comment 2-2

Summary

The commenter recommends planting more trees to improve air quality, foster agriculture, and build more parks and green space to cool and shade the community while also protecting lower-cost water and power resources for current residents and businesses.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

Note that Policies that address parks, green space, and tree planting are including in the following City documents, and any development proposed by applicants would be required to comply with these:

- *City of Riverside Comprehensive Park, Recreation & Community Services Master Plan* (https://riversideca.gov/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/sites/riversideca.gov.park_rec/files/56402%20Riverside%20Master%20Plan%20Final%2002-26-20.pdf)
- *Riverside PACT Trails Master Plan* (https://riversideca.gov/park_rec/sites/riversideca.gov.park_rec/files/City%20of%20Riverside%20Trails%20Master%20Plan%202021.pdf)
- *Urban Forestry Policy Manual* (<https://riversideca.gov/publicworks/trees/pdf/UrbanForestry-TOC.pdf>)
- *Victoria Avenue Policy for Preservation, Design and Development* (<https://riversideca.gov/cedd/sites/riversideca.gov.cedd/files/pdf/planning/2021/Victoria%20Avenue%20Policy.pdf>)

The following proposed Policies and implementing Actions are also included as part of the Project addressing environmental benefits like sustainability and enhanced green amenities:

Policy HE-4 Thriving Neighborhoods: Facilitate and encourage a variety of new housing types, including both single- and multi-family and missing middle housing, and the necessary public amenities to support a sense of community that results in equitable and sustainable neighborhoods

HE-5.5 Develop regulations that will help reduce housing costs by promoting sustainable and resilient design and construction practices; promoting technological improvements such as increased energy efficiency, net-zero construction, solar, electric transportation; and encouraging reduced water/energy consumption and reduced waste generation including available incentives through Riverside Public Utilities

PS-3.3-1 (Pedestrian and Bicyclist Safety) Implement the City's PACT (Pedestrian Target Safeguarding Plan, Active Transportation Plan, Complete Streets Ordinance and Trail Master Plan) to: improve safety and walkability; provide street amenities such as trees, lighting, furniture; prioritize pedestrians and bicyclists; and implement traffic calming and safety improvements such as lighted crosswalks

CCM-EJ-2.1 Require Crime Prevention Through Environmental Design standards be incorporated into all City projects and private development to improve the pedestrian experience that could be related to sidewalks/trails, parks, street crossings, lighting, bicycle infrastructure, American Disability Act (ADA) accessibility

Policy AQ-EJ-1.0 Air Quality: Ensure that land use decisions, including enforcement actions, are made in an equitable fashion to protect residents and workers in environmental justice communities from the short- and long-term effects of air pollution

AQ-EJ-1.1 Minimize indoor and outdoor air pollution for new housing development by following State standards that minimize air emissions from new projects and considering pollution sources, such as freeways or industrial uses, near residential development

AQ-EJ-1.2 Pursue incentives and funding to implement best practices to identify and reduce pollution exposure in environmental justice communities developed through the California Air Resources Board's Community Air Protection Program

Policy PR-EJ-1.0 Parks And Recreation: Distribute recreational facilities equitably throughout Riverside's neighborhoods

PR-EJ-1.1 Complete an analysis of the City's open space network to reduce gaps in connectivity and identify unsafe conditions to provide safe circulation and link pedestrians to parks and recreational amenities

PR-EJ-1.2 Identify and reuse vacant and underutilized land within environmental justice communities to help improve local access to recreational amenities

PR-EJ-1.3 Collaborate with residents to transform City-owned parcels into usable open space based on specific criteria that assess potential of the site

PR-EJ-1.4 Pursue grants and other funding opportunities to create parks and open space within environmental justice communities in the City

10.3.3 Comment 2-3

Summary

The comment states that Riverside residents need environmental justice and the state requirements threaten to overtax the City's limited resources.

Response

Comment noted regarding taxing the City's limited resources. In regards to the commenter's note that City residents should have environmental justice, the Project includes a series of proposed GP 2025 Policies and implementing Actions that promote environmental justice within the City. As defined by the U.S. Environmental Protection Agency (2021), environmental justice is "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of laws, regulations, and policies." To address disproportionate effects and to comply with SB 1000 (inclusion of environmental justice Policies in general plans), proposed Policies and implementing Actions are incorporated within the Housing and Public Safety Element Updates and all other elements of GP

2025, with the goal of affording affected communities an equal level of protection from environmental and health hazards and enhanced opportunities to engage in decision-making that affects environmental quality and health outcomes.

To comply with, and as mandated by, state law, the Project evaluated the potential effects of meeting and potentially exceeding the Regional Housing Needs Assessment (RHNA) obligation. Noncompliance with the state's Housing Element requirements can result in consequences for the City ranging from ineligibility for crucial state funding and grant opportunities; the risk of being sued in court by third parties or the state itself; court-ordered approvals of housing development projects; and restrictions on the City's ability to issue building permits.

The City is planning for a maximum allowable development under the Project (31,564 units) to meet the City's minimum RHNA obligation (18,458 units with a 30 percent No Net Loss buffer for approximately 24,000 units) across all wards. This is because the maximum allowable development calculations used for the purposes of the EIR assume that all Opportunity Sites will develop up to 100 percent of their zoned capacity. The Draft EIR's evaluation provides a worst-case evaluation of the impacts assuming full build-out to ensure that the Draft EIR disclosed the greatest level of potential impact even though Opportunity Sites will likely not develop up to 100 percent of their zoned capacity. State housing element law, on the other hand, requires a more conservative estimate of development potential based on realistic development capacity to account for factors like site constraints, market fluctuations, and other variables. To account for this, the Housing Element Update assumes that any given Opportunity Site will only develop to approximately 75 percent of the maximum development capacity established by zoning.

10.4 Comment Letter 3a: Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Workshop on Draft Environmental Impact Report)

10.4.1 Comment 3a-1

Summary

The commenter appreciates the workshop held on August 13, 2021, and states that the comments stated during the workshop summarize “big picture” issues and will supplement the comments after the presentation during the workshop.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.4.2 Comment 3a-2

Summary

The commenter recommends notification of critical project updates and decisions through email blasts instead of notification solely on the Project website or Facebook posts.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

Note that notification for CEQA updates and the process are consistent with state requirements. The City is undertaking an inclusive process in which all residents have the chance to participate. State planning law requires that the City engage the public and include all stakeholders and income groups. Throughout all phases of the Project, and all iterations of pandemic-related restrictions, the City took a multifaceted approach to engage residents. The Housing Element Technical Background Report TBR 5 – Public Outreach contains a detailed report of all outreach activities conducted, levels of participation, and key themes of the feedback that was received. In summary, outreach activities included:

- Updates and presentations to the City Council Housing & Homelessness Committee (May 2021) and Planning Commission (March and August 2021)
- Individual Councilmember briefings at each phase of the Update
- Six virtual public workshops in January, February, May, and June 2021

- Ward-based in-person community updates in June and July 2021
- Virtual focus group meetings as requested
- One-on-one consultations with residents and stakeholders as requested
- A dedicated project website
- Two online surveys
- Online ranking feedback forms for each of the draft Housing and Public Safety Elements and Environmental Justice Policies
- Map.Social: an online map-based feedback and commenting tool
- Interactive Housing Opportunity Sites web map
- Noticed public hearings before the Planning Commission and City Council
- Recorded public meetings posted online
- Letters to individual property owners and occupants of Opportunity Sites Inventory properties
- Postcard notices to property owners within 300 feet of Opportunity Sites
- Flyer distribution at emergency food distribution events with City partners
- Electronic billboard announcements
- Social media outreach through official City channels
- Media kits including flyers, social media graphics and copy distributed to individual Councilmembers for each event
- Regular email blasts to over 50,000 recipients

In addition, to date, three CEQA-specific meetings were held virtually and in person on April 22, 2021, August 5, 2021, and August 13, 2021, to inform the public of the Project and solicit comments and feedback on the NOP and Draft EIR.

10.4.3 Comment 3a-3

Summary

The commenter states that timing of the release and comment period for the Draft EIR along with the anticipated approval date does not allow time for any recirculation of the EIR if comments require it and it does not give staff or the public an opportunity to digest and respond to comments. The commenter recommends extending the deadline to accommodate meaningful discussion due to vacation plans and school schedules.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.4.4 Comment 3a-4

Summary

The commenter states that a workshop with limited three minute comments is not interaction. The commenter recommends input from experts who support the City's approach and other approaches. The commenter states that the public is ill-equipped to respond to lengthy technical documents.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project. The City provided several opportunities on the Draft EIR for public input through two public meetings on August 5, 2021, and August 13, 2021, and accepted public comments through September 2, 2021. Previous opportunities for public input have been ongoing with virtual meetings, ward-based community updates, a project website and contact information for provision of comments among other forms of outreach. For a summary of additional outreach, refer to Response to Comment 3a-2.

Regarding the comment regarding lengthy technical documents, an EIR is a document that assesses and discloses the potential effects a project (i.e., any action taken by a government agency) may have on some aspect of the physical environment, a requirement of CEQA. CEQA has several of requirements for compliance including a series of questions, or thresholds, to be addressed for several environmental topics. Other requirements include the types of environmental documents, timelines for the process, and details like project objectives, level of impacts, mitigation for impacts, and alternatives for documents like EIRs. As such, an EIR is a highly complex and detailed document full of technical content that supports impact conclusions. To support the public review process, the City prepared a tip sheet that is available on the project website for review and use by reviewers. This helpful tip sheet was intended to help guide reviewers in how to review the document, how to provide effective comments, and how to submit them: http://riversideca.gov/cedd/sites/riversideca.gov/cedd/files/pdf/planning/2021/Housing_Element/Tips%20to%20Respond%20to%20EIR_7_16_21.pdf

10.4.5 Comment 3a-5

Summary

The commenter recommends provision of a 3D model that reveals what Riverside will look like if the Project is implemented with the resulting increase in traffic, smog and noise affecting neighborhoods and should specify the cost of infrastructure to support the new units and how the City intends to pay for it. The commenter also states that the EIR is not a replacement for the kind of analysis the public needs to make choices.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.4.6 Comment 3a-6

Summary

The commenter recommends use of the new 2020 Census data now that they are available for analysis to inform future decisions and how it matches up with assumptions adopted during the last general plan discussion.

Response

An EIR assesses the significance of a project's impacts in comparison to a baseline, consisting of the existing physical environmental conditions at or near a project site. As stated in the State CEQA Guidelines, Section 15125(a), CEQA provides that the existing environmental setting at the time of publication of the NOP establishes the baseline for determining whether a project's environmental impacts may be significant. The City published the NOP for the Project on April 5, 2021, and this is the baseline condition for purposes of evaluating project impacts using Census data available at the time of the evaluation of project impacts for inclusion into the Draft EIR. The 2020 Census data do not change the 6th Cycle RHNA obligation of 18,458 DUs assigned to the City.

10.4.7 Comment 3a-7

Summary

The commenter states that placing a large amount of DUs within 2,500 feet of freeways and railroad tracks is the antithesis of environmental justice and defies all the scientific evidence demonstrating how children's development will be stunted leading to long-term health consequences. The commenter also states that they will provide several studies highlighting these problems, including serious air quality and climate and temperature factors that will worsen with growth with no mitigation that truly protects DUs that close to increasing diesel emissions.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project. However, the City has made a good-faith attempt to equitably distribute the Opportunity Sites throughout the City in each of the seven wards so as not to place an undue burden on any one ward.

Also, the Project includes a series of proposed GP 2025 Policies and implementing Actions that promote environmental justice within the City. To address disproportionate effects and to comply with SB 1000 (inclusion of environmental justice Policies in general plans), Policies and implementing Actions are incorporated within the Housing and Public Safety Element Updates and all other elements of GP 2025, with the goal of affording affected communities an equal level of protection from environmental and health hazards and enhanced opportunities to engage in decision-making that affects environmental quality and health outcomes.

As stated in the Draft EIR, sensitive receptors refer to uses associated with people who are considered to be more sensitive than others to air pollutants. The reasons for greater-than-average sensitivity include pre-existing health problems, proximity to emissions sources, or duration of

exposure to air pollutants. Schools, hospitals, and convalescent homes are considered to be relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality-related health problems on average than the general public. Residential areas are considered sensitive to poor air quality because people usually stay home for extended periods of time, with associated greater exposure to ambient air quality. The Draft EIR includes analysis of air quality impacts in Section 3.1, *Air Quality*.

The Draft EIR states that construction and operation of future development allowed under the Project would increase activities that may expose sensitive receptors to substantial pollutant concentrations. Mitigation Measures **MM-AQ-1** (Implement measures to reduce construction-related criteria air pollutant emissions), **MM-AQ-2** (Implement measures to reduce criteria air pollutant emissions during operation), and **MM-AQ-3** (Prepare a health risk assessment) would reduce but not eliminate the impacts of the Project during construction and operation, and impacts would be significant and unavoidable with mitigation incorporated. Related to health impacts, Mitigation Measure **MM-AQ-3** would specifically require applicants to prepare a health risk assessment for Opportunity Site development that (1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residences, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use to address mobile sources of toxic air contaminants (TAC). While individual projects that are subject to the City review or to South Coast Air Quality Management District (SCAQMD) permitting requirements would be required to comply with SCAQMD rules and regulations, the Project may introduce uses, including to sensitive populations or disadvantaged communities, that could increase TAC emissions that would contribute to the higher levels of risk, and the Project's contribution to health risk is significant and unavoidable (Draft EIR, page 3.1-33). Furthermore, individual development-specific mitigation may be required for further reduction of impacts depending on the applications being submitted, which are not currently available for review and evaluation.

The following new Policies and implementing Actions are included as part of the Project to address air quality impacts on environmental justice communities:

Policy AQ-EJ-1.0 Air Quality: Ensure that land use decisions, including enforcement actions, are made in an equitable fashion to protect residents and workers in environmental justice communities from the short- and long-term effects of air pollution

AQ-EJ-1.1 Minimize indoor and outdoor air pollution for new housing development by following State standards that minimize air emissions from new projects and considering pollution sources, such as freeways or industrial uses, near residential development

AQ-EJ-1.2 Pursue incentives and funding to implement best practices to identify and reduce pollution exposure in environmental justice communities developed through the California Air Resources Board's Community Air Protection Program

Additional Policies and implementing Actions addressing environmental justice communities are found in the Riverside Action Plan.

10.4.8 Comment 3a-8

Summary

The commenter states that new housing will place a burden on the City's ability to meet water needs and the City must assess the baseline benefits from trees and green space and evaluate how much additional tree planting/water is needed to combat and adapt to climate change. The commenter suggests that the EIR does not realistically evaluate the limitations of the City's water resources.

The commenter also states that Riverside must maintain green spaces and tree coverage to protect the public's health and safety and other options to address homelessness and lack of affordable housing should be considered before worsening the environment in the City.

Response

Implementation of the Project could result in the future development of an additional 31,564 housing units. This increase in housing units could increase population by approximately 103,530 residents and would result in a permanent increase in demand for water supply. As stated in the Draft EIR (page 3.14-20), at full build-out, development facilitated by the Project could increase water demands by approximately 28 million GPCD (30,848 AFY) over existing conditions according to generation factors found in the RPU 2015 UWMP. The estimated maximum water demand is 104,257 AFY with an estimated water supply of 124,703 AFY in year 2040. As stated in Section 3.14, *Utilities and Service Systems* (page 3.14-4), and Table 3.14-3 (page 3.14-5) in the Draft EIR, water supplies are estimated to accommodate demand projections through 2040 under normal and multiple dry-year conditions with continued investment in new local water supply and associated infrastructure. Future development would occur incrementally over time, based on market conditions and other factors, such that existing water services are not overburdened by substantially increased demands at any single point in time. RPU would continue to prioritize investment and completion of capital improvement projects to ensure that water is available to meet future demand in the long-term. Overall, the analysis and methods used in the preparation of the Draft EIR demonstrate that the capacity for water supplies is adequate to accommodate needs for the Project and other development occurring within the City.

Regarding the comment about affordable housing, SB 1087 requires that water use projections in an UWMP include the projected water use for single-family and multi-family residential housing for lower-income households, as identified in the housing element of any city and county in the service area of the supplier. RPU used the percentage of low-income and very-low-income housing identified in the RHNA for 2021 through 2029 for the City, approved by the Southern California Association of Governments (SCAG), to estimate the number of new low-income housing units that may require service within RPU's retail service area. The RHNA data indicated that 43 percent of projected housing units will be for very low-income or low-income households. It is expected that these households will contribute 43 percent of future residential demands. These demands have been included in the demand projections presented in the 2020 UWMP.

A proposal for an urban greening project or tree preservation is not part of the Project. Note that Policies that address parks, green space, and tree planting are including in the following City plans and policy documents, and any development proposed by applicants would be required to comply with these:

- *City of Riverside Comprehensive Park, Recreation & Community Services Master Plan* (https://riversideca.gov/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/sites/riversideca.gov.park_rec/files/56402%20Riverside%20Master%20Plan%20Final%2002-26-20.pdf)
- *Riverside PACT Trails Master Plan* (https://riversideca.gov/park_rec/sites/riversideca.gov.park_rec/files/City%20of%20Riverside%20Trails%20Master%20Plan%202021.pdf)
- *Urban Forestry Policy Manual* (<https://riversideca.gov/publicworks/trees/pdf/UrbanForestry-TOC.pdf>)
- *Victoria Avenue Policy for Preservation, Design and Development* (<https://riversideca.gov/cedd/sites/riversideca.gov.cedd/files/pdf/planning/2021/Victoria%20Avenue%20Policy.pdf>)

10.5 Comment Letter 3b: Citizens United for Resources and the Environment (to Honorable Planning Commission RE: Environmental Justice Issues in Proposed Housing Element)

10.5.1 Comment 3b-1

Summary

The commenter summarizes some key issues to address environmental justice issues in the community that would be worsened by the proposed Housing Element update, specifically providing links and citations for housing within 2,500 feet of freeways and railroads.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project. The Project includes a series of proposed GP 2025 Policies and implementing actions that promote environmental justice within the City. To address disproportionate effects and to comply with SB 1000 (inclusion of environmental justice Policies in general plans), Policies and implementing Actions are incorporated within the Housing and Public Safety Element Updates and all other elements of GP 2025, with the goal of affording affected communities an equal level of protection from environmental and health hazards and enhanced opportunities to engage in decision-making that affects environmental quality and health outcomes.

The Draft EIR states that construction and operation of future development allowed under the Project would increase activities that may expose sensitive receptors to substantial pollutant concentrations. Mitigation Measures **MM-AQ-1** (Implement measures to reduce construction-related criteria air pollutant emissions), **MM-AQ-2** (Implement measures to reduce criteria air pollutant emissions during operation), and **MM-AQ-3** (Prepare a health risk assessment) would reduce but not eliminate the impacts of the Project during construction and operation, and impacts would be significant and unavoidable with mitigation incorporated. Related to health impacts, Mitigation Measure **MM-AQ-3** would specifically require applicants to prepare a health risk assessment for Opportunity Site development that (1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residences, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use to address mobile sources of TAC. While individual projects that are subject to the City review or to SCAQMD permitting requirements would be required to comply with SCAQMD rules and regulations, the Project may introduce uses, including to sensitive populations or disadvantaged communities, that could increase TAC emissions that would contribute to the higher levels of risk, and the Project's contribution to health risk is significant and unavoidable (Draft EIR, page 3.1-33). Furthermore, individual development-specific mitigation may be required for further reduction of impacts depending on the applications being submitted, which are not currently available for review and evaluation.

10.5.2 Comment 3b-2

Summary

The commenter recommends that none of the housing along Central Avenue should be approved because the ability for ingress and egress without the opening of Overlook Parkway would result in increased pollution for individuals living in the vicinity and traffic.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project. The discussion and analysis of significant air quality, pollution, and transportation impacts from the Project are found in Section 3.1, *Air Quality*, Section 3.12, *Transportation, Executive Summary*, and Chapter 5, *Other CEQA Considerations*. The transportation section evaluates impacts related to vehicle miles traveled (VMT). According to State Legislature (SB 743): “New methodologies under the California Environmental Quality Act [were] needed for evaluating transportation impacts that are better able to promote the state’s goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations.”

Note that the Overlook Parkway connection project is not a part of this Project. Also, any Opportunity Site will be reviewed by the City and require an independent development review to determine any operational needs and specific compliance with applicable codes and regulations. Regarding the Project’s impacts related to air quality and pollution, refer to response to Comment 3b-1, above.

10.5.3 Comment 3b-3

Summary

The commenter states climate change is a more critical issue than complying with RHNA goals with the legislature providing conflicting mandates regarding reducing greenhouse gas (GHG) emissions and expanding green spaces and application of water for public benefit.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project. Note that Policies that address parks, green space, and tree planting are including in the following City plans and policy documents, and any development proposed by applicants would be required to comply with these:

- *City of Riverside Comprehensive Park, Recreation & Community Services Master Plan* ([https://riversideca.gov/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/sites/riversideca.gov.park_rec/files/56402%20Riverside%20Master%20Plan%20Final%2002-26-20.pdf](https://riversideca.gov/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/sites/riversideca.gov.park_rec/files/56402%20Riverside%20Master%20Plan%20Final%2002-26-20.pdf))
- *Riverside PACT Trails Master Plan* (https://riversideca.gov/park_rec/sites/riversideca.gov.park_rec/files/City%20of%20Riverside%20Trails%20Master%20Plan%202021.pdf)

- *Urban Forestry Policy Manual* (<https://riversideca.gov/publicworks/trees/pdf/UrbanForestry-TOC.pdf>)
- *Victoria Avenue Policy for Preservation, Design and Development* (<https://riversideca.gov/cedd/sites/riversideca.gov.chedd/files/pdf/planning/2021/Victoria%20Avenue%20Policy.pdf>)

10.5.4 Comment 3b-4

Summary

The commenter states that the Project does not address affordable housing and does not discuss other options to address affordability, including subsidizing rents, converting some apartments to affordable units, or converting unused retail to housing and suggests that these options would have fewer environmental impacts but are not thoroughly analyzed.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

Note that the Housing Element update includes Opportunity Sites in underutilized areas including retail and industrial zones to make the best use of these areas by converting them into zones allowing for mixed use development. The state's housing policies also encourage the development of housing for all income levels, but with a special focus on affordable housing because it is the least likely to be built in many circumstances, and because there is the greatest need for it nearly every community including Riverside. Therefore, the Housing Element is required to contain strategies for prioritizing the creation of housing that people with less income than average can access. However, it should be noted that this process does not establish rental rates or sales prices. Ultimately, the type of housing built on these sites will depend on the housing market, developer interest, available funding and the local economy.

Also, the Housing Element Update includes the following Policies and implementing Actions specific to affordable housing:

Policy HE-1 Affordable Housing: Preserve and increase affordable housing options, including subsidized and non-subsidized affordable units for lower-income and environmental justice communities, special needs, and under-served populations with a particular emphasis on building community wealth.

HE-1.1 Prepare an Inclusionary Housing Program to facilitate the integration of affordable housing units throughout the City's housing supply

HE-1.2 Update the City's Density Bonus Ordinance to encourage and incentivize development of affordable and senior housing, both for sale and for rent, consistent with state Density Bonus legislation

HE-1.3 Continue to issue two RFPs annually for new voucher projects to facilitate the relationship between developers and the County of Riverside Housing Authority project-based Section 8 voucher programs and other resources to further develop affordable housing in the City

HE-1.4 Develop a streamlined process to assist homeowners and rental property owners to rehabilitate residential properties

HE-1.5 Develop and implement a plan to seek additional funding for the City's Housing Rehabilitation Program for lower-income owners to encourage further homeowner investment, address issues of overcrowding, and ensure housing stability

HE-1.6 Continually facilitate the relationship between affordable housing providers, market-rate housing providers and community-based organizations as needed to build a network and partnerships that will help increase affordable housing in the City including sites identified in the City's Housing First Plan

HE-1.7 On a yearly basis, provide the City Council with an update on the on-going mobile home park rent stabilization program

HE-1.8 Monitor the Riverside County foreclosure prevention services and, if resumed, support the Mortgage Credit Certificate

HE-1.9 Develop a program to monitor and preserve at-risk affordable rental units to minimize conversion to market rate

HE-1.10 On a quarterly basis, monitor funding sources to support extremely low-income housing and allocate funds and promote programs to developers

10.5.5 Comment 3b-5

Summary

The commenter states that environmental justice organizations should receive grant funds to help respond to comments as most non-profit organizations and poorer residents lack the attorneys and technical consultants needed to review, understand and comment on technical documents and without this additional support, engagement is meaningless no matter how many meetings are held on the Project.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.6 Comment Letter 3c: Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Public Comment Regarding RHNA Deadlines)

10.6.1 Comment 3c-1

Summary

The commenter recommends that the Planning Commission call upon the Mayor, City Attorney, and elected officials to convene a meeting to explain why the October 15, 2021, deadline cannot be met without violating the time requirements of CEQA and due process clause of the state and federal constitutions.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.6.2 Comment 3c-2

Summary

The commenter summarizes the City's schedule regarding reviews for responses to comments noting that only the City Council must approve the final and are assuming that there will be no need to recirculate the EIR. The commenter also states that this violates the spirit of CEQA and prevents an opportunity to provide meaningful input so that elected officials understand the consequences.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

The EIR will be certified by the City Council and the Planning Commission will make a recommendation to the City Council regarding the approval or disapproval of the Project.

10.6.3 Comment 3c-3

Summary

The commenter states that staff misrepresented that future projects would return to Planning Commission for their review even though staff is proposing zoning ordinances, which would allow administrative approval of projects under 50,000 square feet once sites are included in the Housing

Element. The commenter states that staff have not finalized the ordinance for public consumption and there is not much notice for City Council review.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. Staff is recommending a change to the proposed zoning code that would streamline review of mixed use development projects for commercial areas that are up to 50,000 square feet or 100 units or whatever is greater. The Planning Commission recommendation to the City Council revised this threshold for review to projects with 20,000 square feet of gross floor area or 20 units, whichever is greater. For your information only, the draft Title 19 ordinance changes were published on August 27 with the Planning Commission report for Planning Commission review. Please note that the commenter uses the term “simultaneous zoning ordinances,” which is unclear.

The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

10.6.4 Comment 3c-4

Summary

The commenter states that the proposed 31,000 or 24,000 houses is beyond the 18,458 DUs requirement from the state and is larger than what is required. The commenter states that the policy decision for a larger proposal for housing should first be made by City Council rather than City staff.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

According to the Draft EIR (page 2-3), the Housing Element cycle covering the 2013–2021 period included an RHNA obligation of 8,283 units, of which only a portion were built during the last 8 years. The City’s previous Housing Element was adopted in 2017 and runs through 2021. This update cycle comes when California faces a major statewide housing shortage that is affecting all Californians by raising the price of housing and the cost of construction, and by increasing homelessness. In the 2021–2029 Housing Element cycle (6th cycle), the City’s RHNA obligation is a minimum of 18,458 new housing units. Given that 100 percent of potential housing sites will likely not be developed to full potential, the City has provided a buffer of approximately 5,500 housing units (approximately 30 percent over and above the RHNA obligation). Altogether, the City has identified space for up to 24,000 new homes for the 2021–2029 RHNA cycle.

Furthermore, the number of proposed housing units is larger than what is required by the state because the maximum allowable development calculations used for the purposes of the Draft EIR assume that all Opportunity Sites will develop up to 100 percent of their zoned capacity. State

housing element law, on the other hand, requires a more conservative estimate of development potential based on realistic development capacity to account for factors like site constraints, market fluctuations, and other variables. To account for this, the Housing Element Update assumes that any given Opportunity Site will only develop to approximately 75 percent of the maximum development capacity established by zoning.

Regarding the comment about zoning, proposed rezoning of the Opportunity Sites will allow for fulfilment of the City's RHNA obligation. The proposed Zoning Code and Specific Plan amendments include various multi-family and mixed-use land use categories, which would provide for development of some lower-story commercial/retail, office, and potentially live/work uses. Not all Opportunity Sites identified in the inventory are currently zoned to allow for housing development. To meet the RHNA obligation, the Project involves 239 acres that do not require zoning changes and 581 acres that would require general plan amendments, Zoning Code changes, and Specific Plan amendments, for a total of 870 parcels comprising 820 acres. Of the 581 acres, 460 acres would require Zone Code changes (Draft EIR, page 2-9).

10.6.5 Comment 3c-5

Summary

The commenter states that new Census numbers are available and the data reflects less population growth than anticipated and questions how this affects the underlying assumptions, that could justify an extension by the state.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

An EIR assesses the significance of a project's impacts in comparison to a baseline, consisting of the existing physical environmental conditions at or near a project site. As stated in the State CEQA Guidelines, Section 15125(a), CEQA provides that the existing environmental setting at the time of publication of the NOP establishes the baseline for determining whether a project's environmental impacts may be significant. The City published the NOP for the Project on April 5, 2021, and this is the baseline condition for purposes of evaluating project impacts. The 2020 Census data do not change the 6th Cycle RHNA obligation of 18,458 assigned to the City or the analysis completed in the Draft EIR.

10.6.6 Comment 3c-6

Summary

The commenter states that the Draft EIR fails to acknowledge significant unmitigated impacts on water and impacts on infrastructure including the financing needed to upgrade infrastructure.

Response

The City has analyzed this thoroughly in Section 3.14, *Utilities and Service Systems*, and there are no significant and unavoidable impacts on water. Financial impacts are not a required subject of CEQA analysis and any improvements/costs are speculative and uncertain at this point.

10.6.7 Comment 3c-7

Summary

The commenter appreciates the comments and questions of the Commissioners at the last meeting and states that expert input will be forthcoming before the end of the public review period on September 2.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.7 Comment Letter 3d: Citizens United for Resources and the Environment (Memorandum to Honorable Planning Commission RE: Workshop on Draft Environmental Impact Report)

10.7.1 Comment 3d-1

Summary

The commenter provides background context regarding the commitment Citizens United for Resources and the Environment (CURE) has for empowering local communities to demand accountability in government decisions.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.7.2 Comment 3d-2

Summary

The commenter in this introduction summarizes the comment to be found in the comment letter including RHNA implementation, the Project details, the City's vision, the Project's goal of removing governmental and other constraints to housing production, and the letter's focus on clear procedure and substantive defects in the Draft EIR. The commenter recommends to the Commissioners to reject the Draft EIR and RHNA process and to send a strong message to the City Council that Riverside should take all steps necessary to develop a realistic Housing Element based on Riverside's needs.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project. The comments and responses for specific items mentioned in the introduction will be discussed in more detail in responses below.

10.7.3 Comment 3d-3

Summary

The commenter recommends that the City Manager and City Attorney inform the state of the efforts made by the City to comply with RHNA to allow completion of other requirements like CEQA; the City lacks sufficient infrastructure to support a project of this magnitude specifically regarding water availability; and to explore the City's right to oppose unfunded state mandates that overly

burden a poorer city like Riverside while not imposing other mandates on wealthier cities. The commenter also states that the Housing Element should prioritize and focus on affordable housing and such housing should be located more than 2,000 feet from heavily polluted areas like freeways.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

The Housing Element contains several Policies including Policy HE-3, Fair Housing, that aim to “Promote safe, healthy, and attainable housing opportunities for all people regardless of their special characteristics as protected under State and Federal fair housing laws.” Also, the Project objectives include affirmatively furthering fair housing and identifying potential environmental justice and social equity issues to support positive economic, educational, and health outcomes for low-income families—particularly long-term outcomes for children; and ensuring affordable housing is added across the City and not concentrated in areas with lower access to amenities or near sources of pollution (Draft EIR, page 2-6). The state’s housing policies encourage the development of housing for all income levels, but with a special focus on affordable housing because it is the least likely to be built in many circumstances, and because there is the greatest need for it nearly every community including Riverside. Therefore, the Housing Element is required to contain strategies for prioritizing the creation of housing that people with less income than average can access.

Implementation of the Project could result in the future development of an additional 31,564 housing units. This increase in housing units could increase population by approximately 103,530 residents and would result in a permanent increase in demand for water supply. As stated in the Draft EIR (page 3.14-20), at full build-out, development facilitated by the Project could increase water demands by approximately 28 million GPCD (30,848 AFY) over existing conditions according to generation factors found in the RPU 2015 UWMP. The estimated maximum water demand is 104,257 AFY with an estimated water supply of 124,703 AFY in year 2040. As stated in Section 3.14, *Utilities and Service Systems* (page 3.14-4), and Table 3.14-3 (page 3.14-5) in the Draft EIR, water supplies are estimated to accommodate demand projections through 2040 under normal and multiple dry-year conditions with continued investment in new local water supply and associated infrastructure. The analysis used demand factors from the 2015 UWMP because (1) it was approved at the time the analysis was completed and is consistent with what was available at the time the NOP was released in April 2021; (2) it is the basis for the 2020 UWMP dated July 2021; and (3) it represents a more conservative analysis and a larger impact than the 2020 UWMP as it relates to water demand. According to the 2015 UWMP, the 10-year average base daily per-capita water use was 266 GPCD. The urban water use target for the RPU service area for 2020 based on the 2020 UWMP is 80 percent of 266 GPCD, or 213 GPCD (2020 UWMP, page 5-3). In 2015 the average GPCD for RPU’s service area was 180 and in 2020 it was 189, as stated in the 2020 UWMP. Using the urban water use target from the 2020 UWMP, development facilitated by the Project could increase water demands by approximately 22 million GPCD (24,678 AFY) over existing conditions, or a 20 percent reduction from the 2015 UWMP calculations. Therefore, the use of the 2015 UWMP represents a worst-case condition for water demand representing a greater water demand to ensure a more conservative impact analysis.

Future development would occur incrementally over time, based on market conditions and other factors, such that existing water services are not overburdened by substantially increased demands at any single point in time. In addition, compliance with the existing regulatory framework and implementation of existing GP 2025 Final Programmatic EIR Mitigation Measure UTL-1 (City to review population and development trends with respect to water sources and supply) would be required to determine if adequate water supplies are available to serve future development associated with the Project under normal, dry, and multiple-dry years. RPU would continue to prioritize investment and completion of capital improvement projects to ensure that water is available to meet future demand in the long-term.

While development facilitated by the Project would require extension, relocation, and expansion of new water lines within and to the Opportunity Sites, future development would be subject to compliance with the local, state, and federal laws, ordinances, and regulations, as well as any Project-specific mitigation measures necessary to ensure impacts would be reduced related to the provision of water service in the City. In compliance with SB 221 and SB 610 requirements, future development satisfying certain criteria would require preparation of a water supply assessment to verify sufficient water supply is available to meet future development's water demand. Future development associated with the Project would also be required to coordinate its demands with the capacity of the water system and work with RPU and WMWD to coordinate water services. The combination of coordination between applicants and water providers and payment of all applicable fees, in addition to management of water supplies and resources and preparation of project-specific studies for individual development and implementation of any mitigation would anticipate the water needs of the community and would reduce impacts related to the provision of water services.

Also, none of the groundwater basins from which RPU extracts water from are currently in a critical overdraft condition. Furthermore, according to both the 2015 UWMP and the recently adopted RPU 2020 UWMP, RPU can access imported water as needed through an agreement with WMWD for up to 21,700 AFY of imported water. RPU's primary source of supply is local groundwater. RPU also distributes recycled water for nonpotable uses. These two locally controlled supplies have been highly reliable. Since 2009, RPU has been imported-water independent by relying solely on local water supplies to meet the water demands of its service area and is projected to continue to do so. As new information becomes available, such as refined population projections using the 2020 Census data (recently available), RPU will use that information when estimating future water demands in its service area.

The 2020 UWMP also presents a comparison of expected supplies and demands during future conditions using the 2015 UWMP as the basis for the updated UWMP. RPU anticipates being able to meet all demands through 2045, even during a 5-year dry period through continued investment in new local water supply and associated infrastructure (wells, boosters, reservoirs, pipelines).² Because of the storage capacity of the groundwater basins, supplies are reliable from year to year as RPU can pump enough groundwater to meet demands. Both the 2015 and 2020 UWMP also take into account climate change and global warming considerations like temperatures increase, resulting in less precipitation as snow, which would affect the snowpack, and these plans are

² These new local water supply and associated infrastructure projects are discussed in both the 2015 and 2020 UWMPs, with several of the projects in the planning phase that have not been funded or approved by City Council. These projects could include the Seven Oaks Dam Conservation Project, Riverside North Aquifer Storage and Recovery Project, Jackson-Arlington Project, Riverside Habitat, Parks, and Water Project, among others (2020 UWMP, pages 6-13 through 6-15).

developed with consideration of those outside factors. Overall, the analysis and methods used in the preparation of the Draft EIR using the more conservative 2015 UWMP, as well as the additional data supplemented in the recently adopted 2020 UWMP, both demonstrate that the capacity for water supplies is adequate to accommodate needs for the Project and other development occurring within the City.

10.7.4 Comment 3d-4

Summary

The commenter states that the Draft EIR's handling of the impacts of climate on the community as policies without any specifics to adapt to climate adaptation is not enough and concedes that the Project will worsen the climate problem without providing any concrete analysis of how much worse or what could be done locally to address it.

Response

Comment noted. The Draft EIR includes analysis of the Project for GHG emissions, climate change and energy impacts in Section 3.5, *Greenhouse Gas Emissions*, and Section 3.15, *Effects Not Found to Be Significant* (Section 3.15.6, *Energy*) as well as Policies and implementing Actions related to climate adaptation and resiliency in the Public Safety Element. A climate action plan is not within the scope of the Project.

While the details of future development within the City are currently unknown because development would be driven by market forces and private applicants, it is known that implementation of the Project ultimately would result in more development than previously assumed in GP 2025. As stated in the Draft EIR (Section 3.5), construction and operation of a multitude of individual development projects that could occur within the City throughout the build-out period could generate GHG emissions that could have a significant impact on the environment. Mitigation Measures **MM-AQ-1** (Implement measures to reduce construction-related criteria air pollutant emissions), **MM-AQ-2** (Implement measures to reduce criteria air pollutant emissions during operation), **MM-GHG-1** (Implement diesel emission-reduction measures during construction), **MM-GHG-2** (Restrict use of natural gas in new development), and **MM-GHG-3** (Implement measures to reduce GHG emissions during operation) would reduce but not eliminate the impacts of the Project during construction and operation, and impacts would be significant and unavoidable. Furthermore, individual development-specific mitigation may be required for further reduction of impacts depending on the applications being submitted, which are not currently available for review and evaluation.

Furthermore, the Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

10.7.5 Comment 3d-5

Summary

The commenter states that the rushed process forced upon the public violates the letter and spirit of the City's 2025 Envision Strategic Plan and CEQA and violates the due process clauses of the federal and state constitution without allowing the public and the Planning Commission time to review the Final EIR.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

The City disagrees with the commenter's statements related to a haphazard and rushed process. The Draft EIR public review period was made available for public review from July 19, 2021, through September 2, 2021, in accordance with CEQA requirements for a 45-day public review period. The Final EIR will be considered and potentially certified by the City Council. The Planning Commission has made a recommendation on the Project, including the Draft EIR, for the Council's consideration. It should be noted that responses to comments will be provided to commenters more than 10 days prior to City Council hearing of the Project on October 5, 2021, and the Final EIR will be available for public review in advance of the hearing date in accordance with the City's administrative policy regarding preparation of staff reports ahead of public hearings.

For your information only, notices were mailed to all properties within 300 feet of properties that were designated as Opportunity Sites proposed to be rezoned in the City on August 24, 2021. An additional notice was mailed to the same property owners in advance of the October 5, 2021, hearing on September 17, 2021.

10.7.6 Comment 3d-6

Summary

The commenter summarizes the list of significant and unavoidable impacts found in the Draft EIR (air quality, GHG emissions, noise, population and housing, and transportation), and states that the list of negative impacts should also include parks, police and fire service, schools, infrastructure, traffic, and impacts on property values and quality of life.

Response

The Draft EIR concluded that significant and unavoidable impacts were found for air quality, GHG emissions, noise, population and housing, and transportation (traffic) and less-than-significant impacts were found for parks, police and fire service, schools, and infrastructure. The Draft EIR concluded impacts as summarized below for the following resource area noted in the comment:

Recreation/Parks

- Implementation of the Project could result in a substantial increase in demand for neighborhood parks and create the need for more parks in underserved areas of the City. The implementation

of proposed Housing Element Policy HE-4, Thriving Neighborhoods, would facilitate and encourage new housing that provides access to fresh food within a quarter mile, livable neighborhoods that link private development with public space including parks, and new housing development, including both single- and multi-family housing, that results in livable and sustainable neighborhoods. Related implementation actions including the preparation of design regulations to create safe and healthy complete neighborhoods that promote proximity of quality housing development to commercial uses, schools, transit, parks, and other needs would have a positive effect in providing additional park resources for the City. The City requires that private developers proposing residential projects in the City include open space within their project as well as adhere to Riverside Municipal Code 16.44, 16.60, and 16.76 and pay park and trail development impact fees. These dedications and fees are collected by the City as part of the development review process and are used for the purpose of supporting the City's capital improvement budget for park and recreational facilities to serve the community. The inclusion of public parks and green space would help offset the impacts on recreational resources in the City, and impacts are anticipated to be less than significant (Draft EIR, page 3.11-22).

- Typical environmental impacts associated with expansion of existing parks or construction of new parks include construction noise and temporary disruption of access. When in use, parks may result in noise, lighting (e.g., lighted ball courts), and minor traffic impacts on their surrounding neighborhoods. Construction of new parks on undeveloped sites would have similar impacts to those of other construction projects on undeveloped land, and it would be subject to Policies, standards, and mitigation measures from GP 2025 and the GP 2025 EIR, or the mitigation identified in Project-specific analyses. Such impacts can generally be mitigated to a less-than-significant level (Draft EIR, page 3.11-23).
- The overall environmental conclusion for recreation impacts is that the construction and operational impacts regarding the increased use of existing parks and recreational facilities and the inclusion of or requirement for construction or expansion of any new recreational facilities to be facilitated by the Project would be less than significant.

Police and Fire Service

- Demand for fire protection services provided by the Riverside Fire Department would increase as a result of future development facilitated by the Project. Potential impacts would include placing greater demands on fire protection services, potentially resulting in the need to provide new or expanded fire protection facilities in order to maintain an acceptable level of service. State, county, and City jurisdictions have policies related to providing adequate fire services to the area. All development would be constructed in accordance with current building and fire/life/safety ordinances and codes, including all applicable County of Riverside and City jurisdiction code requirements related to construction, access, water mains, fire flows, and hydrants. Fire services are based on community needs because local departments conduct ongoing evaluations and annual budgeting processes to determine infrastructure, equipment, and staffing needs for the upcoming year. If ongoing evaluations indicate increased response time, then the acquisition of equipment, personnel, and new stations is considered. GP 2025 Public Safety Element, Policy PS-6.1 ensures that sufficient fire stations, personnel, and equipment are provided to meet the needs of the community as it grows in size and population. As such, impacts related to fire protection services would be less than significant (Draft EIR, pages 3.10-17 and 3.10-18).

- Future development would increase demand for police protection services provided by the Riverside Police Department over time. However, Riverside Police Department would evaluate its budget annually to provide adequate police services, including police staffing increases, to accommodate additional growth associated with development facilitated by the Project. The City would continue to meet the recommended police response times (7 minutes to Priority 1 calls and 12 minutes for Priority 2 calls); therefore, the Project would not cause any adverse effects. Compliance with the state and local regulations would ensure that there would be sufficient police protection service and facilities to accommodate additional population resulting from development and associated population growth facilitated by the Project, and impacts related to police protection services would be less than significant (Draft EIR, pages 3.10-18 and 3.10-19).
- The overall environmental conclusion is that the Project would result in less-than-significant impacts associated with the provision of new or physically altered government facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire and police protection.

Schools

- Future development and population growth facilitated by the Project would increase the demand for Riverside Unified School District (RUSD) and Alvord Unified School District school facilities and services over time. Future residential development would comply with Riverside Municipal Code Chapter 16.56, *School Development Fee*, which establishes coordination between the City and the applicable school district to develop a school development fee for mitigating the impact of residential development on local school districts. In addition, legislation allows school districts to collect impact fees from developers of new residential and commercial uses. Pursuant to Government Code Section 65996, school fees imposed through the Education Code are deemed to be full mitigation for new development projects; the City cannot impose additional mitigation measures. RUSD, Moreno Valley Unified School District, and Alvord Unified School District school impact fees would be imposed on future development within their districts' boundaries. School fees finance school facilities necessitated by students generated from new development. Fees paid by the developer would be used to offset the impact of the number of new students generated by the development facilitated by the Project and would ensure that the development contributes to a fair-share amount to help maintain adequate school facilities and levels of service. Therefore, the provision of schools is the responsibility of the school district. SB 50 provides that the statutory fees found in the Government and Education Codes are the exclusive means of considering and mitigating for school impacts. Imposition of the statutory fees constitutes full and complete mitigation (Government Code Section 65995(b)). Future development must also comply with GP 2025 Education Element Policies ED-1.1 and ED-3.1. Policy ED-1.1 requires an adequate level of infrastructure and services to be provided to accommodate campus growth at all educational levels and Policy ED-3.1 requires educational institutions to accommodate the needs of City residents. Compliance with state and local regulation would ensure that there would be sufficient facilities and service to accommodate additional students resulting from development and associated population growth facilitated by the Project, and impacts related to schools would be less than significant.
- The overall environmental conclusion is that the Project would result in less-than-significant impacts associated with the provision of new or physically altered school facilities or a need for

new or physically altered facilities, the construction of which could cause significant environmental impacts.

Impacts regarding infrastructure are provided in Response to Comment 3d-19 later in this completed response to the comment letter.

Traffic

- The analysis performed for the Project in Section 3.12, *Transportation*, included major roadways as part of determining transportation impacts. The transportation roadway network was part of the review for Opportunity Sites and factored into the transportation analysis. As stated in the Draft EIR (page 3.12-19), the Project-generated VMT and the Project's effect on VMT thresholds are presented by land use type (residential, commercial, etc.) and for the City as a whole. For this assessment, VMT is calculated for Project-generated VMT by accounting for all of the VMT with at least one trip end within the City and tracking it to its ultimate destination; while the Project's effect in VMT is calculated by multiplying the number of vehicles on each roadway by the length of that roadway. Link-level boundary VMT includes all vehicles on a roadway within a designated boundary. Project-generated VMT includes trips that start or end within the City. Because the Project would increase population and employment within the City, VMT would increase. However, as shown in Table 3.12-4 (City of Riverside Project-Generated VMT Summary), the VMT per service population would decrease within the City, showing that travel on a per-person basis would be more efficient (e.g., fewer auto trips would be generated on a per person basis or auto trips generated travel less than existing trips within the City) with the addition of the Project. Net total VMT would increase between the No Project and Project conditions in the base and future years. As shown in the Draft EIR (page 3.12-22), the Project's effect on VMT is considered a significant impact for the total link-level boundary VMT, and a less-than-significant impact for the link-level boundary VMT per service population. Mitigation Measure **MM-TRA-1** would be required to reduce impacts, as the Project would affect the VMT in the City. Given the uncertainty in some components of the measure that influence VMT (such as the cost of fuel) combined with the City's inability to influence other measures that would have the largest effect on VMT (such as implementation of a VMT tax or an increase in the fuel tax), the effectiveness of these Transportation Demand Management measures cannot be guaranteed to reduce impacts and the impact is considered significant and unavoidable.

Quality of Life

- Regarding impacts on property values and quality of life, jurisdictions use the RHNA in land use planning and local resource allocation, and for determining housing needs resulting from population, employment, and household growth. The RHNA is not intended to encourage or promote growth, but rather to ensure individual communities can plan for anticipated growth, so that the region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity. The need to include environmental justice Policies into the Project has arisen out of a history of disproportionate environmental harm borne by low-income and minority populations due to compounded exposure to environmental hazards, often leading to adverse health outcomes and compromised quality of life with the goal of improving the community's quality of life. Furthermore, development review is the primary way that local governments ensure the construction of projects contribute in a positive manner to the community and improve quality of life. Additional background for the City's development review process can be found in the 2021–2029 Draft Housing Element Technical Background

Report under a section entitled Development Review Process. However, changes in property values and quality of life cannot be assessed with any specificity that comes with an applicant's submittal of development plans in specific areas of the City. Without specific development plans to review, any analysis of impacts related to changes in property values or quality of life would be highly speculative.

10.7.7 Comment 3d-7

Summary

The commenter states that infrastructure constraints to rezoning must be considered and the Planning Commission should recommend to the City Council with an option to slow the Housing Element rezoning with the City's Attorney's Office negotiating rational housing numbers with the state and to take all necessary action to protect Riverside residents against unfunded mandates and the negative impact of these state mandates. The commenter also asks about impact fees for infrastructure, like water supply, to support housing. The commenter also states that the RPU 2020 UWMP does not have sufficient wet water without investing in substantial infrastructure for which the City has not yet budgeted.

Response

Comment noted regarding rezoning and recommendation to slow the Housing Element. Commenter misunderstands Government Code Section 65583(f),³ which states that if the local agency has already provided 75 percent of the low- and very low-income housing required by the RHNA, and if the legislative body determines that the infrastructure is constrained such that the full RHNA cannot be accommodated due to fiscal or regulatory issues. Neither of those apply as a matter of fact.

Commenter's statement about "wet" water is vague and unclear. The 2015 UWMP indicates that the City has adequate water at this time not only to serve existing demand but also the potential demand of up to 31,567 additional DUs at full build-out. Financial impacts are not a required subject of CEQA analysis and any improvements/costs are speculative and uncertain at this point.

10.7.8 Comment 3d-8

Summary

The commenter states that the 2020 UWMP recognizes that water is required for climate adaptation and committed to evaluating baseline conditions to assess how much water is needed to enhance and expand green spaces and states that the EIR fails to address any climate related issues involving water and how water will be available for green spaces.

³ State law states: (f) The deadline for completing required rezoning pursuant to subparagraph (A) of paragraph (1) of subdivision (c) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist: (2) The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.

Response

Comment noted. Refer to Response to Comment 3d-3 for impacts on water. Refer to Response to Comment 3d-4 for a discussion of climate change impacts and Draft EIR Section 3.5, *Greenhouse Gas Emissions*, for impacts related to climate change.

The City's UWMP takes into account climate change and global warming considerations like temperature increases, resulting in less precipitation as snow, which would affect the snowpack, and these plans are developed with consideration of those outside factors. The UWMP also takes into account water availability from other sources like the State Water Project (SWP). Overall, the analysis and methods used in the preparation of the Draft EIR demonstrate that the capacity for water supplies is adequate to accommodate needs for the Project and other development occurring within the City.

A proposal for an urban greening project or development of an urban forest is not part of the Project. Note that Policies that address parks, green space, and tree planting are including in the following City documents, and any development proposed by applicants would be required to comply with these:

- *City of Riverside Comprehensive Park, Recreation & Community Services Master Plan* ([https://riversideca.gov/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/sites/riversideca.gov.park_rec/files/56402%20Riverside%20Master%20Plan%20Final%2002-26-20.pdf](https://riversideca.gov/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/park_rec/sites/riversideca.gov.park_rec/files/56402%20Riverside%20Master%20Plan%20Final%2002-26-20.pdf))
- *Riverside PACT Trails Master Plan* (https://riversideca.gov/park_rec/sites/riversideca.gov.park_rec/files/City%20of%20Riverside%20Trails%20Master%20Plan%202021.pdf)
- *Urban Forestry Policy Manual* (<https://riversideca.gov/publicworks/trees/pdf/UrbanForestry-TOC.pdf>)
- *Victoria Avenue Policy for Preservation, Design and Development* (<https://riversideca.gov/cedd/sites/riversideca.gov.cedd/files/pdf/planning/2021/Victoria%20Avenue%20Policy.pdf>)

For your information only, City Council directed RPU staff on June 22, 2021, to evaluate water demand for green spaces. While unrelated to this Project and EIR, this study is ongoing.

10.7.9 Comment 3d-9

Summary

The commenter states that the Draft EIR is defective as it relies on the outdated and superseded 2016 UWMP [sic], substantial evidence does not support conclusions that the City's existing water can support the Project, and it relies upon RPU's "planned" development of approximately 13,000 AFY of reclaimed water, which cannot be relied upon for the Project, and RPU and the Draft EIR cite the potential import of water if there is available water supply to import and that RPU has no guaranteed right. Also with climate change and a worsening drought, the availability of imported water is different now than when agreements were made 40 years ago that the Draft EIR fails to recognize or evaluate.

Response

Refer to Response to Comment 3d-3 for water availability and consistency with the 2015 and 2020 UWMPs. The analysis for water impacts is found in Section 3.14, *Utilities and Service Systems*, of the Draft EIR. Financial impacts related to the purchase of imported water are not a required subject of CEQA analysis and any improvements/costs are speculative and uncertain at this point.

The Project does not approve any individual proposed development. The EIR provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

The City's UWMP takes into account climate change and global warming considerations like temperatures increase, resulting in less precipitation as snow, which would affect the snowpack, and these plans are developed with consideration of those outside factors. The UWMP also takes into account water availability from other sources like the SWP. Overall, the analysis and methods used in the preparation of the Draft EIR demonstrate that the capacity for water supplies is adequate to accommodate needs for the Project and other development occurring within the City.

For informational purposes only from the 2020 UWMP, RPU is contracted to receive SWP water from Metropolitan Water District (MWD) through WMWD. MWD is the largest SWP contractor, with an annual maximum entitlement of 1,911,500 acre-feet through 2035. The reliability of imported water from MWD is described in the most recently updated 2019 State of California Department of Water Resources (DWR) State Water Project Delivery Capability Report (DCR) and in MWD's own UWMP. DWR prepares a biennial report to assist SWP contractors and local planners in assessing the near and long-term availability of supplies from the SWP. The average supply under existing conditions is 58 percent of its SWP Table A-amount. For future conditions (beginning in 2040), this percentage is estimated to be 52 percent. In the DCR, DWR provides SWP supply estimates for SWP contractors to use in their planning efforts, including for use in their UWMPs. The 2019 DCR includes DWR's estimates of SWP water supply availability under both current and future conditions (2020 UWMP, page 7-4).

RPU has the ability to purchase SWP water from WMWD through a connection at the MWD Henry J. Mills Water Treatment Plant. Up to 30 cubic feet per second or 19.4 million gallons per day (mgd) of imported water can be purchased from MWD through an existing agreement and conveyed through existing infrastructure (2020 UWMP, page 6-2).

10.7.10 Comment 3d-10

Summary

The commenter states that the Draft EIR does not quantify how the stated mitigation measures can generate sufficient water to offset the approximately 25,000 AFY shortfall. The commenter also mentioned that the Draft EIR does not contain an evaluation of how the conservation measures required by DWR that can result in the loss of trees would satisfy new water demand and how those mitigation measures would worsen environmental impacts due to increased pollution and heat.

Response

Comment noted. Comments extend beyond the scope of the Project related to conservation and loss of trees. Refer to Response to Comment 3d-3 for water availability and Response to Comment 3d-8 for water demand for green spaces. A proposal for an urban greening project or conservation measures required by DWR is not part of the Project. Any evaluation of conservation measures affecting water demand would be speculative at this time.

10.7.11 Comment 3d-11

Summary

The commenter retained HDR Consultants to review the Draft EIR and additional comments are provided in this letter as an attachment.

Response

Individual comments from the HDR letter are responded to as Comments and Responses 3d-15 through 3d-23, below.

10.7.12 Comment 3d-12

Summary

The commenter states that the City cannot reject the less impactful and feasible Alternative 4 and recommends that the Planning Commission recommend Alternative 4 and limit the identification of Opportunity Sites to address the RHNA-required 18,458 units rather than adopting a 60 percent increase beyond what the state requires.

Response

Alternative 4, Limited Opportunity Sites Alternative (2020–2045 Regional Transportation Plan [RTP]/Sustainable Communities Strategy [SCS] Consistency Alternative), would involve selection of a reduced number of the identified Opportunity Sites on which to locate future housing development, focused on meeting but not exceeding the RHNA obligation of 18,458 units. As summarized from the Draft EIR, Chapter 4, *Alternatives*, development under Alternative 4 would result in reduced impacts on air quality, biological resources, cultural and tribal cultural resources, paleontological resources, GHG emissions, population and housing, noise, population and housing, public services, and utilities and service systems. The reduced impacts in these areas are a result of a reduction in the number of sites that would be affected by development. The remaining environmental resource areas (hazards and hazardous materials, recreation, transportation) would have similar impacts to those of the Project under Alternative 3 development. For land use and planning, the reduction in Opportunity Sites would not as effectively meet the land use objectives of the regional 2020–2045 RTP/SCS goals, including creation of affordable housing, encouragement of land development near transit, and facilitation of infill development. While impacts for this alternative would be similar to those of the Project, this alternative would not as effectively meet the goals of the SCAG 2020–2045 RTP/SCS, which are intended to avoid or minimize environmental effects. Therefore, impacts related to conflicts with plans adopted for the purpose of avoiding or mitigating an environmental effect would be greater for Alternative 4 than those of the Project.

The significant and unavoidable effects of Alternative 4 are the same for the Project for its impacts on air quality, GHG, noise, and transportation and only significant impacts on population and housing are reduced. While the reduction in Opportunity Sites would reduce some of the impacts, Alternative 4 would still contribute to a significant and unavoidable impacts on these impact categories and would not reduce the severity of these impacts to less-than-significant levels except for population and housing. Alternative 4 would also result in greater impacts on land use and planning as discussed above. Therefore, the CEQA policy of reducing significant environmental effects to the extent feasible would not be satisfied through the adoption of Alternative 4, and thus Alternative 4 is not considered environmentally superior to the Project. Furthermore, Alternative 4 would not meet the project objective of exceeding the RHNA obligation with a 30 percent No Net Loss buffer for approximately 24,000 units under the Project. Alternative 4 can be rejected as a project alternative as Alternative 4 would not implement the project objectives or avoid all significant environmental impacts as this alternative would reduce some of the Project's impacts but would also result in somewhat greater impacts on Land Use and Planning. Alternative 4 is determined to be feasible, similar to the Project, and fewer sites in the City would require rezoning, amendments to various subsidiary plans, or other land use changes. However, the alternative satisfies fewer project objectives without environmental benefit and would not support feasibility as it would be more difficult to meet the RHNA obligation and project objectives in contrast to a superior project.

10.7.13 Comment 3d-13

Summary

The commenter states that the Project adversely and disparately affects low income residents and that the proposed upzoning violates the principles of environmental justice because it would place much of the low income and very low income housing within 2,000 feet of the freeway and rail lines.

Response

Comment noted; however, the Project includes a series of proposed GP 2025 Policies and implementing Actions that promote environmental justice within the City. To address disproportionate effects and to comply with SB 1000 (inclusion of environmental justice Policies in general plans), Policies and Actions are incorporated within the Housing and Public Safety Element Updates and all other elements of GP 2025, with the goal of affording affected communities an equal level of protection from environmental and health hazards and enhanced opportunities to engage in decision-making that affects environmental quality and health outcomes.

The City is planning for a maximum allowable development under the Project (31,564 units) to meet the City's minimum RHNA obligation (18,458 units with a 30 percent No Net Loss buffer for approximately 24,000 units) across all wards. This is because the maximum allowable development calculations used for the purposes of this EIR assume that all Opportunity Sites will develop up to 100 percent of their zoned capacity. State housing element law, on the other hand, requires a more conservative estimate of development potential based on realistic development capacity to account for factors like site constraints, market fluctuations, and other variables. To account for this, the Housing Element Update assumes that any given Opportunity Site will only develop to approximately 75 percent of the maximum development capacity established by zoning.

To comply with, and as mandated by, state law, the Project will need to evaluate the potential effects of meeting and potentially exceeding the RHNA obligation. Noncompliance with the state's Housing Element requirements can result in consequences for the City ranging from ineligibility for crucial state funding and grant opportunities; the risk of being sued in court by third parties or the state itself; court-ordered approvals of housing development projects; restrictions on the City's ability to issue building permits; and more.

10.7.14 Comment 3d-14

Summary

The commenter provides a conclusion to the comment letter stating that the City is obligated to comply with CEQA regardless of the RHNA mandates and states that the Draft EIR must be recirculated based upon failure to recognize that Project development would have a significant, unmitigated impact on the City's water supply and does not evaluate reallocating water to new housing versus sustaining and expanding the City's green spaces to offset climate change. The commenter also states that the City should complete the general plan before adopting the Housing Element by limiting the current Project/zoning to low income housing only based on lack of infrastructure. The commenter also looks forward to working with the City toward protecting the public from the adverse impacts of unsustainable housing demands from the state.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.7.15 Comment 3d-15

Summary

The commenter states that HDR Consulting was retained by CURE to review and comment on the Draft EIR and comments were provided to reflect the earlier review of the RPU 2020 UWMP and their discussion with RPU staff related to water and adaptation to climate through sustaining trees and green spaces.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.7.16 Comment 3d-16

Summary

The commenter states that the Draft EIR relies on the City's 2016 UWMP [sic] to conclude that the City has water for new residential units and recommends that the EIR be revised to take into

account the projections and conclusions of the City's Final 2020 update and to further acknowledge/reference the 2020 update.

Response

Refer to Response to Comment 3d-3 for a discussion of water demand and availability and projections from the 2015 and 2020 UWMPs and any inconsistency with these plans. The analysis used demand factors from the 2015 UWMP because (1) it was approved at the time the analysis was completed and is consistent with what was available at the time the NOP was released in April 2021; (2) it is the basis for the 2020 UWMP dated July 2021; and (3) it represents a more conservative analysis and a larger impact than the 2020 UWMP as it relates to water demand, as noted in Response to Comment 3d-3. Also note that the 2020 UWMP was not available during the evaluation of impacts included in the Draft EIR, and the analysis using the 2015 UWMP is valid. Overall, the analysis and methods used in the preparation of the Draft EIR using the more conservative 2015 UWMP, as well as the additional data supplemented in the recently adopted 2020 UWMP, both demonstrate that the capacity for water supplies is adequate to accommodate needs for the Project and other development occurring within the City.

10.7.17 Comment 3d-17

Summary

The commenter states that since City infrastructure required to support new housing is significant in terms of resources and costs, there is large disparity of 7,564 extra units in the Draft EIR, which is more than what is required to meet the housing obligation.

Response

According to the Draft EIR (page 2-3), the Housing Element cycle covering the 2013–2021 period included an RHNA obligation of 8,283 units, of which only a portion were built during the last 8 years. In the 2021–2029 Housing Element cycle (6th cycle), the City's RHNA obligation is a minimum of 18,458 new housing units. Given that 100 percent of potential housing sites will likely not be developed to full potential, the City has provided a buffer of approximately 5,500 DUs (approximately 30 percent over and above the RHNA obligation). Altogether, the City has identified space for up to 24,000 new homes for the 2021–2029 RHNA cycle.

Furthermore, the number of proposed DUs is larger than what is required by the state because the maximum allowable development calculations used for the purposes of the Draft EIR assume that all Opportunity Sites will develop up to 100 percent of their zoned capacity for a total of 31,564 DUs in order to assess the full extent of potential impacts. State housing element law, on the other hand, requires a more conservative estimate of development potential based on realistic development capacity to account for factors like site constraints, market fluctuations, and other variables. To account for this, the Housing Element Update assumes that any given Opportunity Site will only develop to approximately 75 percent of the maximum development capacity established by zoning.

To evaluate the potential environmental impacts of the Project, and as a worst case scenario for full build-out, the Draft EIR assumes that all proposed Opportunity Sites to be rezoned would be developed with 100 percent of the maximum density allowed during the 8-year 6th cycle. As a result, the Draft EIR analyzes the potential addition of 31,564 DUs in the City to be conservative. However,

it is highly unlikely that this amount of development would occur, as the realistic development capacity of the Opportunity Sites is approximately 24,000 units (based on the development trends analyzed within the Housing Element update, specifically the 2021–2029 Draft Housing Element Appendix B – Development Case Studies).

10.7.18 Comment 3d-18

Summary

The commenter states that the Draft EIR concludes that the environmental impact of development of 31,564 new residential units in the City would be less than significant and no mitigation would be required, and states that the commenter was unable to find data and evidence to support this conclusion for water supply.

Response

Refer to Response to Comment 3d-3 for a discussion of water demand and availability. The City has supported its analysis with substantial evidence as explained above in Response to Comment 3d-7.

10.7.19 Comment 3d-19

Summary

The commenter states that the Draft EIR does not specify the amount of water required to service 31,564 additional new residential units, although the City's communication with CURE is that water demand is expected to be 30,848 AFY. The commenter also states that the Draft EIR does not reference new or expanded water supply or distribution that would be needed for 30,848 AFY for water use or address wastewater or stormwater facilities that would be required to service the Project.

Response

Refer to Response to Comment 3d-3 for additional discussion of water demand and availability and RPU's commitment to prioritize investment and completion of capital improvement projects to ensure that water is available to meet future demand in the long-term.

Regarding the comment about wastewater, the majority of wastewater generated in the City flows to the Riverside Regional Water Quality Control Plant (RWQCP), as stated in the Draft EIR, Section 3.14 (page 3.14-21). According to the City's 2008 Wastewater Collection and Treatment Facilities Integrated Master Plan, historic populations and flows in the City estimated an average flow of 96.6 GPCD.⁴ Development facilitated by the Project, the extent of which is not fully known until

⁴ The Draft EIR used the 2008 Wastewater Collection and Treatment Facilities Integrated Master Plan for a generation factor of 96.6 GPCD, and the 2019 Master Plan update used a factor of 77 GPCD for 2019, with the state considering a target of 55 GPCD. As such, the Draft EIR provided a higher generation factor for impacts on the sewer collection system that carries wastewater through the City to the RWQCP for treatment, representing more of a demand for water treatment in comparison to the 2019 Master Plan update, and therefore represents a conservative impact analysis for wastewater treatment. The City's Public Works Department monitors flows and strength of wastewater coming into the RWQCP and studies and implements projects to treat the wastewater needs

applications are submitted by developers, could increase the population by approximately 103,530 residents. At maximum build-out, the Project would generate an estimated 10 mgd within the City's wastewater service area. As of 2019, the RWQCP was treating an average of 27 mgd. The additional wastewater of 10 mgd generated within the City from full build-out of the Project would be adequately treated by the RWQCP because it would not exceed its treatment capacity of 46 mgd. Sewer line upgrades would be aligned with the goals of the 2008–2021 Wastewater Collection and Treatment Facilities Integrated Master Plan as the sewer line upgrades and improvements associated with the Project would align with the plan's goal to increase system reliability in conjunction with projected population growth in the City.

Development facilitated by the Project, the extent of which is not fully known until applications are submitted by developers, could increase the population by approximately 103,530 residents. The RWQCP is scalable and expandable to handle both ongoing increased flows and seasonal fluctuations; ample space exists for any additional treatment capacity, which may be needed in the future. While implementation of the Project could involve new development and redevelopment with existing connections within the City, future sewer capacity assurance is required to be reviewed every 2 years, and the next update would consider the Project, if approved, as part of the review. Moreover, the RWQCP is required to file a written report with the Regional Water Quality Control Board for any month where dry-weather waste flow exceeds 75 percent of the design capacity of the treatment facility. Included therein shall be an intended schedule for studies, design, and other steps needed to provide additional capacity for the treatment facility before wastewater flow rate equals present capacity. The wastewater collection system that conveys wastewater flows to the RWQCP can similarly be expanded to realize future capacity that may be needed.

10.7.20 Comment 3d-20

Summary

The commenter states that the projected water demand in both the 2016 [sic] and 2020 UWMP was planned for future housing units that are considerably fewer in number than the total projected housing units proposed on the RHNA obligation, and states that the EIR should reconcile this inconsistency and address this as a significant impact and demonstrate how the City's water supply will grow by about 500 percent and how water delivery infrastructure will be developed to accommodate this new demand.

Response

Refer to Response to Comment 3d-3 for a discussion of water demand and projections from the 2015 and 2020 UWMPs and any inconsistency with these plans. Also note that the analysis using the 2015 UWMP is valid and the impact analysis is conservative in representing impacts, as noted in Response to Comment 3d-3. Overall, the analysis and methods used in the preparation of the Draft EIR using the more conservative 2015 UWMP, as well as the additional data supplemented in the recently adopted 2020 UWMP, both demonstrate that the capacity for water supplies is adequate to accommodate needs for the Project and other development occurring within the City.

of the City, as needed. The City is required, by the conditions of an existing wastewater permit, to begin this process when the City reaches 75 percent design capacity, which is intended to ensue projects are developed, funded, and constructed before the RWQCP's design capacity is exceeded or the City is otherwise unable to treat the wastewater to a level required by the permit.

10.7.21 Comment 3d-21

Summary

The commenter states that the Draft EIR does not consider climate change impacts or quantify reductions in water supply due to climate change and recommends that a vulnerability assessment be conducted to understand increases to water demand, including the Project at full build-out, because increased evaporation and consumption could result to increased future temperatures that could result in unsustainable groundwater withdrawal. The commenter also recommends that the impact of the reduced SWP water delivery for 2021 and projections for future years is considered.

Response

Comment noted. Refer to Response to Comment 3d-3 for impacts on water supply and availability. Refer to Response to Comment 3d-9 for climate change and global warming considerations in the City's UWMP. Refer to Section 3.5, *Greenhouse Gas Emissions*, in the Draft EIR for project impacts related to climate change.

10.7.22 Comment 3d-22

Summary

The commenter states that the analysis should include an estimate of water savings for planned mitigation measures that is based upon evidence of historical experience with the similar equivalent measures implemented in the residential units in the City.

Response

The Draft EIR is based on an analysis for current and future projected water impacts. The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

10.7.23 Comment 3d-23

Summary

The commenter states that the assumptions made in the water supply calculations for residential development in the Draft EIR should include the longer-term water supply for irrigation of urban green spaces and the disparity of urban green spaces by residential neighborhoods and the increases temperatures where the tree canopy is lacking is well documented for disadvantaged communities and neighborhoods. The commenter also states that the EIR should address how the projected housing units will be served equitably by urban green spaces and tree plantings near homes.

Response

Comment noted. Refer to Response to Comment 3d-3 for impacts on water supply and Response to Comment 3d-8 for water demand for green spaces.

10.8 Comment Letter 4: Thomas Key, PG, California Department of Conservation, California Geologic Survey

10.8.1 Comment 4-1

Summary

The commenter states that the agency has reviewed the Draft EIR for the Project, summarizes the project description, and states that they offer comments and recommendations regarding the Project's potential impacts on public safety.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.8.2 Comment 4-2

Summary

The commenter states that an Opportunity Site on the eastern edge of the intersection of Watkins Drive and East Big Springs Road in Ward 2 is within a flood zone and a very high fire hazard zone and would also pose a risk of post-fire debris flows affecting the site. The commenter recommends that this Opportunity Site be reevaluated to consider the post-fire debris flow risk and include a post-fire debris flow hazard evaluation in the predevelopment checklist that will be developed for applicants proposed development on Opportunity Sites.

Response

The process of identifying the Opportunity Sites involved eliminating sites with significant constraints to development, including topography not conducive to building; unsafe areas that are in flood zones, high-fire areas, or airport land use areas; of known soil or groundwater contamination; in arroyos or in other sensitive resource areas; and others (Chapter 2, *Project Description*, pages 2-4 and 2-6 through 2-7).

The Project was evaluated in a programmatic EIR, and, as such, does not identify specific development projects that could occur as a result of approval of the Project. Due to the scope of the Draft EIR, impact analyses for site-specific impacts included in the Draft EIR are broad and qualitative. Detailed, quantitative assessments for topics like geotechnical, fire and flooding, etc. would be performed during the specific impact analyses that would occur during the independent development review process for each individual development proposal facilitated by the Project. The level of detail in the Draft EIR matches the level of detail available for the Project, and no applicant-provided plans have been submitted, including for the Opportunity Site at the intersection of Watkins Drive and East Big Springs Road facilitating up to 53 DUs.

The Project would not provide individual project approvals or entitlements for any specific private or public development project. While the Draft EIR does not preclude future environmental review required under CEQA for subsequent development projects (i.e., Opportunity Sites), the analysis in the Draft EIR and provision of program-level mitigation measures would streamline further CEQA review for specific projects to support facilitation of future development of individual Opportunity Sites. Projects that are within the scope of the analysis of the Draft EIR, whereby all Project-specific impacts could be adequately minimized or avoided through application of program-level mitigation, may be able to proceed without subsequent CEQA documentation. A predevelopment checklist (environmental development checklist) will be developed as part of the Project to support the development review process for applicants proposing development on Opportunity Sites that is consistent with the Project. This process would determine the level of environmental review, and through this review, some development proposals that could result in significant environmental effects not previously disclosed in the Draft EIR would likely require further CEQA evaluation prior to approval. As such, depending on an applicant's proposal for sites like this Opportunity Site, an additional CEQA analysis with reports documenting impacts for flooding, fire hazard, and geotechnical impacts with City plans may be warranted (i.e., Hydrology/Hydrologic study). A Building and Safety Division review would also be required due to safety concerns established on the site. Until an application is submitted by an applicant for this Opportunity Site, no redevelopment would occur,

10.8.3 Comment 4-3

Summary

The commenter states appreciation for the opportunity to comment on the Draft EIR for the Project and provides contact information for any questions or comments related to the comments found in this letter.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.9 Comment Letter 5: Jim Buysse

10.9.1 Comment 5-1

Summary

The commenter provides background on involvement within the community and provides comments that (1) the planning process is problematic on how the Housing Element will be implemented; (2) the planning process should be decentralized and the state’s “one size fits all” approach does not fit for local planning; (3) asks for a definition, meaning and evidence of fair housing and inclusion in the context of the Project and if the Project includes fair and inclusive housing rather than segregated patterns of development; (4) asks for the trend lines related to population percentages and data related to low/moderate income levels and population; (5) asks what the Housing Element plan implementation would look like and if it would require zoning changes, eminent domain or loss in property value; and (6) asks how low income housing works with a myriad of regulations contributing to higher housing costs. The commenter is asking to tell the City Council that the Housing Element must be revisited until the questions posed are addressed and the language made more intelligible and to join other California cities in challenging the state mandate.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

For informational purposes only, the Housing Element contains several definitions of key terms. For example, under state law, affirmatively furthering fair housing means “taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.” These characteristics can include, but are not limited to race, religion, sex, marital status, ancestry, national origin, color, familiar status, or disability. Also, Policy HE-3, Fair Housing, in the Housing Element aims to “Promote safe, healthy, and attainable housing opportunities for all people regardless of their special characteristics as protected under State and Federal fair housing laws.” Also, the Project objectives include affirmatively furthering fair housing; identifying potential environmental justice and social equity issues to support positive economic, educational, and health outcomes for low-income families—particularly long-term outcomes for children; and ensuring affordable housing is added across the City and not concentrated in areas with lower access to amenities or near sources of pollution (Draft EIR, page 2-6).

The state’s housing policies encourage the development of housing for all income levels, but with a special focus on affordable housing because it is the least likely to be built in many circumstances, and because there is the greatest need for it nearly every community including Riverside. Therefore, the Housing Element is required to contain strategies for prioritizing the creation of housing that people with less income than average can access. However, it should be noted that this process does not establish rental rates or sales prices. Ultimately, the type of housing built on Opportunity Sites will depend on the housing market, developer interest, available funding and the local economy.

Note that the Project would facilitate development to meet the RHNA obligation through the Housing Element and zoning and specific plan changes, and the City does not anticipate using eminent domain as a part of this Project.

10.10 Comment Letter 6: Jay & Diana Gazzolo

10.10.1 Comment 6-1

Summary

The commenter appreciates the opportunity to express concerns regarding the Housing Element and requests clarification regarding 24,000 DUs and 18,458 DUs requirement by the state and the need for a larger cushion. The commenter also questions why the Housing Element requires zoning changes to over 200 Opportunity Sites if these sites do not guarantee building of housing.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

According to the Draft EIR (page 2-3), the Housing Element cycle covering the 2013–2021 period included an RHNA obligation of 8,283 units, of which only a portion were built during the last 8 years. In the 2021–2029 Housing Element cycle (6th cycle), the City's RHNA obligation is a minimum of 18,458 new housing units. Given that 100 percent of potential housing sites will likely not be developed to full potential, the City has provided a buffer of approximately 5,500 DUs (approximately 30 percent over and above the RHNA obligation). Altogether, the City has identified space for up to 24,000 new homes for the 2021–2029 RHNA cycle.

Furthermore, the number of proposed DUs is larger than what is required by the City's RHNA obligation because the maximum allowable development calculations used for the purposes of the Draft EIR assume that all Opportunity Sites will develop up to 100 percent of their zoned capacity for a total of 31,564 DUs. State housing element law, on the other hand, requires a more conservative estimate of development potential based on realistic development capacity to account for factors like site constraints, market fluctuations, and other variables. To account for this, the Housing Element Update assumes that any given Opportunity Site will only develop to approximately 75 percent of the maximum development capacity established by zoning for the purposes of RHNA.

The proposed zoning code changes involving the Opportunity Sites will allow for fulfilment of the City's RHNA obligation. The Project does not approve any individual proposed development, but provides an analysis of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site will be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

10.10.2 Comment 6-2

Summary

The commenter requests the removal of six Opportunity Sites on Central Avenue included in the Housing Element and asks what the Draft EIR traffic study included and how will traffic flow when

“U” turns are not allowed at most intersections on Central Avenue. The commenter also asks when plans were submitted for the 44 condos property.

Response

The comment is noted regarding the 44 condos property. This comment will be part of the record considered by the City in determining whether to approve the Project.

The analysis performed for the Project in Section 3.12, *Transportation*, of the Draft EIR, included major roadways as part of determining potential transportation impacts. The transportation roadway network was part of the review for Opportunity Sites and factored into the transportation analysis.

The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

10.10.3 Comment 6-3

Summary

The commenter states that the 800+ Opportunity Sites were selected without consideration of detrimental impacts on on-the-ground, site-specific communities and states that public input and impact should be of primary concern.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

According to the Draft EIR (pages 2-4 through 2-5), the Opportunity Sites inventory analysis was initially conducted using a data-driven process to identify as many sites as possible. A weighted suitability model was used to evaluate multiple criteria influencing the likelihood of development on a parcel-by-parcel basis. Each property was assigned a total weighted score, where the higher the score the greater the likelihood of development. The process of identifying the Opportunity Sites also involved eliminating sites with significant constraints to development. Factors like existing land uses, General Plan land use designations, year constructed of developments on properties, improvement ratio between the value of improvements versus the value of the underlying land, lot acreage, lot vacancy, an underutilization index, airport compatibility zones, current zoning, and several other factors. Also, Opportunity Sites were identified by the City for consideration based on City staff's expert local knowledge.

The City is undertaking an inclusive process in which all residents have the chance to participate. State planning law requires that the City engage the public and include all stakeholders and income groups. Throughout all phases of the Project—and all iterations of pandemic-related restrictions—the City took a multifaceted approach to engage residents. The Housing Element Technical

Background Report TBR 5 – Public Outreach contains a detailed report of all outreach activities conducted, levels of participation, and key themes of the feedback that was received. In summary, outreach activities included:

- Updates and presentations to the City Council Housing & Homelessness Committee (May 2021) and Planning Commission (March and August 2021)
- Individual Councilmember briefings at each phase of the Update
- Six virtual public workshops in January, February, May, and June 2021
- Ward-based in-person community updates in June and July 2021
- Virtual focus group meetings as requested
- One-on-one consultations with residents and stakeholders as requested
- A dedicated project website
- Two online surveys
- Online ranking feedback forms for each of the draft Housing and Public Safety Elements and Environmental Justice Policies
- Map.Social: an online map-based feedback and commenting tool
- Interactive Housing Opportunity Sites web map
- Noticed public hearings before the Planning Commission and City Council
- Recorded public meetings posted online
- Letters to individual property owners and occupants of Opportunity Sites Inventory properties
- Postcard notices to property owners within 300 feet of Opportunity Sites
- Flyer distribution at emergency food distribution events with City partners
- Electronic billboard announcements
- Social media outreach through official City channels
- Media kits including flyers, social media graphics and copy distributed to individual Councilmembers for each event
- Regular email blasts to over 50,000 recipients

In addition, to date, three CEQA-specific meetings were held virtually and in person on April 22, 2021, August 5, 2021, and August 13, 2021, to inform the public of the Project and solicit comments and feedback on the NOP and Draft EIR.

10.11 Comment Letter 7: Amy Minter, Chatten-Brown, Carstens & Minter, LLP on behalf of the Victoria Avenue Neighborhood Alliance

10.11.1 Comment 7-1

Summary

The commenter is submitting these comments on the Draft EIR on behalf of the Victoria Avenue Neighborhood Alliance and provides background information regarding the alliance. The commenter summarizes the components of the Project and states that the comments in this introduction focus on the area identified as Opportunity Site 208 in the Housing Element, located at 2201 Fairview Avenue in the City.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

10.11.2 Comment 7-2

Summary

The commenter states that the Draft EIR's analysis of impacts is inadequate regarding the inclusion of Opportunity Site 208 because it fails to adequately disclose and analyze the significant adverse impacts associated with potential development of the site.

Response

The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

The Project was evaluated in a programmatic EIR, and, as such, does not identify specific development projects or their individual impacts. Detailed, quantitative assessments for topics like land use and zoning, geotechnical, and traffic and transportation, etc. would be performed during the specific impact analyses that would occur during the independent development review process for each development proposal facilitated by the Project. Furthermore, development review is the primary way that local governments ensure the construction of projects contribute in a positive manner to the community and improve quality of life. Additional background for the City's development review process can be found in the 2021–2029 Draft Housing Element Technical Background Report under a section entitled Development Review Process.

10.11.3 Comment 7-3

Summary

The commenter states that the Draft EIR fails to disclose land use impacts associated with illegal spot zoning and provides background regarding Opportunity Site 208's zoning and development potential that will increase from seven housing units to 44 units. The commenter states that spot zoning is illegal and would be inconsistent with the existing general plan and would adversely affect surrounding property owners.

Response

Refer to Response to Comment 7-2 above regarding the potential for additional CEQA evaluation to determine the potential impacts of any development proposed on Opportunity Site 208, which would require additional environmental review and land use consistency.

Spot zoning is the process of singling out an individual parcel of land for a use classification that differs from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners. The City's rezoning effort is a large scale, citywide effort proposed for the purposes of meeting the state-required RHNA obligation, rather than an effort to zone Opportunity Site 208 independently. Sites are considered suitable for residential development if zoned appropriately and available for residential use during the planning period (2021–2029). To accommodate the RHNA, the City identified sites for rezoning and intends to process these proposed Zoning changes concurrently with the adoption of the Housing Element. The 2021–2029 Draft Housing Element Technical Background Report, Appendix A, Opportunity Sites Inventory, shows the sites that are recommended to be rezoned as part of the Housing Element.

According to the Housing Element, state housing element law requires that a local jurisdiction accommodate its share of the region's projected housing needs for the planning period. This share, called the RHNA, is important because state law mandates that a jurisdiction provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community. Compliance with this requirement is measured by the jurisdiction's ability to provide adequate land with adequate density and appropriate development standards to accommodate the RHNA. The City's Zoning Code will implement many of the Policies and Programs in the Housing Element. Updates to the Zoning Code could include urban design regulations, incentives for building the maximum number of homes allowed, replacement of units consistent with state density bonus law, and others. Housing element law specifies that jurisdictions must facilitate and encourage a range of housing types for all economic segments of the community. The City must demonstrate the availability of sites with appropriate zoning and development standards that can facilitate and encourage the development of such units by the end of the planning period (October 15, 2029).

10.11.4 Comment 7-4

Summary

The commenter states that the Draft EIR fails to disclose geotechnical impacts associated with development of Opportunity Site 208, as the site is a steep hillside underlain with granite and significant excavation of the hillside would be required to develop the site as 44 condo units. The

commenter states that the geotechnical impacts associated with upzoning the site should be included now or the site should be removed as an Opportunity Site.

Response

The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal, including related to geotechnical impacts.

10.11.5 Comment 7-5

Summary

The commenter states that the Draft EIR fails to disclose traffic safety impacts associated with development of Opportunity Site 208 especially as Central Avenue into Alessandro Boulevard is a heavily traveled street in the City with high accident rates. The commenter states that the traffic safety impacts associated with upzoning the site should be included now or the site should be removed as an opportunity site.

Response

The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal, including related to traffic safety.

10.11.6 Comment 7-6

Summary

The commenter states that the Opportunity Site 208 is not necessary to meet the City's RHNA obligation or the California Department of Housing and Community Development's requirement. The commenter also concludes that the site would result in significant adverse land use, geotechnical, traffic safety, and water supply impacts that were not addressed in the Draft EIR and urges the City to remove Opportunity Site 208 from consideration in the Housing Element.

Response

The Project does not approve any individual proposed development, but provides an analysis of the environmental impacts of implementation of the Housing Element at a programmatic level. Each proposed development on any Opportunity Site would be required to go through an independent development review to determine any operational needs and specific compliance with Riverside Municipal Code and other applicable regulations to assess potential operational aspects of the proposal.

According to the Draft EIR (page 2-3), the Housing Element cycle covering the 2013–2021 period included an RHNA obligation of 8,283 units, of which only a portion were built during the last 8 years. In the 2021–2029 Housing Element cycle (6th cycle), the City’s RHNA obligation is a minimum of 18,458 new housing units. Given that 100 percent of potential housing sites will likely not be developed to full potential, the City has provided a buffer of approximately 5,500 DUs (approximately 30 percent over and above the RHNA obligation). Altogether, the City has identified space for up to 24,000 new homes (18,458 units with a 30 percent No Net Loss buffer) for the 2021–2029 RHNA cycle.

Furthermore, the number of proposed DUs is larger than what is required by the California Department of Housing and Community Development because the maximum allowable development calculations used for the purposes of the Draft EIR assume that all Opportunity Sites will develop up to 100 percent of their zoned capacity for a total of 31,564 DUs. State housing element law, on the other hand, requires a more conservative estimate of development potential based on realistic development capacity to account for factors like site constraints, market fluctuations, and other variables. To account for this, the Housing Element Update assumes that any given Opportunity Site will only develop to approximately 75 percent of the maximum development capacity established by zoning.

Regarding the comment about water availability, SB 1087 requires that water use projections in an UWMP include the projected water use for single-family and multi-family residential housing for lower-income households, as identified in the housing element of any city and county in the service area of the supplier. RPU used the percentage of low-income and very-low-income housing identified in the RHNA for 2021 through 2029 for the City, approved by SCAG, to estimate the number of new low-income housing units that may require service within RPU’s retail service area. The RHNA data indicated that 43 percent of projected housing units will be for very low-income or low-income households. It is expected that these households will contribute 43 percent of future residential demands. These demands have been included in the demand projections presented in the 2020 UWMP.

10.12 Comment Letter 8: Ana Gonzalez, Riverside Unified School District

10.12.1 Comment 8-1

Summary

The commenter states that RUSD appreciates the opportunity to review the Draft and understands that the purpose of the report is to comply with state law requiring regular updates to the Housing Element and that the project is not intended to approve or deny any specific project. The agency states that it has no issue with the Draft EIR but requests that the City notice and involve the agency on all projects that can potentially affect RUSD facilities, including traffic and circulation modifications, utility infrastructure updates, liquor licenses, any/all construction, changes to land use and zoning, impacts on school safe routes, permitting and development of potential commercial/industrial businesses and handling or producing of hazardous materials and emissions.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

However, the City regularly notifies RUSD of projects that could potentially affect RUSD facilities and will continue to do so as part of the development review process for individual Opportunity Site developments. Furthermore, as stated in the Draft EIR, Section 3.10, *Public Services* (page 3.10-19), future residential development would comply with Riverside Municipal Code Chapter 16.56, *School Development Fee*, which establishes coordination between the City and the applicable school district (i.e., RUSD) to develop a school development fee for mitigating the impact of residential development on local school districts. In addition, legislation allows school districts to collect impact fees from developers of new residential and commercial uses. Pursuant to Government Code Section 65996, school fees imposed through the Education Code are deemed to be full mitigation for new development projects; the City cannot impose additional mitigation measures.

10.13 Comment Letter 9: Nancy Magi

10.13.1 Comment 9-1

Summary

The commenter summarizes the list of significant and unavoidable impacts found in the Draft EIR (air quality, GHG emissions, noise, pollution, housing, and transportation), and states that the list of negative impacts describes a major attack on quality of life in Riverside. The commenter also questions how the City can build housing and ignore air quality, green spaces, affected traffic, and lack of parking.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project.

The discussion and analysis of significant impacts are found in Section 3.1, *Air Quality*, Section 3.5, *Greenhouse Gas Emissions*, Section 3.8, *Noise*, Section 3.9, *Population and Housing*, and Section 3.12, *Transportation*, and summarized in the *Executive Summary* and Chapter 5, *Other CEQA Considerations*. Regarding transportation impacts, the analysis performed for the Project in Section 3.12, *Transportation*, looked at major roadways in determining transportation impacts. The transportation roadway network was part of the review for Opportunity Sites and factored into the transportation analysis. As stated in the Draft EIR (page 3.12-19), the Project-generated VMT and the Project's effect on VMT thresholds are presented by land use type (residential, commercial, etc.) and for the City as a whole. For this assessment, VMT is calculated for Project-generated VMT by accounting for all of the VMT with at least one trip end within the City and tracking it to its ultimate destination; while the Project's effect on VMT is calculated by multiplying the number of vehicles on each roadway by the length of that roadway. Link-level boundary VMT includes all vehicles on a roadway within a designated boundary. Project-generated VMT includes trips that start or end within the City. Because the Project would increase population and employment within the City, VMT would increase. However, as shown in Table 3.12-4 (City of Riverside Project-Generated VMT Summary), the VMT per service population would decrease within the City, showing that travel on a per-person basis would be more efficient (e.g., fewer auto trips would be generated on a per-person basis, or auto trips generated would travel less than existing trips within the City) with the addition of the Project. Net total VMT would increase between the No Project and Project conditions in the base and future years. As shown in the Draft EIR (page 3.12-22), the Project's effect on VMT is considered a significant impact for the total link-level boundary VMT, and a less-than-significant impact for the link-level boundary VMT per service population. Mitigation Measure **MM-TRA-1** would be required to reduce impacts, as the Project would affect the VMT in the City. Given the uncertainty in some components of the measures that influence VMT (such as the cost of fuel) combined with the City's inability to influence other measures that would have the largest effect on VMT (such as implementation of a VMT tax or an increase in the fuel tax), the effectiveness of these Transportation Demand Management measures cannot be guaranteed to reduce impacts and the impact is thus considered significant and unavoidable.

Section 15126.2(b) of the State CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided even with implementation of feasible mitigation measures. Based on the environmental analysis in Chapter 3, the Project would result in the significant and unavoidable impacts on the list of impacts noted in the comment.

To summarize what is found in the Draft EIR (page ES-48-49), while the specific mitigation measures proposed in the Draft EIR would reduce the level of many significant impacts to a less-than-significant level, the Draft EIR identified the areas where, after implementation of feasible mitigation, the Project may nonetheless result in impacts that cannot be fully mitigated (air quality, GHG emissions, noise, population and housing, and transportation).

Various benefits would accrue from implementation of the Project, which must be weighed against the potential adverse effects of Project implementation in deciding whether to approve the Project. These potential benefits will be set forth in a “Statement of Overriding Considerations,” which is required by CEQA prior to approving a project with unavoidable significant impacts.

The Project would involve the following benefits, including meeting state requirements for updates to the Housing Element to ensure relevancy and accuracy as approved by the California Department of Housing and Community Development; providing a coordinated and comprehensive strategy for promoting safe and affordable housing throughout the community; implementing the Public Safety Element to provide proactive measures to reduce the risk of hazards and to responds to immediate safety threats; integrating and implementing Environmental Justice Policies to address issues related to public health, social equity and environmental justice and reduce health risks, promoting civic engagement, and prioritizing the needs of disadvantaged communities in the City; and others.

10.13.2 Comment 9-2

Summary

The commenter provides questions and observations regarding (1) the difference between land use policy map and zoning map, (2) where do Central/Alessandro roads fit into the specific map, (3) definition of streamline, and which state legislation will the City’s compliance achieve. The comment also repeats the comments found in Comment 9-1.

Response

Comment noted. This comment does not address the environmental analysis provided in the Draft EIR. This comment will be part of the record considered by the City in determining whether to approve the Project. Refer to Response to Comment 9-1 for a response to significant and unavoidable impacts and the Project’s benefits.

Regarding the comment requesting to know the difference between the “Land Use Policy Map” and “Zoning Map,” the General Plan Land Use Map is a policy document and the Zoning Map is a regulatory document per Title 19 of the Riverside Municipal Code (https://library.municode.com/ca/riverside/codes/code_of_ordinances?nodeId=PTIICOOR_TIT19ZO_ARTIZOCOENAP).

It is unclear what is meant by the comment regarding how Central/Alessandro roads fit into the “Specific Map.”

The term *streamline* is defined as the removal of regulatory barriers, to the greatest extent possible, for identified Opportunity Sites so that those projects on Opportunity Sites that meet development standards require administrative design review approval, as opposed to other discretionary approval requirements such as a Conditional Use Permit.

The following state legislation will be applicable for compliance: Government Code – Title 7 (Planning and Land Use) – Division 1 (Planning and Zoning) – Chapter 3 (Local Planning) – Article 10.6 (Housing Elements) – Sections 65580 - 65589.11 (https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=1.&chapter=3.&lawCode=GOV&title=7.&article=10.6).

Additional documentation from the State of California Housing & Community Development is provided in the link below: https://hcdca.gov.app.box.com/s/kaz1lly4bfxhsr3ty2lvaz6l5s8k0i54?utm_source=SCAG+Community&utm_campaign=93503bd428-HOUSING_2021_05_03&utm_medium=email&utm_term=0_d8c0406cae-93503bd428-1307865286

10.14 Comment Letter 10: Frank Byrne

10.14.1 Comment 10-1

Summary

The commenter summarizes the list of impacts that are less than significant with mitigation (biological resources, cultural resources, paleontological resources, hazards and hazardous materials, and tribal cultural resources) and significant and unavoidable impacts found in the Draft EIR (air quality, GHG emissions, noise, pollution, housing, and transportation). The commenter states that the significant impacts affect the health and wellbeing in Riverside and the City should made additional efforts to reduce the impacts to below significant levels. The commenter states that a Statement of Overriding Considerations is required to be adopted by the City Council due to significant impacts and is asking the Planning Commission and City Council to vote the proposed project down in order to protect the health of the citizens of Riverside.

Response

Section 15126.2(b) of the State CEQA Guidelines requires that an EIR describe any significant impacts that cannot be avoided even with implementation of feasible mitigation measures. Based on the environmental analysis in Chapter 3, the Project would result in the significant and unavoidable impacts on the list of impacts noted in the comment. The discussion and analysis of significant impacts are found in Section 3.1, *Air Quality*, Section 3.5, *Greenhouse Gas Emissions*, Section 3.8, *Noise*, Section 3.9, *Population and Housing*, and Section 3.12, *Transportation*, and summarized in the *Executive Summary* and Chapter 5, *Other CEQA Considerations*.

To summarize what is found in the Draft EIR (pages ES-48–ES-49), while the specific mitigation measures proposed in the Draft EIR would reduce the level of many significant impacts to a less-than-significant level, the Draft EIR identified the areas where, after implementation of feasible mitigation, the Project may nonetheless result in impacts that cannot be fully mitigated (air quality, GHG emissions, noise, population and housing, and transportation).

Various benefits would accrue from implementation of the Project, which must be weighed against the potential adverse effects of Project implementation in deciding whether to approve the Project. These potential benefits will be set forth in a “Statement of Overriding Considerations,” which is required by CEQA prior to approving a project with unavoidable significant impacts.

The Project would involve the following benefits, including meeting state requirements for updates to the Housing Element to ensure relevancy and accuracy as approved by the California Department of Housing and Community Development; providing a coordinated and comprehensive strategy for promoting safe and affordable housing throughout the community; implementing the Public Safety Element to provide proactive measures to reduce the risk of hazards and to responds to immediate safety threats; integrating and implementing Environmental Justice Policies to address issues related to public health, social equity and environmental justice and reduce health risks, promoting civic engagement, and prioritizing the needs of disadvantaged communities in the community; and others.

10.14.2 Comment 10-2

Summary

The commenter proposes an additional alternative for evaluation in the EIR, specifically to reduce the number of Opportunity Sites, particular high-density housing units in single-family residential areas to reduce the major impacts associated with the current Project.

Response

The Draft EIR evaluates several alternatives, including Alternative 1—No Project Alternative, Alternative 2—Dispersed Growth Alternative, Alternative 3—Focused Growth Alternative, and Alternative 4—Limited Opportunity Sites Alternative, which vary by density proposed or housing types or a combination of these factors. The Draft EIR also includes several alternatives considered and rejected from consideration, including Alternative Locations, Early Versions of the Opportunity Sites Alternative, Historical Development Pattern Alternative, and No Rezoning Alternative. The most similar alternative to the commenter’s recommendation is Alternative 4 as it reduces the number of Opportunity Sites in the City.

Alternative 4, Limited Opportunity Sites Alternative (2020–2045 RTP/SCS Consistency Alternative), would involve selection of a reduced number of the identified Opportunity Sites on which to locate future housing development, focused on meeting but not exceeding the RHNA obligation of 18,458 RHNA units. As summarized from the Draft EIR, Chapter 4, *Alternatives*, development under Alternative 4 would result in reduced impacts on air quality, biological resources, cultural and tribal cultural resources, paleontological resources, GHG emissions, population and housing, noise, population and housing, public services, and utilities and service systems. The reduced impacts in these areas are a result of a reduction in the number of sites that would be affected by development. The remaining environmental resource areas (hazards and hazardous materials, recreation, transportation) would have similar impacts to those of the Project under Alternative 3 development. For land use and planning, the reduction in Opportunity Sites would not as effectively meet the land use objectives of the regional 2020–2045 RTP/SCS goals, including creation of affordable housing, encouragement of land development near transit, and facilitation of infill development. While impacts for this alternative would be similar to those of the Project, this alternative would not as effectively meet the goals of the SCAG 2020–2045 RTP/SCS, which are intended to avoid or minimize environmental effects. Therefore, impacts related to conflicts with plans adopted for the purpose of avoiding or mitigating an environmental effect would be greater for Alternative 4 than those of the Project.

The significant and unavoidable effects of Alternative 4 are the same for the Project for its impacts on air quality, GHG, noise, and transportation and only significant impacts on population and housing are reduced. While the reduction in Opportunity Sites would reduce some of the impacts, Alternative 4 would still contribute to a significant and unavoidable impacts on these impact categories and would not reduce the severity of these impacts to less-than-significant levels except for population and housing. Alternative 4 would also result in greater impacts on land use and planning. Therefore, the CEQA policy of reducing significant environmental effects to the extent feasible would not be satisfied through the adoption of Alternative 4. Therefore, Alternative 4 is not considered environmentally superior to the Project. Furthermore, Alternative 4 would not meet the project objective of exceeding the RHNA obligation with a 30 percent No Net Loss buffer for

approximately 24,000 units under the Project. Alternative 4 can be rejected as a project alternative as Alternative 4 would not implement the project objectives or avoid all significant environmental impacts as this alternative would reduce some of the Project's impacts but would also result in somewhat greater impacts on Land Use and Planning. Alternative 4 is determined to be feasible, similar to the Project, and fewer sites in the City would require rezoning, amendments to various subsidiary plans, or other land use changes. However, the alternative satisfies fewer project objectives without environmental benefit and would not support feasibility as it would be more difficult to meet the RHNA obligation and project objectives in contrast to a superior project.

11.1 Introduction

The following clarifications, modifications, and revisions are intended to update the Draft Environmental Impact Report (EIR) in response to the comments received during the public review period for the Riverside Housing and Public Safety Element Updates and Environmental Justice Policies Project (Project) EIR. These changes, which have been incorporated into the Draft EIR, constitute the Final EIR, to be presented to the City of Riverside (City) City Council for certification and project approval. These modifications clarify, amplify, or make insignificant changes to the EIR. Revisions to the EIR have not resulted in new significant impacts or mitigation measures or increased the severity of an impact. None of the criteria for recirculation set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15088.5(a) have been met, and recirculation of the EIR is not required. Significant new information requiring recirculation includes:

- a new significant environmental impact resulting from the Project or from new mitigation measures proposed to be implemented;
- a substantial increase in the severity of an environmental impact unless mitigation measures are adopted to reduce the impact to a level of insignificance;
- a feasible project alternative or mitigation measure considerably different from the others previously analyzed in the Draft EIR that would clearly lessen the environmental impacts of the Project, but the Project’s proponent declined to adopt it; or
- that the Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The revisions assembled in this chapter do not constitute “significant new information” noted in Section 15088.5(a)(1), because no new significant environmental impacts have been identified following the publication of the Draft EIR. Furthermore, none of the modifications would result in a substantial increase in impacts already identified, and the revisions are designed to further clarify and amplify the analysis in the Draft EIR. Also, no new alternatives have been identified that would clearly lessen impacts. As such, the revisions compiled in this chapter do not constitute “significant new information” noted in Section 15088.5(a)(4) because the EIR is not fundamentally and basically inadequate and conclusory in nature. The EIR provides as summary and analysis of information available at the time of its publication to assist in evaluating the components of the Project and any risks associated with its implementation.

11.2 Clarifications and Modifications

The changes to the Draft EIR are listed by chapter, section, and page number. Changes in text are shown in either ~~strikeout (deleted text)~~ where text has been removed or in underline (added text) where text has been added.

11.2.1 Executive Summary

Section ES.4.1, Summary of Project Impacts and Mitigation, Table ES-2, Summary of Project Impacts, *Land Use*

<u>Page</u>	<u>Correction</u>
-------------	-------------------

ES-34-35	Corrections have been made in Table ES-2, Summary of Project Impacts, to correct impact statements for land use, as shown below.
----------	--

Table ES-2 describes the environmental impacts that could result from implementation of the Project. Additionally, the table describes the level of significance before mitigation, mitigation measures as applicable, and level of significance after mitigation. The complete impact analysis is presented in Chapter 3, *Impact Analysis*. The level of significance for each impact was determined using significance criteria (thresholds) developed for each category of impacts; these criteria are presented in the appropriate sections of Chapter 3. Significant impacts are those adverse environmental impacts that meet or exceed the significance thresholds; less-than-significant impacts would not exceed the thresholds.

Table ES-2. Summary of Project Impacts

Potential Environmental Impacts		Level of Significance before Mitigation	Mitigation Measures	Level of Significance after Mitigation
Land Use and Planning				
Impact LU-1: The Project would not physically divide an established community violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality.	<i>Housing Element Update, Zoning Code and Specific Plan Amendments, and Environmental Justice Policies</i>	Less than significant	None required.	N/A
	<i>Public Safety Element Update and Environmental Justice Policies</i>	Less than significant	None required.	N/A
Impact LU-2: The Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin.	<i>Housing Element Update, Zoning Code and Specific Plan Amendments, and Environmental Justice Policies</i>	Less than significant	None required.	N/A
	<i>Public Safety Element Update and Environmental Justice Policies</i>	Less than significant	None required.	N/A

Section ES.8, How to Comment on this Draft EIR

Page Addition

ES-50-51 Additions have been made in Section ES.8, *How to Comment on this Draft EIR*, to state that two public meetings were held for the Project, as shown below.

The Draft EIR ~~is now being~~ was made available for review and comment by public agencies and the public. The review period ~~begins~~ began Monday, July 19, 2021, and ~~ends~~ ended Thursday, September 2, 2021, at 5:00 p.m. Pacific Time. Please submit your comments to the City of Riverside Community & Economic Development Department, Planning Division by the close of the public review period.

Copies of this Draft EIR ~~are~~ were available for review at the following locations:

- City of Riverside Community & Economic Development Department, Planning Division, 3900 Main Street, 3rd Floor Riverside, CA 92522
- Riverside Public Library
 - Main Branch: 3900 Mission Inn Avenue
 - Arlington Branch: 9556 Magnolia Avenue
 - Arlanza Branch: 8267 Philbin Avenue
 - SSgt. Salvador J. Lara Casa Blanca Branch: 2958 Madison Street
 - Spc. Jesus S. Duran Eastside Branch: 4033 Chicago Avenue, Suite C
 - La Sierra Branch: 4600 La Sierra Avenue
 - Orange Terrace Branch: 20010 Orange Terrace Parkway

The Draft EIR ~~is~~ was also available online at the City of Riverside Community & Economic Development Department's website.

- <https://riversideca.gov/cedd/planning/riverside-housing-public-safety-element-and-environmental-justice-approach>

The Project ~~will be~~ was discussed, and public comments ~~can be~~ were provided during ~~at two~~ two Planning Commission meetings scheduled for August 5, 2021, and August 13, 2021, both meetings beginning at 9 a.m. in the Art Pick Council Chamber. Agencies and the public ~~are invited to~~ attended and provided comments during the meetings.

All written comments should be directed to:

Matthew Taylor, Senior Planner
 City of Riverside Community & Economic Development Department, Planning Division
 3900 Main Street, 3rd Floor
 Riverside, CA 92522
 Email: mtaylor@riversideca.gov

After consideration of public comments, the City will prepare and publish responses to comments it received on the environmental effects of the Project. The ~~Final EIR Project~~ will ~~was~~ then be considered by the City of Riverside Planning Commission on September 9, 2021, prior to deciding to approve, approve recommend as is or with modification, or

to reject the Project prior to Riverside City Council review. Following Planning Commission recommendation, the Riverside City Council will review the Final EIR and consider certifying the Final EIR and adopting required findings and statement of overriding considerations in conjunction with Project approval on October 5, 2021.

11.2.2 Chapter 2, Project Description

Appendix B, Proposed Housing Element, Public Safety Element, and Environmental Justice Preliminary Policies

Page Addition/Correction

Appendix B Additions and corrections have been made to the draft versions of the Policies and Implementing Actions for the Housing Element, Public Safety Element, and Environmental Justice Preliminary Policies in Appendix B to Chapter 2, *Project Description*, to provide final versions of the Policies and Implementing Actions. The revised Appendix B is included at the end of this chapter.

11.2.3 Section 3.2, Biological Resources

Section 3.2.5, Impacts and Mitigation Measures

Impact BIO-1

Page Clarification

3.2-24 Clarification has been made in Section 3.2.5, *Impacts and Mitigation Measures*, for the discussion of Impact BIO-1 related to special-status wildlife species to state that implementation of Mitigation Measure **MM-BIO-1** would be required for Opportunity Site projects that are not eligible for the ministerial approval process and are projects per CEQA and to correct a typo in the heading, as shown below.

Impact BIO-1: The Project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Implementation of Mitigation Measure MM-BIO-1 would reduce this impact to less-than-significant levels.

Housing Element Update, Zoning Code and Specific Plan Amendments, and Environmental Justice Policies

~~Special~~-Status Wildlife Species

Although future development projects facilitated by the Housing Element Update and Zoning Code and Specific Plan amendments could result in the removal and/or disturbance of suitable habitat for special-status species, and direct and indirect impacts on individuals, and Opportunity Site projects that are not eligible for the ministerial approval process (and ~~not~~ are projects per CEQA),

implementation of Mitigation Measure **MM-BIO-1** would avoid or minimize any potential impacts on special-status plant and/or animal species. Because the City is a permittee in the WRC MSHCP, each individual development project would go through the WRC MSHCP consistency review process to ensure that it is consistent with the requirements of the plan and, as described in Mitigation Measure **MM-BIO-1**, would implement additional project-specific mitigation as needed. The WRC MSHCP consistency review for specific developments may include habitat assessments and protocol surveys for riparian bird species, habitat assessments and focused surveys for burrowing owl, surveys for amphibians and mammals, habitat assessments and protocol surveys for listed fairy shrimp species, and quantification of impacts on coastal sage scrub suitable habitat for coastal California gnatcatcher. The methods and results of any required survey would be provided to the RCA and wildlife agencies for any impacts within Riparian/Riverine areas or Cell areas as part of the WRC MSHCP consistency review. Consistency with the WRC MSHCP would ensure that impacts on sensitive or listed species would be mitigated on a biologically equivalent basis. Consequently, impacts on special-status species would be less than significant with implementation of this measure and individual project-specific consistency with the WRC MSHCP.

Impact BIO-2

Page Clarification

3.2-39 Clarification has been made in Section 3.2.5, *Impacts and Mitigation Measures*, for the discussion of Impact BIO-2 related to habitat degradation from indirect effects to state that implementation of Mitigation Measure **MM-BIO-1** would be required for Opportunity Site projects that are not eligible for the ministerial approval process and are projects per CEQA, as shown below.

Impact BIO-2: The Project could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Implementation of Mitigation Measure MM-BIO-1 would reduce this impact to less-than-significant levels.

Housing Element Update, Zoning Code Amendments, and Environmental Justice Policies

Habitat Degradation from Indirect Effects

Although future development under the Housing Element Update and Zoning Code and Specific Plan amendments could result in the removal and/or disturbance of sensitive natural communities, and Opportunity Site projects that are not eligible for the ministerial approval process (and ~~not are~~ are projects per CEQA), implementation of Mitigation Measure **MM-BIO-1** (see Impact BIO-1) would avoid or minimize any potential impacts on sensitive natural communities. Because the City is a permittee in the WRC MSHCP, each individual development project would go through the WRC MSHCP consistency review process to ensure that it is consistent with the requirements of the plan and, as described in Mitigation Measure **MM-BIO-1**, would implement additional project-specific mitigation to achieve biological equivalency pursuant to the plan, as needed. Consequently, impacts on sensitive natural communities would be less than significant with implementation of this measure and individual project-specific consistency with the WRC MSHCP.

Impact BIO-3

Page Clarification

3.2-42 Clarification has been made in Section 3.2.5, *Impacts and Mitigation Measures*, for the discussion of Impact BIO-3 related to state or federally protected wetlands to state that implementation of Mitigation Measure **MM-BIO-1** would be required for Opportunity Site projects that are not eligible for the ministerial approval process and are projects per CEQA, as shown below.

Impact BIO-3: The Project could have a substantial adverse effect on state- or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands) through direct removal, filling, hydrological interruption, or other means. Implementation of Mitigation Measure MM-BIO-1 would reduce this impact to less-than-significant levels.

Housing Element Update, Zoning Code Amendments, and Environmental Justice Policies

Although future development facilitated by the Project could result in the removal and/or disturbance of WRC MSHCP-designated Riparian/Riverine habitats, wetlands, and/or potentially jurisdictional aquatic resources, and Opportunity Site projects that are not eligible for the ministerial approval process (and ~~not~~ are projects per CEQA), implementation of Mitigation Measure **MM-BIO-1** (see Impact BIO-1) would avoid or minimize any potential impacts on WRC MSHCP-designated Riparian/Riverine habitats, wetlands, and/or potentially jurisdictional aquatic resources. Because the City is a permittee in the WRC MSHCP, each individual development project would go through the WRC MSHCP consistency review process to ensure that it is consistent with the requirements of the plan and, as described in Mitigation Measure **MM-BIO-1**, would implement additional project-specific mitigation, as needed. Consequently, impacts on WRC MSHCP-designated Riparian/Riverine habitats, wetlands, and/or potentially jurisdictional aquatic resources would be less than significant with implementation of this measure and individual project-specific consistency with the WRC MSHCP. In addition, implementation of the Statewide NPDES Construction General Permit and construction site BMPs outlined in the Project’s Stormwater Pollution Prevention Plan would reduce construction-related indirect impacts on wetlands and/or jurisdictional aquatic resources from erosion, sedimentation, and pollution.

11.2.4 Section 3.11, Recreation

Section 3.11.5, Impacts and Mitigation Measures

Page Addition

3.11-22-23 Text has been added in Section 3.11.5, *Impacts and Mitigation Measures*, for Impact REC-2 to provide Riverside Municipal Code references, add trail development fees, and add the City’s capital improvement budget for park and recreational facilities, as shown below.

Impact REC-2: The Project could include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. This impact would be less than significant.

Housing Element Update, Zoning Code Amendments, and Environmental Justice Policies

Implementation of the Housing Element Update would result in additional housing beyond what is currently allowed under the existing GP 2025. As stated previously, this could result in an additional 31,564 dwelling units and an increase of 103,530 in City population or up to 31,175 dwelling units over existing conditions and is anticipated at build-out under the City's 2014–2021 Housing Element. City parkland standards, RMC Chapter 16, and GP 2025 Policy PR-1.2 require a minimum of 3 acres of developed parkland per 1,000 residents and other requirements applicable to new residential development to accommodate demand for recreational facilities. The City requires that private developers proposing residential projects in the City include open space within their project as well as adhere to RMC 16.44, 16.60, and 16.76 and pay park and trail development impact fees as described in Section 3.11.3 above. These dedications and fees are collected by the City as part of the development review process and are used for the purpose of supporting the City's capital improvement recreational budget for past and present park and recreational facilities to serve the community.

11.2.5 Section 3.12, Transportation

Page Addition

3.12-20 Text has been added in Section 3.12.5, *Impacts and Mitigation Measures*, to provide additional clarification regarding the Project impacts and a table reference was added, as shown below.

Impact TRA-2: The Project would conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b), as the Project would affect the VMT in the City of Riverside. This impact would be significant and unavoidable.

Housing Element Update, Zoning Code Amendments, and Environmental Justice Policies

The Project would affect the VMT in the City. Because the Project would facilitate an increase in population and employment within the City, VMT would increase. However, as shown in ~~the table~~ Table 3.12-4, the VMT per service population would decrease within the City, showing that travel on a per-person basis would be more efficient with the addition of the Project.

11.2.6 Section 3.13, Tribal Cultural Resources

Section 3.13.4, Methodology and Thresholds of Significance

Page Addition

3.13-7-8 Text has been added in Section 3.13.4, *Methodology and Thresholds of Significance*, to update the Native American consultation results for the San Manuel Band of Mission Indians and Soboba Band of Luiseño Indians, as shown below.

Table 3.13-3. Native American Consultation

Tribe	Response Date	Response
San Manuel Band of Mission Indians – Ryan Nordness (Cultural Resources Analyst)	April 13, 2021	The tribe initially requested consultation, then declined. Upon clarification requests from the City, the tribe decided to consult. Consultation occurred between the City and San Manuel.
	June 23, 2021	The tribe requested to close out consultation with the City.
	<u>September 15, 2021</u>	<u>Upon review of the project documentation, the tribe stated that it sees no conflicts with the General Plan Update at this time. The tribe also stated that it may have comments and/or request formal consultation with the lead agency when specific projects are planned and implemented. The tribe stated that consultation was concluded on this Project.</u>
Pechanga Band of Luiseño Indians – Juan Ochoa (Assistant Tribal Historic Preservation Officer)	April 14, 2021	The tribe formally requested consultation under SB 18. The tribe also requested notification and involvement in the entire CEQA environmental review process for the duration of the Project. The tribe indicated that the area is culturally sensitive and identified types of resources that exist within the City that could be considered TCRs.
Gabrieleño Band of Mission Indians – Kizh Nation - Brandy Salas (Administrative Specialist)	April 22, 2021	The tribe has stated that there is no need for consultation because no ground disturbance will take place. If ground disturbance occurs in the future, the tribe would like to consult.
Agua Caliente Tribal Historic Preservation Office - Lacy Padilla (Archaeologist)	May 7, 2021	The tribe stated that the City is not within the boundaries of the Agua Caliente Band of Cahuilla Indians Reservation but is within the tribe's Traditional Use Area. The tribe requested copies of any cultural resources documentation generated in connection with the Project.
Soboba Band of Luiseño Indians – Joseph Ontiveros (Tribal Historic Preservation Officer)	June 15, 2021	Although the Project is outside of the existing reservation, the City falls within the bounds of the Tribal Traditional Use Areas. The Project is in proximity to known sites, is a shared use area that was used in ongoing trade between tribes, and is considered to be culturally sensitive by the people of Soboba. The tribe requests government-to-government consultation and that Native American

Tribe	Response Date	Response
		monitor(s) be present during any ground-disturbing activities, including surveys and archaeological testing.
	<u>August 26, 2021</u>	<u>Upon review of draft Cultural and Tribal Cultural Resources sections of the Draft EIR, Soboba commented that they have no additional concerns and requested to conclude consultation at this time.</u>
Rincon Band of Luiseño Indians – Cheryl Madrigal (Tribal Historic Preservation Officer)	May 7, 2021	The tribe stated that the Project is not within the boundaries of the reservation; however it is within the tribe’s Traditional Use Area. The tribe requested consultation. Consultation between the City and the tribe was conducted.
	July 7, 2021	The tribe requested to close out consultation with the City.

Section 3.13.5, Impacts and Mitigation Measures

Impact TCR-1

Page Clarification

3.13-10 Clarification has been made in Section 3.13.5, *Impacts and Mitigation Measures*, for the discussion of Impact TCR-1 related to tribal cultural resources to state that implementation of Mitigation Measures **MM-CUL-2** through **MM-CUL-9**, **MM-TCR-1**, and **MM-TCR-2** would be required for Opportunity Site projects that are not eligible for the ministerial approval process and are projects per CEQA, as shown below.

Impact TCR-1: The Project could cause a substantial adverse change in the significance of a tribal cultural resource that has cultural value to a California Native American tribe and that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). Implementation of Mitigation Measures MM-CUL-2 through MM-CUL-9, MM-TCR-1, and MM-TCR-2 would reduce this impact to less-than-significant levels.

Housing Element Update, Zoning Code Amendments, and Environmental Justice Policies

Development of Opportunity Sites would potentially include the excavation of soils in undeveloped (vacant) areas and demolition of existing structures in developed areas. Excavation and demolition activities, particularly those that involve disturbance of previously unexcavated native soil, could result in the discovery of previously unidentified resources that might be considered TCRs. At least one tribe has described the presence of resources that could be considered TCRs in the City. Therefore, ground-disturbing activities could result in disturbance or destruction of TCRs, which would be a potentially significant impact. For Opportunity Site projects that are not eligible for the ministerial approval process (and ~~not~~ are projects per CEQA), and with continued consultation with

Native American tribes, implementation of Mitigation Measures **MM-CUL-2** through **MM-CUL-9** (presented in Section 3.3, *Cultural Resources*), **MM-TCR-1**, and **MM-TCR-2** would reduce this impact to less-than-significant levels.

Impact TCR-2

Page Clarification

3.13-13 Clarification has been made in Section 3.13.5, *Impacts and Mitigation Measures*, for the discussion of Impact TCR-2 related to tribal cultural resources to state that implementation of Mitigation Measures **MM-CUL-2** through **MM-CUL-9**, **MM-TCR-1**, and **MM-TCR-2** would be required for Opportunity Site projects that are not eligible for the ministerial approval process and are projects per CEQA, as shown below.

Impact TCR-2: The Project could cause a substantial adverse change in the significance of a tribal cultural resource that has cultural value to a California Native American tribe and that is a resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Implementation of Mitigation Measures MM-CUL-2 through MM-CUL-9, MM-TCR-1, and MM-TCR-2 would reduce this impact to less-than-significant levels.

Housing Element Update, Zoning Code Amendments, and Environmental Justice Policies

Not all tribes responded to the City's invitation to consult under AB 52 and SB 18, and the period to request consultation ended on June 29, 2021. During individual project-by-project CEQA analysis and/or consultation under AB 168 (for ministerial projects), it is possible locations of individual TCRs can be delineated and a determination can be made as to whether TCRs would be affected. As such, any ground-disturbing activities associated with proposed development of Opportunity Sites that have not had a cultural resources study at them within the past 5 years could cause a substantial adverse change in the significance of a TCR that has cultural value to a California Native American tribe and that is a resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. For Opportunity Site projects that are not eligible for the ministerial approval process (and ~~not~~ are projects per CEQA), and through continued consultation with Native American tribes, implementation of Mitigation Measures **MM-CUL-2** through **MM-CUL-9** (listed in Section 3.3, *Cultural Resources*), **MM-TCR-1**, and **MM-TCR-2** would reduce these impacts to less-than-significant levels. These mitigation measures would ensure that the project applicant is aware of the potential of TCRs on individual Opportunity Sites; additionally, these mitigation measures provide procedures for implementing proper cultural resource studies, consultation, unanticipated discovery procedures, preservation in place (if possible), and methods for identification, evaluation, and treatment of resources (including TCRs) if necessary such that potential impacts on TCRs are reduced to a level that is less than significant.

11.2.7 Section 3.14, Utilities and Service Systems

Page Addition/Correction

3.14-5 Text has been added in Section 3.12.4, *Environmental Setting*, to provide additional information regarding a reference and to correct the date of the reference, as shown below.

Wastewater

The majority of Riverside's wastewater (generally that which originates in areas northeast of Van Buren Boulevard) is treated at the Public Works Department's RWQCP, which is at 5950 Acorn Street. Areas southwest of Van Buren Boulevard are treated at WMWD's Western Riverside County Regional Wastewater Authority (WRCRWA) Treatment Plant at 14634 Riverside Road in Corona, or at the Western Water Recycling Facility near March Air Reserve Base (WMWD 2021).

Public Works Department Sewer Division

The transport, treatment, and disposal of wastewater generated in the City is provided by the Public Works Department Sewer Division. The Public Works Department operates and maintains the treatment works and a wastewater collection system including over 800 miles of public sewer mains and 400 miles of City-owned laterals throughout the City (City of Riverside 2021a).

Riverside Water Quality Control Plant

The RWQCP provides preliminary, primary, secondary, and tertiary treatment with a hydraulic rated capacity of 46 mgd average dry-weather flow (City of Riverside 2021b). Wastewater is treated using two separate treatment trains, Activated Treatment Train and Membrane Bioreactor Train, with a combined effluent available for reclaimed water use or discharge to the Santa Ana River. As of 2020, the average daily influent flows are 25.3 mgd, according to the City's update to the integrated master plan for wastewater collection and treatment facilities in the City (City of Riverside Public Works Department ~~2021~~2020). RWQCP operations are subject to the waste discharge requirements outlined under Order No. R8-2013-0016, National Pollutant Discharge Elimination System (NPDES) Permit No. CA0105350.

11.2.8 Section 3.14, Utilities and Service Systems

Page Addition

3.14-21-22 Text has been added in Section 3.12.5, *Impacts and Mitigation Measures*, to provide additional information regarding project impacts on wastewater generation found in the Wastewater Collection and Treatment Facilities Integrated Master Plan, as shown below.

Wastewater

Development facilitated by the Project could result in an additional 31,564 housing units over existing conditions in the next 8 years. This increase in housing units would result in an increase in population of 103,530 residents that would result in increased demand for wastewater treatment services.

The majority of wastewater generated in the City flows to the RWQCP. According to the City of Riverside's 2008 Wastewater Collection and Treatment Facilities Integrated Master Plan, historic populations and flows in the City estimated an average flow of 96.6 gallons per capita per day (City of Riverside 2008).¹ Development facilitated by the Project, the extent of which is not fully known until applications are submitted by developers, would increase the population by approximately 103,530 residents. At maximum build-out, the Project would generate an estimated 10 mgd within the City's wastewater service area. As of 2019, the RWQCP was treating an average of 27 mgd. The additional wastewater of 10 mgd generated within the City from full build-out of the Project would be adequately treated by the RWQCP because it would not exceed its treatment capacity of 46 mgd.

Future sewer line upgrades and developments within the City would assume their full fair-share costs (GP 2025 Policy PF-3.2) by implementing sewer service charges, which would be deposited with the City (RMC Chapter 14.04, Sewer Service Charge). The Project would maintain sufficient levels of wastewater service throughout the community (GP 2025 Objective PF-3). Sewer line upgrades would be aligned with the goals of the ~~2008-2021~~ and 2020 Wastewater Collection and Treatment Facilities Integrated Master Plans as the sewer line upgrades and improvements associated with the Project would align with the plan's goal to increase system reliability in conjunction with projected population growth in the City (City of Riverside 2008).

The RWQCP is scalable and expandable to handle both ongoing increased flows and seasonal fluctuations; ample space exists for any additional treatment capacity that may be needed in the future. Moreover, the RWQCP is required to file a written report with the Regional Water Quality Control Board for any month where dry-weather waste flow exceeds 75 percent of the design capacity of the treatment facility. Included therein shall be an intended schedule for studies, design, and other steps needed to provide additional capacity for the treatment facility before wastewater flow rate equals present capacity. The wastewater collection system that conveys wastewater flows to the RWQCP can similarly be expanded to realize and future capacity that may be needed.

To serve future residents of the Project, sewer lines would have to be expanded within the City. However, nearby sewer lines would provide potential connection points. While implementation of the Project would ~~alter the composition of~~ involve new development and redevelopment with existing connections within the City, future sewer resource planning efforts are required to be updated every 2 years by SWRCB State Order 2006-0003 (issued May 2, 2006) and as updated in State Order No. WQ 2013-0058-EXEC, and the next update would include the Project if approved. While development of the Project would require extension, relocation, and expansion of new sewer lines within the City, construction activities associated with future development would be subject to compliance with the local, state, and federal laws, ordinances, and regulations, as well as any

¹ The Draft EIR used the 2008 Wastewater Collection and Treatment Facilities Integrated Master Plan for a generation factor of 96.6 gallons per capita per day (GPCD), and the 2019 Master Plan update used a factor of 77 GPCD for 2019, with the state considering a target of 55 GPCD. As such, the Draft EIR provided a higher generation factor for impacts on the sewer collection system that carries wastewater through the City to the RWQCP for treatment, representing more of a demand for water treatment in comparison to the 2019 Master Plan update (City of Riverside Public Works Department 2020), and therefore represents a conservative impact analysis for wastewater treatment. The City's Public Works Department monitors flows and strength of wastewater coming into the RWQCP and studies and implements projects to treat the wastewater needs of the City, as needed. The City is required, by the conditions of an existing wastewater permit, to begin this process when the City reaches 75 percent design capacity, which is intended to ensue projects are developed, funded, and constructed before the RWQCP's design capacity is exceeded or the City is otherwise unable to treat the wastewater to a level required by the permit.

Project-specific mitigation measures necessary to ensure construction-related impacts are not significant. Therefore, impacts due to the extension, relocation, and expansion of new sewer lines would be less than significant.

11.2.9 Section 3.16, Cumulative Impacts

Section 3.16.1, Air Quality

Page Correction

3.16-2-3 A sentence has been removed from Section 3.16.1, *Air Quality*, to correct an error regarding the requirements of mitigation measure **MM-AQ-1**, as shown below.

Potential cumulative air quality impacts would result when other projects' pollutant emissions combine to degrade air quality conditions below acceptable levels. This could occur on a local level (e.g., increased vehicle emissions at congested intersections or concurrent construction activities at sensitive receptor locations) or a regional level (e.g., potential ozone [O₃] impacts from multiple past, present, and reasonably foreseeable projects within the South Coast Air Basin [Basin]). Given that both localized and regional pollution is regulated at the air basin level, the Basin is the resource study area for the purposes of air quality.

The Basin experiences chronic exceedances of the National Ambient Air Quality Standards and California Ambient Air Quality Standards and is currently in nonattainment status for O₃ (federal and state standards), particulate matter 10 microns or smaller in diameter (PM₁₀) (state standards only), and particulate matter 2.5 microns or smaller in diameter (PM_{2.5}) (federal and state standards). Consequently, cumulative development in the Basin as a whole could violate an air quality standard or contribute to an existing or projected air quality violation, resulting in a significant cumulative impact. Based on the South Coast Air Quality Management District's (SCAQMD's) cumulative air quality impact methodology, SCAQMD recommends that if an individual project results in air emissions of criteria pollutants that exceed SCAQMD's recommended daily thresholds for project-specific impacts, then it would also result in a cumulatively considerable net increase of these criteria pollutants for which the Project region is in nonattainment under an applicable federal or state ambient air quality standard. Conversely, if a project's emissions do not exceed the recommended daily thresholds for project-specific impacts, its impacts would not be cumulatively considerable and would not contribute to nonattainment of applicable air quality standards in the Basin.

As previously discussed under Threshold AQ-1 in Section 3.1, *Air Quality*, the Project would not be consistent with the Air Quality Management Plan (AQMP), which is intended to bring the Basin into attainment for all criteria pollutants. Daily construction emissions generated by the Project could exceed SCAQMD's daily significance thresholds and operation could result in long-term regional emissions of criteria air pollutants and O₃ precursors that could exceed SCAQMD's applicable thresholds. Exceedance of these thresholds could obstruct SCAQMD's efforts to achieve attainment of ambient air quality standards for criteria pollutants for which it is currently not in attainment (i.e., O₃, PM₁₀, and PM_{2.5}), or jeopardize the current attainment status of the Basin for other criteria pollutants. Implementation of Mitigation Measures **MM-AQ-2** and **MM-AQ-3** would ensure the Project is reducing emissions during construction and operation; however, the impact would still be considered significant and unavoidable. Additionally, the changes that would occur with implementation of the Project would result in additional growth above what is assumed in the

Riverside General Plan 2025 (GP 2025) and in SCAG's growth assumptions in the 2016 RTP/SCS, which were used to develop the emissions inventory in the 2016 AQMP. Therefore, future development under the Project would exceed SCAG's projections in the 2016 RTP/SCS upon which the regional emissions inventory for the Basin in the AQMP was based, and the Project could interfere with attainment in the Basin, resulting in a potentially significant cumulative impact. ~~Incorporation of Mitigation Measure MM-AQ-1 requires coordination with SCAQMD and SCAG to update the AQMP and State Implementation Plan with growth projections reflective of the Project.~~ However, even with incorporation of mitigation, impacts from the Project would be considered cumulatively significant.

Section 3.16.3, Cultural Resources

Page _____ Addition

3.16-5-6 Text has been added in Section 3.16.3, *Cultural Resources*, to add Title 20 of the Riverside Municipal Code for the City's Cultural Resource Ordinance and add the Historic Preservation Element of the GP 2025, as shown below.

The geographic scope of analysis for the cumulative cultural resource impacts varies for archaeological and built historical resources. For archaeological resources, the geographic scope includes the City, the larger region encompassing the City, and several surrounding cities and communities that compose the settled area of the various Native American tribes that inhabited this region. Archaeological resources are within the City limits and throughout the surrounding region, and can be affected both directly and indirectly as a result of increased development related to the Project. The geographic context for analysis of built historical resources depends on the type of resource but generally includes the City because built historical resources are present all throughout the City, including on and adjacent to Opportunity Sites. In addition, the Innovation District contains several clusters of historic buildings.

A significant cumulative impact on cultural resources would result if the Project, in combination with the effects of past, present, and reasonably foreseeable future projects in the City and the larger region, would contribute to cumulative impacts on significant built historical resources, archaeological resources, and/or inadvertently discovered human remains. The Opportunity Sites are scattered throughout the City and future development related to the Project could affect built historical and archaeological resources.

Construction at Opportunity Sites could involve impacts on archaeological resources whether previously known or newly discovered during construction. Indirect impacts on archaeological sites can include increased pedestrian traffic on known archaeological sites due to increased population density. Additionally, increases in population density can require infrastructure that might affect archaeological resources both within the City and regionally. Such impacts on archaeological sites could occur at the locations of Opportunity Sites specifically and at other locations within the City or larger region. Future development projects occurring on Opportunity Sites such as in historic districts or the Innovation District could also include demolition or material alteration of known built historical resources; structural reuse requiring rehabilitation, restoration, reconstruction, and/or additions; or new construction or infill that has the potential to change the local landscape by modifying the setting of nearby built historical resources. Such construction could similarly occur on newly identified, or potential and previously unstudied, built historical resources.

The cumulative effects of multiple planned projects in the City and the larger region in combination with development at Opportunity Sites could mean cumulative adverse effects on archaeological resources. Such effects could include increases in vehicular and pedestrian traffic, increased population and more robust use of roadways and open space, and increased access to archaeological sites, resulting in the potential for looting or defacement of the physical components of archaeological resources. These direct and indirect impacts could cause adverse effects on the characteristics of known and unknown archaeological resources. Direct impacts could include complete removal of features and cultural constituents on portions of sites and removal of yet-undocumented potential subsurface components relating to construction activities. Indirect impacts include loss of setting, loss of traditional viewsheds, and increases in noise and vehicular and pedestrian traffic. As such, the Project, in combination with other planned projects in the City and in the larger region, could result in adverse cumulative effects on known and unknown archaeological resources eligible for the California Register of Historical Resources that might be identified within the proposed development locations. Therefore, the incremental impacts of the Project—when considered with past, present, and future projects in the Project vicinity—would result in a significant cumulative impact on archaeological resources.

As discussed in Section 3.3, *Cultural Resources*, ground-disturbing activities associated with construction at Opportunity Sites could result in the discovery of previously unidentified archaeological resources and destruction of known archaeological resources. This impact would remain significant and unavoidable after implementation of Mitigation Measures **MM-CUL-2** through **MM-CUL-9**. Therefore, the contribution of the Project to the cumulative impact on archaeological resources and human remains would be cumulatively considerable.

Cumulative impacts on historic resources could occur if the Project in combination with other development within the City results in adverse effects on previously identified CEQA historical resources as well as buildings that have not yet been surveyed or evaluated as potential historical resources and are over 50 years old at the time of development. Adverse effects could include a reduction in the number, intensity, concentration, and integrity of a certain historical property type or architectural style within the geographic context. However, all development is subject to the City's Cultural Resources Ordinance ([Title 20 of the Riverside Municipal Code](#)) and Historic Preservation Element [of GP 2025](#), which provide a process and policies for the protection and preservation of eligible and designated built historical resources. These would continue to apply to present and reasonably foreseeable future projects within the City.

Section 3.16.4, Paleontological Resources

<u>Page</u>	<u>Addition</u>
-------------	-----------------

3.16-7	Text was added in Section 3.16.4, <i>Paleontological Resources</i> , to improve the readability of the sentence by adding the word “the” to the text, as shown below.
--------	---

All significant paleontological resources are unique and nonrenewable resources. Unlike archaeological resources, which are site specific, paleontological resources can occur throughout a sensitive geologic unit, regardless of location. Therefore, the geographic context for paleontological resources encompasses the complete extent of geologic units with high or undetermined paleontological sensitivity that underlie the Project. It is likely that significant paleontological resources in these geologic units have been and could in the future be destroyed by development. Therefore, a cumulative impact on paleontological resources in the geographic context exists.

Section 3.16.5, Greenhouse Gas Emissions

Page Addition

3.16-7-8 Text has been added in Section 3.16.5, *Greenhouse Gas Emissions*, to provide additional details regarding the California 2017 Climate Change Scoping Plan, as shown below.

Greenhouse gas (GHG) emissions and climate change are exclusively cumulative impacts; as climate change is the result of cumulative global emissions, there are no non-cumulative GHG emissions impacts from a climate change perspective. No single project, when considered in isolation, can cause climate change because a single project's emissions are not enough to change the radiative balance of the atmosphere. Because climate change is the result of GHG emissions and GHGs are emitted by innumerable sources worldwide, global climate change will have a significant cumulative impact on the natural environment as well as human development and activity. As such, GHGs and climate change are cumulatively considerable, even though the contribution may be individually limited.

As discussed in Section 3.5, *Greenhouse Gas Emissions*, the Project would contribute GHG emissions to the cumulative condition. Equipment and vehicles used during construction (e.g., on-road motor vehicles and heavy equipment) and operations (e.g., vehicle trips, electricity consumption, and waste generation) would result in a net increase in GHG emissions over existing conditions and over what is currently proposed in GP 2025. As discussed under Impact GHG-1 and shown in Table 3.5-8 in Section 3.5, implementation of the Project would result in emissions that would be below the numerical efficiency target for horizon year 2029. This target was developed with best available data and represents the emissions level the Project would need to achieve to align with the statewide GHG reduction goals established by Senate Bill (SB) 32 for 2030. However, because the City has not adopted a qualified GHG reduction plan (per State CEQA Guidelines Section 15183.5) that meets the statewide GHG goal established by SB 32 for 2030, it cannot be stated with certainty that the Project would result in emissions that would represent a fair share of the requisite reductions toward the statewide 2030 target.

Additionally, the Project would not fully comply with local and statewide plans, policies, and regulatory programs outlined in GP 2025 the adopted California 2017 Climate Change Scoping Plan, and plans adopted or recommended by the California Air Resources Board or other California agencies for the purpose of reducing the emissions of GHGs. Notably, the Project would result in increased vehicle miles traveled (VMT) that exceed the California Air Resources Board's regional VMT target necessary to achieve the state's long-term GHG emissions-reduction trajectory. Implementation of Mitigation Measures **MM-TRA-1**, and **MM-GHG-1** through **MM-GHG-3** would be required to reduce GHG emissions from the Project during construction and operation, and ensure compliance with local and statewide plans, policies, and regulatory programs designed to reduce GHG emissions. Similar measures would be applied for other cumulative projects in the region to reduce impacts. However, even after incorporation of mitigation, the Project could result in a cumulatively considerable impact related to GHG emissions because it may impede achievement of state reduction targets.

Section 3.16.8, Noise

<u>Page</u>	<u>Clarification</u>
-------------	----------------------

3.16-10	Text has been added in Section 3.16.8, <i>Noise</i> , to clarify that the Riverside Municipal Code exempts construction noise from established noise level limits within prescribed timeframes, as shown below.
---------	---

The geographic context for the cumulative noise analysis is the City. Development of new residential or mixed-used development could increase both stationary and mobile sources of noise from heating, ventilating, and air conditioning (HVAC) and other equipment, as well as vehicles. Construction activities could also generate significant cumulative noise and vibration effects if in proximity to one another or in combination with operational or vehicular noise.

Vibration generated by construction equipment has the potential to be substantial and exceed the Federal Transit Administration criteria for human annoyance and structural damage, if construction occurred in close proximity to other construction. Therefore, both construction and operation activities could expose sensitive receptors to excessive noise or groundborne vibration, constituting a significant impact. Consequently, implementation of the Project in combination with other projects within the City would result in a cumulative impact related to noise and vibration.

Any future development facilitated by the Project would be required to comply with City requirements for both construction and operational noise and vibration, including those within the Riverside Municipal Code, GP 2025, and City standard conditions of approval. Individual projects also would likely prescribe project-specific mitigation measures that would reduce individual project-related impacts. Construction-related vibration impacts generally would be localized to the area where construction activities would take place, and would occur within the times prescribed by the Riverside Municipal Code, which ~~would~~ exempts construction noise from established noise level limits within prescribed timeframes. Therefore, there would be no significant cumulative noise and vibration impact related to construction.

Section 3.16.9, Population and Housing

<u>Page</u>	<u>Clarification</u>
-------------	----------------------

3.16-11	Text has been added in Section 3.16.9, <i>Population and Housing</i> , to clarify that the six-county Southern California Association of Governments (SCAG) region includes Ventura, Los Angeles, Orange, San Bernardino, Riverside, and Imperial Counties, as shown below.
---------	---

The geographic context for an analysis of cumulative population and housing impacts is the area covered by SCAG, the metropolitan planning organization responsible for demographic growth projections for the six-county region including encompassing Ventura, Los Angeles, Orange, San Bernardino, Riverside, and Imperial Counties, and includes the City. The basis for this cumulative analysis is the 2020–2045 SCAG RTP/SCS. The individual general plans for the adjacent cities of Norco, Corona, Grand Terrace, Colton, Jurupa Valley, and Moreno Valley and adjacent areas of unincorporated Riverside County were also considered.

Section 3.16.10, Public Services

Page Addition

3.16-13 Text has been added in Section 3.16.10, *Public Services*, to provide additional details regarding Moreno Valley Unified School District facilities and the Riverside Public Library System, as shown below.

The geographic context for an analysis of cumulative impacts with regard to public services is the local service areas within the City for police and fire services, schools, and libraries. Riverside Fire Department provides fire protection for the City. Riverside Fire Department's major facilities include 14 fire stations throughout the City, administration and prevention offices, an Emergency Operations Center, and a training center. Riverside County Fire Department provides service to the unincorporated territory within the City's Sphere of Influence. Four Riverside Police Department stations serve the City. The City is served by two public school districts: Riverside Unified School District, which has 47 schools, and Alvord Unified School District, which has 23 schools. In addition, portions of the City lie within the Moreno Valley Unified School District, although no existing Moreno Valley Unified School District facilities or significant residential land uses are located in these parts of the City. The Riverside Public Library~~ies~~ system maintains eight existing libraries that serve the City, ~~with an additional library (Main Library) to be opened in 2021.~~ Four university and college libraries also serve the City.

Section 3.16.14, Utilities and Service Systems

Page Addition

3.16-17–18 Text has been added in Section 3.16.14, *Utilities and Service Systems*, to provide additional details regarding wastewater treatment capacity in the City associated with the City of Riverside Public Works Department's Riverside Regional Water Quality Control Plant (RWQCP) and other treatment facilities in the local utility service areas, as shown below.

Wastewater Treatment

Riverside's wastewater treatment is provided by the City of Riverside Public Works Department's Riverside Regional Water Quality Control Plant (RWQCP) and WMWD. Public Works operates and maintains the treatment facility and a wastewater collection system including over 800 miles of public sewer mains and 400 miles of City-owned laterals throughout the City. The RWQCP provides preliminary, primary, secondary, and tertiary treatment with a hydraulic rated capacity of 46 million gallons per day (mgd) average dry-weather flow. As of 2020, the average daily influent flows are 25.3 mgd (0.54 percent capacity). Western Riverside County Regional Wastewater Authority has a design capacity of 14 mgd and currently treats an average of approximately 8 mgd (or 0.57 percent capacity). The Western Water Recycling Facility has a capacity of 3 mgd and currently processes an average flow of 0.8 mgd (or 0.25 percent capacity). Past, present, and reasonably foreseeable development have not resulted in inadequate capacity of the wastewater treatment system. As described in Section 3.14, there is remaining capacity for ~~RPU~~ the City to meet the future increase in wastewater treatment demand within its service area.

Development facilitated by the Project could result in additional housing units that would cause increased demand for wastewater treatment services. At maximum build-out, the Project would

generate an estimated 9.5 mgd within the City's wastewater service area, which would be adequately treated by the RWQCP because it would not exceed its treatment capacity of 46 mgd; an additional 0.5 mgd would be treated by WMWD facilities. It is anticipated that RWQCP and WMWD treatment facilities would be able to meet increased demand for wastewater. The RWQCP is scalable and expandable to handle both ongoing increased flows and seasonal fluctuations; ample space exists for any additional treatment capacity that may be needed in the future. The wastewater collection system that conveys wastewater flows to the RWQCP as well as other treatment facilities in the local utility service areas for the individual providers can similarly be expanded to realize future capacity that may be needed. To serve future population growth facilitated by the Project, sewer lines would have to be expanded within the City; this could occur with other cumulative projects as well. While development of the Project and other projects within the geographic context would require extension, relocation, and expansion of new sewer lines within the City, construction activities associated with future development would be subject to compliance with local, state, and federal laws, ordinances, and regulations, as well as any Project-specific mitigation measures necessary to ensure construction-related impacts are not significant. Additionally, cumulative projects would undergo separate CEQA analyses and implement mitigation measures as necessary to reduce impacts on wastewater demand and ensure consistency with applicable wastewater management plans. For these reasons, the Project's impact, in combination with cumulative projects, would not result in a significant cumulative impact for wastewater treatment.

11.2.10 Section 4.5, Environmentally Superior Alternative

Page _____ Clarification _____

4-30 _____ Text has been added to Section 4.5, Environmentally Superior Alternative, to clarify that Alternative 3 does not meet or only partially meets certain Project Objectives, and that the Project is environmentally superior to Alternative 3, as shown below.

CEQA requires the identification of an environmentally superior alternative (State CEQA Guidelines §15126.6(a) and (e)(2)). The environmentally superior alternative is the alternative that results in the fewest significant environmental impacts from among the other alternatives evaluated if the Project has significant impacts that cannot be mitigated to a less-than-significant level. Based on the analysis presented in Chapter 3, *Impact Analysis*, the Project would result in significant impacts.

Based on the analysis presented in Chapter 3 and in this chapter, both the Project and Alternative 3 (Focused Growth Alternative) are environmentally superior. However, Alternative 3 could concentrate all opportunity sites within transportation corridors and would limit the ability to avoid sites subject to higher pollution and noise; furthermore, limiting the diversity of neighborhoods and areas available to low-income residents limits the positive economic, educational, and health opportunities, and therefore the outcomes, especially to the children. As such, the Project is determined to be more environmental superior to this alternative. The Focused Growth Alternative would result in more focused growth in the City and would meet or partially meet many of the Project objectives including meeting the RHNA goal, although would not meet one objective, specifically Alternative 3 would not equitably distribute housing units across all wards in the City. Even though the No Project Alternative would result in less development and facilitate less growth pursuant to GP 2025 than the Project, it would increase significant environmental impacts for land use and planning and transportation, whereas the Focused Growth Alternative would reduce those impacts. Similar to the No Project Alternative, Alternative 4 (Limited Opportunity Sites Alternative) would reduce some of the Project's impacts but would also result in somewhat greater impacts on

land use and planning. Alternative 2 (Dispersed Growth Alternative) would result in more impacts than the Project, as more sites would be affected.

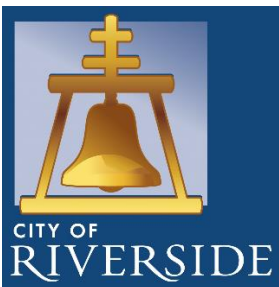
11.2.11 Chapter 7, References

<u>Page</u>	<u>Correction</u>
-------------	-------------------

7-20	A correction to a reference has been made in Chapter 7, <i>References</i> , to change the date from 2021 to 2020 for the Update of the Integrated Master Plan for the Wastewater Collection and Treatment Facilities, as shown below.
------	---

Section 3.14, Utilities and Service Systems

City of Riverside Public Works Department. ~~2020~~2021. Update of the Integrated Master Plan for the Wastewater Collection and Treatment Facilities. ~~January~~. <https://riversideca.gov/publicworks/sewer/wqcp.asp>. Accessed: April 2021.



City of Riverside

RIVERSIDE ACTION PLAN

TABLE OF CONTENTS

Introduction.....	1
Action Plan Scope.....	1
Using the Plan.....	1
Updating the Plan.....	1
Key Performance Indicators.....	2
Implementation Actions.....	3
Key Performance Indicators.....	26

INTRODUCTION

The Action Plan allows the City of Riverside to implement the Policies and Programs contained in the 2021 Housing, Public Safety Element and Environmental Justice Policies and Actions. It provides City Staff and community stakeholders with a comprehensive list of actions while identifying the responsible group and timeframe. The Action Plan can be used by the City It enables the City to effectively identify, monitor, and implement action steps to meet its housing goals and guide public and private development.

ACTION PLAN SCOPE

The intent of the Action Plan is to encompass all elements of the City’s General Plan. This Action Plan will be expanded as the General Plan’s elements are amended or adopted. To this end, this Action Plan should coincide with major City programs such as annual updates to the Capital Improvement Program. The City should utilize and regularly update the Action Plan to reflect the most up-to-date implementation actions and priorities.

USING THE PLAN

The Riverside Action Plan (the Plan) is a working document that is regularly used by the City Council, City Staff, Planning Commission, and other boards and commissions to assess the progress being made on the General Plan implementation

The Plan provides a guide for Department workplans so that the Policies are implemented. The Actions identified will be updated and modified as progress in implementation is made. This helps ensure future efforts and decisions are in line with the City’s General Plan.

UPDATING THE PLAN

The Plan is not a static document. If community priorities change, or new issues arise which are beyond the current scope, the Plan should be revised and updated accordingly. As part of the City’s Annual Progress Report to the State, City staff should review the Plan and update by removing those Actions completed or adding additional Actions per City Council direction. Monitoring the Plan will allow the City to measure performance and monitor necessary changes.

Staff review of the Plan should also coincide with the City’s budget and Capital Improvement Program. Recommendations or changes relating to capital improvements, or other programs, can be considered as part of budget cycles, based on City Council feedback. Regular updates ensure that the Plan remains relevant to community needs and aspirations.

The Action Plan’s organization reflects the structure of the updated Elements and Actions are grouped with the respective general Policy and/or Program. The table identifies the following for each action item:

ACTION NUMBER

This column organizes the action item by a number under its overarching policy.

ACTION

This column identifies the action item to be implemented.

ASSOCIATED PROGRAMS (IF APPLICABLE)

This column identifies the Programs associated with the action when applicable. While most actions are associated with a Program, some actions are guided by only the City’s Guiding Principles and Policies.

CITY LEAD

This column identifies the City Department or Division that will be leading the implementation of action item.

SUPPORT

This column identifies municipal agencies, civic organizations, government bodies, private entities, or other associations which may assist in implementing the identified action strategy.

TIME FRAME

This column identifies the expected timeframe for when the action item will be implemented, grouped into the following:

- Ongoing – actions that have begun, including projects that are currently under construction, or actions the City currently does that should be continued.
- Short-Term (6-12 months) – actions that may have an immediate impact on the community, may be more easily completed, or may be necessary actions for long term projects to begin.
- Medium-Term (12-36 months) – actions that have secondary priority or require other projects be completed before they can be started.
- Long-Term (36+ months) – actions that have lower priority or are highly complex that may require significant funding or coordination with partner agencies.

KEY PERFORMANCE INDICATORS

This section also presents a list of key performance indicators to help track the success of programs. The table identifies what specifically the City needs to monitor along with the desired trends and targets.

IMPLEMENTATION ACTIONS

No.	Action	Associated Programs	City Lead	Support	Timeframe
HOUSING ELEMENT					
POLICY HE-1 AFFORDABLE HOUSING: PRESERVE AND INCREASE AFFORDABLE HOUSING OPTIONS, INCLUDING SUBSIDIZED AND NON-SUBSIDIZED AFFORDABLE UNITS FOR LOWER-INCOME AND ENVIRONMENTAL JUSTICE COMMUNITIES, SPECIAL NEEDS, AND UNDER-SERVED POPULATIONS WITH A PARTICULAR EMPHASIS ON BUILDING COMMUNITY WEALTH.					
HE-1.1	Prepare an Inclusionary Housing Program to facilitate the integration of affordable housing units throughout the City's housing supply	Program HE-1-2	Housing Authority	Planning Division	Short-Term
HE-1.2	Update the City's Density Bonus Ordinance to encourage and incentivize development of affordable and senior housing, both for sale and for rent, consistent with state Density Bonus legislation	Program HE-5-4	Planning Division		Short-Term
HE-1.3	Continue to issue two RFPs annually for new voucher projects to facilitate the relationship between developers and the County of Riverside Housing Authority project-based Section 8 voucher programs and other resources to further develop affordable housing in the City	Program HE-1-8	Housing Authority	Planning Division Development Community Riverside County	Ongoing
HE-1.4	Develop a streamlined process to assist homeowners and rental property owners to rehabilitate residential properties	Program HE-1-3	Housing Authority	Planning Division	Short-Term
HE-1.5	Develop and implement a plan to seek additional funding for the City's Housing Rehabilitation Program for lower-income owners to encourage further homeowner investment, address issues of overcrowding, and ensure housing stability	Program HE-1-3 Program HE-1-5 Program HE-1-13	Housing Authority	Planning Division	Ongoing

No.	Action	Associated Programs	City Lead	Support	Timeframe
HE-1.6	Continually facilitate the relationship between affordable housing providers, market-rate housing providers and community-based organizations as needed to build a network and partnerships that will help increase affordable housing in the City including sites identified in the City's Housing First Plan that support options for ownership that could include support for community land trusts and neighborhood real estate investment trusts	Program HE-1-3 Program HE-1-5	Housing Authority	Planning Division Affordable Housing Providers Community-Based Organizations	Ongoing
HE-1.7	On a yearly basis, provide the City Council with an update on the on-going mobile home park rent stabilization program	Program HE-1-9	Housing Authority		Ongoing
HE-1.8	Monitor the Riverside County foreclosure prevention services and, if resumed, support the Mortgage Credit Certificate	Program HE-1-6 Program HE-1-7	Housing Authority	Riverside County	Ongoing
HE-1.9	Develop a program to monitor and preserve at-risk affordable rental units to minimize conversion to market rate	Program HE-1-10	Housing Authority		Ongoing
HE-1.10	On a quarterly basis, monitor funding sources to support extremely low-income housing and allocate funds and promote programs to developers	Program HE-1-11	Housing Authority		Ongoing
POLICY HE-2 HOMELESSNESS: EXPAND HOUSING AND SERVICES THAT EFFECTIVELY ADDRESS THE NEEDS OF THE CITY'S HOMELESS POPULATION.					
HE-2.1	Develop a permanent supportive service program for non-profit providers that continues and supports the rapid rehousing program, provides shelter, and offers support services to the homeless consistent with the Housing First Plan	Program HE-2-1 Program HE-2-2 Program HE-2-3 Program HE-5-6	Office of Homeless Solutions	Housing Authority	Mid-Term
HE-2.2	Continue to partner with the Riverside County Continuum of Care in preparing and implementing recommendations and best practices to end cycles of homelessness; providing emergency shelter, transitional and permanent supportive housing, and humane and adaptable supportive services and continue to integrate supportive housing in affordable housing developments	Program HE-2-2 Program HE-2-4	Office of Homeless Solutions	Housing Authority Riverside County	Ongoing

No.	Action	Associated Programs	City Lead	Support	Timeframe
HE-2.3	Prepare a Zoning Code update to further facilitate development of emergency shelters, transitional housing, permanent supportive housing, residential care facilities, and community care facilities in appropriately zoned areas distributed throughout the City, allow low-barrier navigation centers as a by-right use in mixed-use and non -residential zones, and update the provisions for emergency shelters to comply with SB-2	Program HE-5-3 Program HE-5-6 Program HE-5-7 Program HE-5-8	Planning Division	Housing Authority Office of Homeless Solutions	Short-Term
HE-2.4	Continue to collaborate with surrounding cities, counties, and other agencies through quarterly Western Riverside County Homeless Task Force meetings and monthly Riverside County Continuum of Care meetings to develop an ongoing multi-agency dialogue and agreement on providing emergency shelters, permanent supportive housing and affordable housing and services	Program HE-2-1	Office of Homeless Solutions	Housing Authority Western Riverside County Homeless Task Force Riverside County Continuum of Care	Ongoing
HE-2.5	Develop an outreach program, together with shelter and service providers, that includes homeless and lived experience/formerly homeless participants to provide information on available programs to all that need services	Program HE-2-4 Program HE-5-6	Office of Homeless Solutions	Housing Authority Shelter Providers	Ongoing
POLICY HE-3 FAIR HOUSING: PROMOTE SAFE, HEALTHY, AND ATTAINABLE HOUSING OPPORTUNITIES FOR ALL PEOPLE REGARDLESS OF THEIR SPECIAL CHARACTERISTICS AS PROTECTED UNDER STATE AND FEDERAL FAIR HOUSING LAWS.					
HE-3.1	Adopt a City-wide policy that prohibits discrimination in the sale or rental of housing regarding characteristics protected under State and Federal fair housing laws	Program HE-3-1	Housing Authority		Short-Term
HE-3.2	Adopt a City-wide policy that supports continued collaboration and participation with fair housing service provider(s) that increases fair housing opportunities across the City	Program HE-3-2	Housing Authority		Short-Term
HE-3.3	Adopt a City-wide policy that encourages the development or adaptation of residential units and communities accessible to people with physical disabilities	Program HE-5-6 Program HE-3-3	Housing Authority		Short-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
HE-3.4	Adopt a City-wide policy prioritizing wastewater and water services for affordable housing in the event of service rationing	Program HE-1-12	Riverside Public Utilities	Public Works Department	Mid-Term
HE-3.5	Study the need for a City-wide Universal Design and Visitability Policy	Program HE-3-4	Building & Safety Division		Mid-Term
HE-3.6	Develop an outreach program for homeowners and renters regarding their rights, financing options, available assistance, and protection in purchasing, renting, or modifying a housing unit	Program HE-1-3 Program HE-1-5 Program HE-3-2	Housing Authority		Mid-Term
HE-3.7	Prepare a Zoning Code update to address the requirements of the Employee Housing Act and Health and Safety Code sections 17.021.5 and 17021.6	Program HE-5-4	Planning Division		Short-term
POLICY HE-4 THRIVING NEIGHBORHOODS: FACILITATE AND ENCOURAGE A VARIETY OF NEW HOUSING TYPES, INCLUDING BOTH SINGLE- AND MULTI-FAMILY AND MISSING MIDDLE HOUSING, AND THE NECESSARY PUBLIC AMENITIES TO SUPPORT A SENSE OF COMMUNITY THAT RESULTS IN EQUITABLE AND SUSTAINABLE NEIGHBORHOODS.					
HE-4.1	Prepare urban design standards that promote the integration of private development and public space and create safe, healthy, complete neighborhoods with quality housing development, services and commercial uses, schools, transit, parks, childcare, and other needs	Program HE-4-6 Program HE-5-2 Program HE-5-4	Planning Division		Mid-Term; Ongoing
HE-4.2	Prepare a Zoning Code update that encourages and incentivizes building the maximum number of homes allowed by the Zoning to create a critical mass of residents to support local businesses, community services, and public transit	Program HE-5-1 Program HE-5-2	Planning Division		Mid-Term
HE-4.3	Continue the Small Sparks neighborhood and Neighbor Fest! Programs	Program HE-4-2 Program HE-4-3 Program HE-4-4	Neighborhood Engagement Division		Ongoing

No.	Action	Associated Programs	City Lead	Support	Timeframe
POLICY HE-5 REGULATIONS: REDUCE AND REMOVE GOVERNMENT BARRIERS, WHERE FEASIBLE AND LEGALLY PERMISSIBLE, TO REDUCE COSTS OF HOUSING PRODUCTION AND FACILITATE BOTH OWNERSHIP AND RENTAL OPPORTUNITIES FOR ALL RESIDENTS.					
HE-5.1	Develop an Accessory Dwelling Unit (ADU) program that includes pre-approved construction plans, streamlined permitting and educational materials to facilitate ADU development	Program HE-4-5 Program HE-5-9	Planning Division	Building & Safety Division	Short-Term
HE-5.2	Prepare a Zoning Code update to streamline the approval process, in adherence with SB 35, and simplify development regulations for new housing development	Program HE-5-2	Planning Division		Short-Term
HE-5.3	Prepare an Adaptive Reuse Ordinance to encourage redevelopment of underutilized commercial and industrial properties and allow by-right residential development in exchange for providing a certain number of affordable units in non-residential zones	Program HE-1-2	Planning Division	Housing Authority Building & Safety Division	Mid-Term
HE-5.4	Prepare a Zoning Code update to further encourage mixed-use development, including a potential density transfer program allowing densities on properties that are not built to their maximum density to be used on other properties, with transit access that reduces automobile trips, vehicle miles traveled, and associated energy consumption	Program HE-5-2 Program HE-EJ-7-2	Planning Division		Short-Term
HE-5.5	Develop regulations that will help reduce housing costs by promoting sustainable and resilient design and construction practices; promoting technological improvements such as increased energy efficiency, net-zero construction, solar, electric transportation; and encouraging reduced water/energy consumption and reduced waste generation including available incentives through Riverside Public Utilities	N/A	Planning Division	Building & Safety Division Riverside Public Utilities	Short-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
HE-5.6	Update the City's Density Bonus Ordinance and standards to encourage and incentivize development of affordable and senior housing, both for sale and for rent, consistent with state Density Bonus legislation and continue implementing fee reductions that incentivize senior housing production	Program HE-1-4 Program HE-5-4	Planning Division	Housing Authority	Short-Term
HE-5.7	Examine and consider Zoning Ordinance amendments to eliminate any discriminatory effect on people in a protected class.	Program HE-3-1 Program HE-5-3	Planning Division	Housing Authority	Short-Term
POLICY HE-6 MONITORING/ENGAGEMENT: ENSURE REGULAR MONITORING AND REPORTING, INCLUDING OUTREACH TO THE PUBLIC, ON THE STATUS OF HOUSING IN THE CITY OF RIVERSIDE.					
HE-6.1	Develop a monitoring mechanism to ensure no net loss of housing occurs during the Housing Element Cycle and adjust zoning as needed	Program HE-6-1	Planning Division	Housing Authority	Short-Term
HE-6.2	Develop an online dashboard that includes a monitoring mechanism, based on public outreach, that monitors no net loss, ADU production, potential sites, production of affordable and market rate housing, and preserved housing supply	Program HE-1-10 Program HE-5-8 Program HE-6-1 Program HE-6-2	Planning Division	Innovation and Technology	Short-Term
HE-6.3	Develop and maintain an up-to-date residential sites inventory and provide to interested developers with information on available housing development opportunities and incentives on a quarterly basis	Program HE-6-1	Planning Division	Innovation and Technology	Ongoing
HE-6.4	Complete an evaluation and report of housing development every 5 years to ensure that adequate services and facilities, including water, wastewater, and neighborhood infrastructure are available	N/A	Planning Division	Public Works Department Riverside Public Utilities	Short-Term
HE-6.5	As part of the Citywide Community Engagement Policy, prepare requirements for outreach and engagement that private developers will undertake for all new housing projects	N/A	Neighborhood Engagement Division	Planning Division	Mid-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
POLICY HE-7 DEVELOPMENT PROCESS: FACILITATE A DEVELOPMENT PROCESS THAT PROMOTES DESIGN AND REHABILITATION OF HOUSING THAT IS RESPONSIVE TO THE NEEDS AND DESIRES OF THE RESIDENTS OF ENVIRONMENTAL JUSTICE COMMUNITIES					
HE-EJ 7.1	Conduct an inventory of existing housing within environmental justice communities to determine the adequacy of existing housing	Program HE-6-1	Planning Division	Housing Authority	Ongoing
HE-EJ 7.2	On properties where poor-quality housing conditions are identified in environmental justice communities, facilitate the permitting process for property owners and residents to remedy and retrofit unhealthy and unsafe conditions in a timely fashion	Program HE-4-1	Planning Division	Housing Authority Building & safety Division	Ongoing
HE-EJ 7.3	Through the approval process, identify potential California Environmental Quality Act (CEQA) streamlining opportunities including, but not limited to, CEQA exemptions, tiering from prior CEQA documents, and by-right approvals to expedite approvals of proposed affordable and supportive housing projects	Program HE-5-2	Planning Division		Long-Term
HE-EJ 7.4	Publicize the undeveloped and underutilized developed sites land inventory on the City's website.	Program HE-EJ-7-3	Planning Division	Communications	Ongoing
HE-EJ 7.5	Prepare an infill development ordinance and development regulations, including the potential to use pre-approved construction plans, to facilitate housing on smaller lots that are close to needed services and amenities while allowing lot consolidation without discretionary review and with fee reductions	Program HE-EJ-7-1 Program HE-EJ-7-3	Planning Division	Housing Authority	Mid-Term
POLICY HE-8 ACCESS TO FOOD: PROVIDE OPPORTUNITIES TO ACCESS FRESH, HEALTHY, AND AFFORDABLE FOOD FROM FOOD SOURCES THAT ARE ACCESSIBLE TO NEIGHBORHOODS AND WITHIN A QUARTER MILE OF PUBLIC TRANSIT.					
HE-EJ 8.1	Streamline development approvals for opening full-service grocery stores.	Program HE-8-3	Planning Division		Mid-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
HE-EJ 8.2	Work with retail businesses in environmental justice communities such as local convenience stores and farmers' markets to increase the availability of fresh produce.	Program HE-8-2	Housing Authority	Planning Division Office of Sustainability Retail Businesses	Ongoing
HE-EJ 8.3	Use the Riverside Food Systems Alliance and similar organizations to expand civic engagement, particularly with community-based organizations and local grocers, to better understand the barriers to healthy food access in environmental justice communities.	Program HE-8-2	Housing Authority	Planning Division Office of Sustainability	Ongoing
HE-EJ 8.4	Develop a Food Access Assessment program to assess food security within environmental justice communities, identify strategies to ensure the equitable distribution and accessibility of healthy foods such as identifying and pursuing opportunities to locate fresh produce providers near or within existing neighborhoods	Program HE-8-3	Housing Authority	Planning Division Office of Sustainability	Mid-Term
HE-EJ 8.5	Facilitate transformation of vacant lots in within environmental justice communities into community garden sites.	Program HE-8-1 Program HE-8-3	Planning Division	Housing Authority Office of Sustainability	On-Going
HE-EJ 8.6	Streamline approvals and promote the establishment of farmers markets in areas with poor access to healthy food options.	Program HE-8-1 Program HE-8-3	Planning Division	Office of Sustainability	

PUBLIC SAFETY

POLICY PS-1-NATURAL HAZARDS: REDUCE THE RISK TO THE COMMUNITY FROM HAZARDS RELATED TO GEOLOGIC CONDITIONS, SEISMIC ACTIVITY, FLOODING, DROUGHT, AND WILDLAND FIRES

PS-1.1-1:	(Seismic Hazards) Participate in federal, state, and local earthquake preparedness programs to ensure current best practices and resources are in place that support seismic mitigation and disaster response efforts	PS-1.1-2	Building & Safety Division	Office of Communications Emergency Management Code Enforcement Division	Short-term
------------------	---	----------	----------------------------	---	------------

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-1.1-2	(Seismic Hazards) Establish an educational outreach and training program related to earthquake preparedness, resilience and recovery that facilitates training and support for business owners, tenants, and residents	PS-1.1-1	Building & Safety Division	Office of Communications Emergency Management Code Enforcement Division	Short-term
PS 1.1-3	(Seismic Hazards) Minimize the potential loss of life, damage to structures, and economic impacts of disaster recovery by implementing a Seismic Safety Program that addresses each risk	PS-1.1-1 PS-1.1-4	Emergency Management	Building & Safety Division Planning Division; Other Departments	Short-term
PS 1.1-4	(Seismic Hazards) In support of the Seismic Safety Program, conduct a citywide seismic survey of existing vulnerable building types to assess each risk, minimize loss of life, implement mitigation measures, and facilitate faster disaster response and recovery efforts as they relate to large earthquake events	PS-1.1-1 PS-1.1-3	Emergency Management	Building & Safety Division Public Works Department	Mid-term
PS-1.2-1	(Flood Hazards) Prepare a Flood Hazards Plan that: 1) inventories emergency and critical facilities located in the 1 percent annual chance of flood zones; 2) establishes procedures to maintain structural and operational integrity of public facilities during flood events and identifies emergency evacuation routes for areas that could be affected by flooding or dam failure	PS-1.2-2 PS-1.2-3	Emergency Management	Public Works Department	Short-term
PS-1.2-2	(Flood Hazards) Coordinate with Riverside County Flood Control and Water Conservation District, for the responsible agency for maintenance and monitoring of regional flood control facilities, and the City Fire Department to evaluate the effectiveness of existing flood control systems and improve these systems as necessary to meet capacity demands.	PS-1.2-1 PS-1.2-3 PS-1.2-4	Emergency Management	Office of Communications; Other Departments (Fire Department, Public Works Department) Riverside County Flood Control and Water Conservation District	Ongoing
PS-1.2-3	(Flood Hazards) During project review, permit development in a floodplains only when the design ensures structures are capable of withstanding a 1 percent annual chance of flood (100-year flood) or greater to minimize risk to lives and property	PS-1.2-1 PS-1.2-2 PS-1.2-4	Planning Division	Public Works Department	Ongoing

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-1.2-4	(Flood Hazards) During project review, require drainage studies (as needed) by a qualified engineer to certify that new development will be protected and will not create new downstream flood hazards	PS-1.2-1 PS-1.2-2 PS-1.2-3	Planning Division	Public Works Department	Ongoing
PS-1.3-1	(Fire Hazards) Update the Riverside Fire Department's Strategic Plan, in accordance with applicable review schedule, and continue to identify and implement strategies that maintain and improve the City's Class 1 ISO rating	PS-1.3-3 PS-1.3-4 PS-1.3-5 PS-1.3-6 PS-4.2-5	Fire Department		Ongoing
PS-1.3-2	(Fire Hazards) Develop educational materials for community members to regularly update them on fire safety, hazardous materials safety, and fire prevention	N/A	Fire Department	Office of Communications	Ongoing
PS-1.3-3	(Fire Hazards) Prepare a City-owned Properties Wildfire High-Hazard Plan that: 1) identifies locations for new essential facilities outside of high fire-hazard areas; 2) implements construction or other ways to minimize hazards for essential facilities in high fire-hazard areas; and 3) identifies fire breaks for all City-owned properties to reduce fire hazards	PS-1.3-1 PS-1.3-4 PS-1.3-5 PS-1.3-6 PS-4.2-4 PS-4.2-5	Fire Department	Public Utilities Planning Division CAL FIRE	Ongoing

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-1.3-4	PS-1.3-4 (Fire Hazards) In Very High Fire Hazard Severity Zone (VHFHSZ), State Responsibility Area (SRA) and Wildlife Urban Interface (WUI) areas, continue to engage Riverside Fire Department staff, as part of the Development Review Committee to evaluate plans that: 1) avoid or minimize potential impacts for existing and new development; 2) require fire-resistant building materials and landscaping that meet the fire safe regulations and hazard reduction around building and structures standards; 3) ensure any redevelopment or proposed new development implements fire prevention techniques including; 4) ensure fire safe design; 5) require a fire reduction and management program and protection plan that includes a risk analysis, defensible space, fuel modification zones located and maintained to provide for wildfire defense, mitigation measures and if necessary, covenants, conditions and restrictions (CC&R); and 6) verify and ensure adequate water supply/fire flow and infrastructure are available for fire suppression	PS-1.3-1	Planning Division	Building & Safety Division	Ongoing
		PS-1.3-3		Fire Department	
		PS-1.3-5		Riverside Public Utilities	
		PS-1.3-6		CAL FIRE	
		PS-4.2-3			
		PS-4.2-4			
		PS-4.2-5			
PS-1.3-5	PS-1.3-5 (Fire Hazards) To ensure and support recovery and redevelopment following a fire, develop policies related to site preparation, redevelopment layout/design, fire-resistant landscaping and fire retardant building design and materials to reduce vulnerabilities in VHFHSZs	PS-1.3-1	Fire Department	Building & Safety Division	Mid Term
		PS-1.3-3		Planning Division	
		PS-1.3-4			
		PS-1.3-6			
PS-1.3-6	PS-1.3-6 (Fire Hazards) On a bi-annual basis, assess the adequacy and accessibility of all fire protection infrastructure, including water capacity for peak load under a “worst-case” wildfire scenario and, working with Riverside Public Utilities, identify areas where additional capacity and/or resources are required for firefighting	PS-1.3-1	Fire Department	Riverside Public Utilities	Ongoing
		PS-1.3-3			
		PS-1.3-4			
		PS-1.3-5			
		PS-4.2-4			
PS-4.2-5					

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-1.4-1	(Drought Conditions) Update the Urban Water Management Plan and Drought Contingency Plan, as required by state law and regulations, including during, and in anticipation of, upcoming drought conditions	N/A	Public Utilities	Emergency Management	Mid Term
POLICY PS-2-HAZARDOUS MATERIALS: MINIMIZE THE RISK OF POTENTIAL HAZARDS ASSOCIATED WITH MANAGEMENT AND TRANSPORT OF HAZARDOUS MATERIALS					
PS-2.1-1	(Hazardous Materials) Develop a Hazardous Materials Plan to provide a framework to review industry/business uses that includes safety protocols, enforcement mechanisms, inspection requirements, and review/update procedures	N/A	Fire Department	Emergency Management	Ongoing
PS-2.1-2	(Hazardous Materials Transport) Establish designated safe ground transport routes for hazardous materials to reduce the potential risks	N/A	Public Works Department	Emergency Management	Short Term
PS-2.1-3	(Hazardous Materials Transport/Emergency Preparedness) Establish a training program on rail-related hazard emergency preparedness for stakeholders and City Staff to ensure emergency operations and mitigation measures are clear and updated when changes occur	N/A	Emergency Management	Fire Department	Short Term
POLICY PS-3-TRANSPORTATION: MINIMIZE THE RISK OF POTENTIAL HAZARDS ASSOCIATED WITH AIR AND GROUND TRANSPORTATION					
PS-3.1-1	(Aircraft Hazards) Participate in the Riverside County Airport Land Use Commission MARB Joint Land Use Study to ensure City issues and concerns are incorporated into the update of the Land Use Compatibility Plan	N/A	Planning Division		Ongoing
PS-3.2-1	(Railroad Hazards) Continue implementation of Quiet Zone improvements and grade separations at rail crossings within the City Action	N/A	Public Works Department	Planning Division	Mid-term
PS-3.2-2	(Railroad Hazards) Coordinate with rail operators (Union Pacific Railroad, BNSF Railway) on grade crossings for rail lines without Quiet Zones so they can be Quiet Zone-ready	N/A	Public Works Department	Rail Operators	Mid-term

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-3.3-1	(Pedestrian and Bicyclist Safety) Implement the City's PACT (Pedestrian Target Safeguarding Plan, Active Transportation Plan, Complete Streets Ordinance and Trail Master Plan) to: improve safety and walkability; provide street amenities such as trees, lighting, furniture; prioritize pedestrians and bicyclists; and implement traffic calming and safety improvements such as lighted crosswalks	PS-3.3-2 PS-3.3-3	Public Works Department	Planning Division	Mid-term
PS-3.3-2	(Pedestrian and Bicyclist Safety) Implement phased infrastructure improvements that enhance pedestrian and bicycle safety as identified in the City's Capital Investment Program	PS-3.3-1 PS-3.3-3	Public Works Department	Planning Division	Mid-term
PS-3.3-3	(Pedestrian and Bicyclist Safety) Implement the Citywide Community Engagement Policy Toolkit as part of any pedestrian and bicyclist safety project to promote safety for any City-initiated project	PS-3.3-1 PS-3.3-2	Office of Communications		Short term
PS-3.4-1	(Vehicle Safety) Develop a Local Roadway Safety Plan to identify intersections and road segments with the highest collision rates and prioritize design safety measures to reduce incidences at these locations	N/A	Public Works Department	Planning Division	Mid-term
POLICY PS-4-EMERGENCY SERVICES: PROVIDE RESPONSIVE POLICE, FIRE, AND EMERGENCY SERVICES TO ALL RESIDENTS AND BUSINESSES IN RIVERSIDE					
PS-4.1-1	(Police Services) Update the Riverside Police Department Strategic Plan, in accordance with applicable review schedule, to maintain the minimum Riverside Police Department response times of 9 minutes on all Priority One calls and 12 minutes on all Priority Two calls ¹	N/A	Police Department		Mid-term
PS-4.1-2	(Police Services) Collaborate with the Riverside County Sheriff to provide coordinated law enforcement services within the City's Sphere of Influence areas	N/A	Police Department	County Sheriff	Ongoing

¹ Priority One calls are defined in RPD procedures as related to an imminent threat to life; Priority Two calls are defined as related to an imminent threat to property.

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-4.1-3	(Police Services) Coordinate police services with private, college and university campus police within Riverside	N/A	Police Department	Local Universities	Ongoing
PS-4.1-4	(Police Services) Identify a location for, plan for, and develop a new modernized police headquarters facility in the Downtown area	N/A	Planning Division	Police Department	Mid-term
PS-4.1-5	(Public Safety) Engage residents and apartment managers to remain involved in the Crime-Free Multi-Housing Program as a way to reduce crime in apartment communities	N/A	Police Department	Office of Communications	Ongoing
PS-4.2-1	(Emergency Preparedness) As part of the regular updates of the Riverside County Hazard Mitigation Plan and the updates of emergency operating procedures, assess and identify actions to address potential natural and human caused hazards as they affect infrastructure within the City	PS-4.2-2 PS-4.2-3 PS-4.2-7	Emergency Management	Other City Departments (as needed) Riverside County	Mid-term
PS-4.2-2	(Emergency Preparedness) Conduct emergency training operations exercises, with Riverside Police Department, Riverside Fire Department, and other City Departments, to: 1) assess and project future emergency service needs; 2) identify deficiencies or practices requiring modification; 3) identify standards for on-going services and training; 4) assess proficiency in implementing the City Emergency Operations Plan; and 5) periodic updates needed based on outcomes	PS-4.2-1 PS-4.2-3 PS-4.2-7	Emergency Management	Riverside Police Department Other City Departments (as needed)	Ongoing
PS-4.2-3	(Emergency Preparedness) Through the Development Review Committee and plan check process, require new and redeveloped structures and facilities to adhere to Riverside Municipal Code Title 16, California Fire Code (as amended), the International Building and Fire Code and other applicable local, state and national fire safety standards	PS-1.3-4	Planning Division	Fire Department	Ongoing

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-4.2-4	(Emergency Preparedness) Coordinate with CALFIRE to prepare a long-term fuel reduction and management plan that ensures long-term maintenance of evacuation routes, identifies fuel breaks, establishes brush management and revegetation, and verifies private/public road emergency access routes comply with requirements of Title 14 of the California Code of Regulations and Sections 1273 and 1274, as applicable and as may be amended, to strengthen fire-fighting capabilities and response times, especially in residential areas, in the event of multiple fires	PS-1.3-3 PS-1.3-4 PS-1.3-6 PS-4.2-5	Fire Department	CAL FIRE	Mid-Term
PS-4.2-5	(Emergency Preparedness) To facilitate evacuation, and in coordination with CALFIRE, California's Office of Emergency Services, Riverside County adjacent jurisdictions and WRCOG, prepare a residential evacuation/shelter-in-place plan to: 1) inventory residential development in hazard areas where at least two emergency evacuation routes are not available; 2) inventory multi-family, emergency shelters, residential care facilities that are located within the VHFHSZ, SRA or WUI; 3) ensure that points of access have visible street signs; 4) develop strategies to ensure escape routes have the capacity and resilience needed if compromised by wildfire to ensure emergency evacuation and supply routes are available; 5) monitor and evaluate evacuation routes when new roads are constructed, improved or connected to adjacent jurisdictions; 6) determine the resources needed, such as buses, transport methods for those with limited mobility or no personal automobile need, and/or traffic control contingencies/personnel to ensure safe evacuation services are available; 7) ensure that "shelter in place" is coordinated as part of the evacuation plan and 8) establish a system to share historical fire data on a regular basis	PS-1.3-1 PS-1.3-3 PS-1.3-4 PS-1.3-6 PS-4.2-4	Emergency Management	CAL FIRE California's Office of Emergency Services Riverside County Surrounding jurisdictions WRCOG	Short-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-4.2-6	(Emergency Preparedness) Develop and distribute educational materials to residents and businesses on the standards and requirements for vegetation clearance, maintenance of defensible spaces and reinspection requirements for property transfer	N/A	Office of Communications	Fire Department	Ongoing
PS-4.2-7	(Emergency Preparedness) Conduct reviews of procedures and regularly inspect equipment to ensure both are ready to provide emergency disaster services after a disaster or emergency event	PS-4.2-1 PS-4.2-2	Public Works Department	Emergency Management	Ongoing
PS-4.2-8	(Emergency Preparedness) Provide educational materials for community members, both on-line and hard copy, with up-to-date information on emergency preparedness	N/A	Office of Communications	Emergency Management	Short-term
PS-4.2-9	(Emergency Preparedness) Update the City's information data sharing infrastructure related to computer-aided dispatch	N/A	Emergency Management		Mid-term
PS-4.2-10	(Emergency Response) Conduct periodic reviews and monitor participation in mutual aid and automatic aid agreements with other agencies to ensure resources keep pace with new development planned or proposed in Riverside and within the Riverside Local Agency Formation Commission's Sphere of Influence	N/A	Emergency Management	Police Department; Fire Department; Public Works Department; Building & Safety Division	Ongoing
POLICY PS-5–PANDEMIC: PROVIDE RESPONSIVE PUBLIC HEALTH SERVICES TO ALL RESIDENTS OF RIVERSIDE					
PS-5.1-1	(Pandemic Preparedness) Maintain and update the City's Recovery Framework Plan and Pandemic Plan	PS-5.1-2	Emergency Management	Other Departments	Ongoing
PS-5.1-2	(Pandemic Outreach) Provide education materials using various social media platforms and on-line communication for pandemic-related health updates and resources that will help remove barriers to health services	PS-5.1-1	Office of Communications	Emergency Management	Short-term

No.	Action	Associated Programs	City Lead	Support	Timeframe
POLICY PS-6–HOMELESSNESS: REDUCE HOMELESSNESS IN RIVERSIDE THROUGH COORDINATED IMPLEMENTATION OF AND EQUITABLE ACCESSIBILITY TO PUBLIC SAFETY, ECONOMIC, AND SOCIAL PROGRAMS					
PS-6.1-1	(Homelessness) Continue to address homelessness through the Public Safety and Engagement Team Program, including both housing solutions and mental health services, building on lessons learned and focusing on key areas of the City	PS-6.1-2 PS-6.1-3	Office of Homelessness Solutions	Police Department Community & Economic Development Department Parks, Recreation and Community Services Department Other Departments	Ongoing
PS-6.1-2	(Homelessness) Coordinate with non-profit organizations to provide access to transitional housing, job training and placement, childcare, and health-promoting services to the homeless	PS-6.1-1 PS-6.1-3	Office of Homelessness Solutions		Ongoing
PS-6.1-3	(Homelessness) Coordinate with adjacent jurisdictions to implement the Multidisciplinary Regional Santa Ana River Bottom Encampment Response Plan to connect individuals with safer shelters outside of the Santa Ana River bottom	PS-6.1-1 PS-6.1-2	Office of Homelessness Solutions		Ongoing
POLICY PS-7–CLIMATE ADAPTATION AND RESILIENCY: IDENTIFY KEY POTENTIAL IMPACTS OF CLIMATE CHANGE ON CITY ORGANIZATIONS, INFRASTRUCTURE, NATURAL RESOURCES, AND RESIDENTS AND DEVELOP ADAPTATION PATHWAYS AND RESILIENCY PATHWAYS TO ADDRESS THEM					
PS-7.1-1	(Climate Adaptation) Complete a comprehensive vulnerability assessment to identify infrastructure, natural resources, and residents most at risk and identify what they need to adapt to a changing climate	PS-7.1-2 PS-7.1-3	Office of Sustainability		Mid-term
PS-7.2-2	(Climate Adaptation) Develop and implement a Climate Action Plan that includes climate adaptation strategies for environmental justice communities and communities disproportionately affected by climate change	PS-7.1-1 PS-7.1-3	Office of Sustainability		Short-term

No.	Action	Associated Programs	City Lead	Support	Timeframe
PS-7.1-3	(Resiliency) Incorporate climate resilience into all City department planning, practices, and procedures, following California Integrated Climate Adaptation and Resiliency Program guidance and other relevant guidance for incorporating resiliency into agency planning and operations	PS-7.1-1 PS-7.1-2;	Office of Sustainability		Ongoing

ENVIRONMENTAL JUSTICE

POLICY LU-EJ-1.0 HOUSING LOCATION: ENSURE NEW HOUSING DEVELOPMENTS ADHERE TO LOCAL, STATE, AND FEDERAL REQUIREMENTS TO AVOID DISPROPORTIONATE IMPACTS ON ENVIRONMENTAL JUSTICE COMMUNITIES

LU-EJ-1.1	Update the General Plan to identify locations for new housing developments that are near transportation centers, commercial uses, parks and needed services, with a focus on improving access and affordability in high-opportunity areas	N/A	Planning Division		Mid-term
LU-EJ-1.2	Develop design standards for development near noise or air pollution generators to minimize impacts on housing development	N/A	Planning Division		Mid-term

POLICY LU-EJ-2.0 PUBLIC ENGAGEMENT: ENSURE THE CITYWIDE COMMUNITY ENGAGEMENT POLICY PROVIDES COMMUNITY MEMBERS WITH OPPORTUNITIES TO PARTICIPATE IN DECISIONS THAT AFFECT THEIR ENVIRONMENT AND HEALTH

LU-EJ-2.1	Implement the Citywide Community Engagement Policy that facilitates input from community members on key projects and ensures their concerns and aspirations inform an equitable decision-making process	N/A	Neighborhood Division	Other City Departments (as needed)	Short-Term
LU-EJ-2.2	Implement engagement, per the Citywide Community Engagement Process, for City-sponsored projects at convenient times for those directly impacted and offer translation services when requested	N/A	All City Departments		Mid-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
POLICY CCM-EJ-1.0 ACTIVE TRANSPORTATION: PROMOTE PHYSICAL ACTIVITY AND ACTIVE TRANSPORTATION TO ADDRESS NEGATIVE HEALTH OUTCOMES, PARTICULARLY AMONG ENVIRONMENTAL JUSTICE COMMUNITIES					
CCM-EJ-1.1	Partner with community-based organizations to develop educational resources that: 1) encourage active living healthy eating, social and emotional health, and general wellness; and 2) raises awareness of health-related illnesses and promotes physical activity as a way of life	N/A	Office of Sustainability		Mid-Term
CCM-EJ-1.2	Meet with school districts and youth organizations to identify ways to promote affordable or free programs that encourage better nutrition and increased physical activity	N/A	Office of Sustainability		Mid-Term
POLICY CCM-EJ-2.0 TRANSPORTATION OPTIONS: ENCOURAGE INCREASED PUBLIC TRANSPORTATION AND MULTI-MODAL TRANSPORTATION CHOICES AS MEANS OF REDUCING ROADWAY CONGESTION AND ASSOCIATED AIR POLLUTION AND PROMOTING OVERALL HEALTH					
CCM-EJ-2.1	Require Crime Prevention Through Environmental Design standards be incorporated into all City projects and private development to improve the pedestrian experience that could be related to sidewalks/trails, parks, street crossings, lighting, bicycle infrastructure, American Disability Act (ADA) accessibility	N/A	Department of Public Works Planning Division	Parks, Recreation and Community Services Department	Short-Term
CCM-EJ-2.2	Encourage school districts to establish and maintain safe drop-off and pick-up zones and implement operational improvements to alleviate congestion	N/A	Planning Division Department of Public Works		Mid-Term
POLICY ED-EJ-1.0 EDUCATION: COORDINATE WITH PUBLIC SCHOOL DISTRICTS, CHARTER AND PRIVATE K-12 SCHOOLS, AND LOCAL UNIVERSITIES AND COLLEGES TO PROMOTE EQUITY IN EDUCATIONAL FACILITIES AND OPPORTUNITIES FOR THE ENTIRE COMMUNITY					
ED-EJ-1.1	Sponsor events at local schools, community centers, and libraries where underserved, low-income and minority students can gain exposure to early childhood education and opportunities in higher education and vocational training	N/A	Office of Sustainability		Long-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
ED-EJ-1.2	Work with business leaders, faculty, and students at the various universities to develop and promote training programs to reinforce student career opportunities that align with the needs of the City (e.g., supervisory, teaching, healthcare professionals, technology-oriented)	N/A	Economic Development Division		Long-Term
ED-EJ-1.3	Coordinate and provide input to school districts as they site new or rehabilitate existing school facilities and encourage joint-use facilities, programming, and activities	N/A	Parks, Recreation and Community Services Department		Mid-Term
ED-EJ-1.4	Partner with school districts, universities, colleges to offer literacy and language education programs at City facilities in environmental justice communities for all generations	N/A	Office of Sustainability		Mid-Term
ED-EJ-1.5	Implement the PACT by identifying and implementing pedestrian, bicycle, and transit network improvements in environmental justice communities that will benefit the Safe Routes to School programs for public school districts, charter, and private K-12 schools	N/A	Department of Public Works		Mid-Term
POLICY N-EJ-1.0 NOISE: WITH A PARTICULAR FOCUS ON ENVIRONMENTAL JUSTICE COMMUNITIES, REDUCE NOISE POLLUTION BY ENFORCING NOISE REDUCTION AND CONTROL MEASURES WITHIN AND ADJACENT TO RESIDENTIAL NEIGHBORHOODS					
N-EJ-1.1	Use existing and ongoing outreach efforts to help conduct outreach to help identify neighborhoods subject to excessive ambient noise pollution	N/A	Planning Division Code Enforcement Division Neighborhood Division		Long-Term
N-EJ-1.2	Identify and pursue funding sources to assist residents in environmental justice communities, including identification of possible resources, to achieve healthy noise levels	N/A	Planning Division Code Enforcement Division Neighborhood Division		Long-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
N-EJ-1.3	Develop prescriptive sound transmission control standard construction plans designed to reduce interior noise levels according to the requirements of the City's Noise Code	N/A	Building & Safety Division Planning Division		Mid-Term
POLICY AQ-EJ-1.0 AIR QUALITY: ENSURE THAT LAND USE DECISIONS, INCLUDING ENFORCEMENT ACTIONS, ARE MADE IN AN EQUITABLE FASHION TO PROTECT RESIDENTS AND WORKERS IN ENVIRONMENTAL JUSTICE COMMUNITIES FROM THE SHORT- AND LONG-TERM EFFECTS OF AIR POLLUTION					
AQ-EJ-1.1	Minimize indoor and outdoor air pollution for new housing development by following State standards that minimize air emissions from new projects and considering pollution sources, such as freeways or industrial uses, near residential development	N/A	Building & Safety Division Planning Division		Short-Term
AQ-EJ-1.2	Pursue incentives and funding to implement best practices to identify and reduce pollution exposure in environmental justice communities developed through the California Air Resources Board's Community Air Protection Program	N/A	Building & Safety Division Planning Division		Mid-Term
POLICY PR-EJ-1.0 PARKS AND RECREATION: DISTRIBUTE RECREATIONAL FACILITIES EQUITABLY THROUGHOUT RIVERSIDE'S NEIGHBORHOODS					
PR-EJ-1.1	Complete an analysis of the City's open space network to reduce gaps in connectivity and identify unsafe conditions to provide safe circulation and link pedestrians to parks and recreational amenities	N/A	Parks, Recreation and Community Services Department		Long-Term
PR-EJ-1.2	Identify and reuse vacant and underutilized land within environmental justice communities to help improve local access to recreational amenities	N/A	Parks, Recreation and Community Services Department		Long-Term
PR-EJ-1.3	Collaborate with residents to transform City-owned parcels into usable open space based on specific criteria that assess potential of the site	N/A	Parks, Recreation and Community Services Department		Long-Term
PR-EJ-1.4	Pursue grants and other funding opportunities to create parks and open space within environmental justice communities in the City	N/A	Parks, Recreation and Community Services Department		Long-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
POLICY FI-EJ-1.0 HEALTH CARE: COORDINATE WITH HEALTHCARE PROVIDERS TO EXPAND HEALTHCARE ACCESS FOR RESIDENTS OF ENVIRONMENTAL JUSTICE COMMUNITIES					
FI-EJ-1.1	Collaborate with health care and medical service providers to improve access to health care to improve the overall health and wellness of environmental justice community members	N/A	Office of Sustainability	Local Providers	Mid-Term
FI-EJ-1.2	Develop a promotional program to encourage retrofit and weatherization of existing housing that results in energy efficiency/conservation to improve economic stability and improved health for residents of environmental justice communities	N/A	Building & Safety Division		Mid-Term
POLICY AC-EJ-1.0 ARTS, CULTURE & FACILITIES: PROMOTE EQUITABLE DISTRIBUTION OF ARTS AND CULTURAL FACILITIES ACROSS THE CITY					
AC-EJ-1.1	Evaluate the feasibility of an Arts in Public Places program that requires a percentage-based developer fee for new construction projects with a market value above a certain amount	N/A	Arts and Cultural Affairs Division		Mid-Term
AC-EJ-1.2	Develop an action plan with local artists, the community, and school districts to develop a program that addresses promotes public art, identifies possible funding mechanism, and includes public art in environmental justice communities	N/A	Arts and Cultural Affairs Division		Mid-Term
AC-EJ-1.3	Work with Riverside Unified School District, Alvord Unified School District, and others to support current and create new formal arts program that recognize the work of K-12 schools and students	N/A	Arts and Cultural Affairs Division	School Districts	Long-Term
AC-EJ-1.4	Evaluate and prioritize the distribution of arts facilities within the City through a program that includes community outreach and possible funding opportunities, such as the implementation of micro-grant program	N/A	Arts and Cultural Affairs Division		Long-Term

No.	Action	Associated Programs	City Lead	Support	Timeframe
POLICY HP-EJ-1.0 HISTORIC PRESERVATION: ENCOURAGE IDENTIFICATION AND PRESERVATION OF HISTORIC AND CULTURAL RESOURCES ASSOCIATED WITH COMMUNITIES WHOSE HISTORIES AND HISTORICAL CONTRIBUTIONS ARE NOT WELL DOCUMENTED					
HP-EJ-1.1	Promote historic designation of sites associated with underrepresented communities, including but not limited to, those identified in the Japanese American, Chinese American, and Latino and other Context Statements	N/A	Historic Preservation		Short-Term
HP-EJ-1.2	Promote the Points of Cultural Interest Program for environmental justice communities and underrepresented communities such as those related to the civil rights movements or social injustices	N/A	Historic Preservation		Mid-Term
HP-EJ-1.3	Promote the City's Mills Act Program to encourage the restoration and preservation of qualified historic buildings in environmental justice communities by targeting outreach within these communities	N/A	Historic Preservation		Short-Term

KEY PERFORMANCE INDICATORS

Program	Program Title	Performance Metric	Target
POLICY HE-1 - AFFORDABLE HOUSING: PRESERVE AND INCREASE AFFORDABLE HOUSING OPTIONS, INCLUDING SUBSIDIZED AND NON-SUBSIDIZED AFFORDABLE UNITS FOR LOWER-INCOME AND ENVIRONMENTAL JUSTICE COMMUNITIES, SPECIAL NEEDS, AND UNDER-SERVED POPULATIONS.			
HE-1-1	Housing on Assembly of Peoples Sites	Number of projects approved on Assembly of People – Non-Entertainment sites	1 project/year
HE 1-2	By-Right Approval for Projects with 20% Affordable Units	Number of by-right approval projects	1 project/year
HE-1-3	Nonprofit Partnerships and Financial Assistance	Number of units of affordable housing developed annually	20 units/year
		Number of partnerships established between affordable housing providers, market-rate housing providers and community-based organizations	1 new partnership/year
HE-1-4	Age-Restricted Senior Housing Program	Number of projects with age-restricted senior housing approved annually that received a 60% permit/fee reduction	1 project/year
HE-1-5	WRCOG Housing Trust Fund	See Actions HE-1.9 and HE-1.10	
HE-1-6	Mortgage Credit Certificate	Number of homebuyers granted loans as a result of the tax credit program	5 homebuyers/year
HE-1-7	Foreclosure Prevention	Number of mortgage holders counseled/provided education materials	50 mortgage holders/year
HE-1-8	Housing Choice Voucher Program	Number of households and landlords receiving outreach on source-of-income protections	50 households and landlords reached/year
		Number of households reached with information on non-discrimination	15 households reached/year
HE-1-9	Mobile Home Park Rent Stabilization	See Action HE-1.7	
HE-1-10	Preservation of At-Risk Rental Units	Percentage of at-risk affordable units preserved	50% of at-risk units preserved

Program	Program Title	Performance Metric	Target
HE-1-11	Funding for Extremely Low-Income Projects	Number of projects with ELI units	1 project/year
HE-1-12	Affordable Housing Service Prioritization	See Action HE-5.5	
HE-1-13	Residential Overcrowding	See Action HE-1.5	
POLICY HE-2 HOMELESSNESS: EXPAND HOUSING AND SERVICES THAT ADDRESS THE NEEDS OF THE CITY'S HOMELESS POPULATION...			
HE-2-1	Housing First Strategy	Number of people placed in permanent housing	25 persons/year
HE-2-2	Supportive Housing Program	Number of supportive housing units	10 units/year
HE-2-3	Rapid Re-Housing Program	Number of people rapidly rehoused	8 persons/year
HE-2-4	Homeless Street Outreach Program	Number of homeless reached through the Homeless Street Outreach Program	150 persons/year
POLICY HE-3 FAIR HOUSING: PROMOTE SAFE, HEALTHY, AND ATTAINABLE HOUSING OPPORTUNITIES FOR ALL PEOPLE REGARDLESS OF THEIR SPECIAL CHARACTERISTICS AS PROTECTED UNDER STATE AND FEDERAL FAIR HOUSING LAWS			
HE-3-1	Affirmatively Furthering Fair Housing (AFFH)	Number of households reached with education on fair housing protections	200 households/year
POLICY HE-4 THRIVING NEIGHBORHOODS: FACILITATE AND ENCOURAGE A VARIETY OF NEW HOUSING TYPES, INCLUDING BOTH SINGLE- AND MULTI-FAMILY AND MISSING MIDDLE HOUSING, AND THE NECESSARY PUBLIC AMENITIES TO SUPPORT A SENSE OF COMMUNITY THAT RESULTS IN EQUITABLE AND SUSTAINABLE NEIGHBORHOODS			
HE-4-1	Transformative Climate Communities Grant	Percent of TCC grant funds expended	25% expended/year
HE-4-2	Small Sparks Neighborhood Matching Grants	Number of projects sponsored	8 projects/year
HE-4-3	Neighbor Fest!	Number of Neighbor Fest! events per year	1 event/year
HE-4-4	Citywide Community Engagement Policy	See Action HE-6.5	
HE-4-5	Facilitate ADU Development	Number of accessory dwelling units (ADUs) constructed	80 ADUs/year
HE-4-6	Conceptual Development Review	Number of conceptual development review applications	5 applications/year

Program	Program Title	Performance Metric	Target
POLICY HE-5 REGULATIONS: REDUCE AND REMOVE GOVERNMENT BARRIERS, WHERE FEASIBLE AND LEGALLY PERMISSIBLE, TO REDUCE COSTS OF HOUSING PRODUCTION AND FACILITATE BOTH OWNERSHIP AND RENTAL OPPORTUNITIES FOR ALL RESIDENTS.			
HE-5-1	Adequate Housing Opportunity Sites for RHNA	See actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-2	Zoning Code Amendments	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-3	Group Homes	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-4	Density Bonus	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-5	Employee and Farmworker Housing	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-6	Supportive Housing (AB 2162)	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-7	Low Barrier Navigation Centers (AB 101)	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-8	Emergency Shelters (SB 2 and AB 139)	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
HE-5-9	Accessory Dwelling Units	See Actions HE-5.1 through HE-5.6 and Actions HE-EJ-7.1 through HE-EJ-7.5	
POLICY HE-6 MONITORING/ENGAGEMENT: ENSURE REGULAR MONITORING AND REPORTING, INCLUDING OUTREACH TO THE PUBLIC, ON THE STATUS OF HOUSING IN THE CITY OF RIVERSIDE.			
HE-6-1	Monitoring for No Net Loss	See Action HE-6.1 and HE-6.2	
HE-6-2	Monitoring ADU Trends	Number of accessory dwelling units (ADUs) constructed	80 ADUs/year
POLICY HE-EJ -7 DEVELOPMENT PROCESS: FACILITATE A DEVELOPMENT PROCESS THAT PROMOTES DESIGN AND REHABILITATION OF HOUSING THAT IS RESPONSIVE TO THE NEEDS AND DESIRES OF THE RESIDENTS OF ENVIRONMENTAL JUSTICE COMMUNITIES.			
HE-EJ-7-1	Lot Consolidation	Lot consolidation applications	1 application/year
HE-EJ-7-2	Density Transfer Program	See Action HE-5.4	Complete by 2025

Program	Program Title	Performance Metric	Target
HE-EJ-7-3	Housing on Small and Infill Lots	Small and infill lots developed with residential units	3 units/year
POLICY HE-EJ-8 ACCESS TO FOOD: PROVIDE OPPORTUNITIES TO ACCESS FRESH, HEALTHY, AND AFFORDABLE FOOD FROM FOOD SOURCES THAT ARE ACCESSIBLE TO NEIGHBORHOODS AND WITHIN A QUARTER MILE OF PUBLIC TRANSIT			
HE-8-1	Establishment of Farmers Markets and Community Gardens	Number of new farmers markets, community gardens and/or garden plots	1/year
HE-8-2	Civic Engagement in Partnership with Riverside Food Systems Alliance	Number of RFSA events co-sponsored	2 events/year
HE-8-3	Food Security in Environmental Justice Communities	See Action HE-EJ-8.3	

Chapter 12

Mitigation Monitoring and Reporting Program

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Environmental Impact Report (Final EIR), specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in this Mitigation Monitoring and Reporting Program (MMRP).

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
Air Quality							
AQ-1: Implement measures to reduce construction-related criteria air pollutant emissions.							
<p>Prior to approval by the City for non-ministerial projects proposed on Opportunity Sites, applicants shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the Planning Division for review and approval. The evaluation shall be prepared in conformance with SCAQMD methodology for assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the SCAQMD-adopted thresholds of significance, the City shall require that applicants for new development projects incorporate mitigation measures and/or project design features to reduce air pollutant emissions during construction activities. These identified measures shall be incorporated into all appropriate construction documents (e.g., construction management plans or construction drawings) submitted to the City and shall be verified by the City’s Building and Safety Division. While specific mitigation measures and/or project design features to reduce construction-related emissions would be determined during project-level analysis, potential mitigation could include, but is not limited to:</p> <ul style="list-style-type: none"> ● Requiring fugitive-dust control measures that exceed SCAQMD’s Rule 403, such as: <ul style="list-style-type: none"> ○ Use of nontoxic soil stabilizers to reduce wind erosion ○ Applying water every 3 hours to active soil-disturbing activities ○ Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials ● Using construction equipment rated by EPA as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower ● Ensuring that construction equipment is properly serviced and maintained to the manufacturer’s standards ● Limiting nonessential idling of construction equipment to no more than 5 consecutive minutes ● Limiting onsite vehicle travel speeds on unpaved roads to 15 miles per hour ● Installing wheel washers for all exiting trucks or washing all trucks and equipment leaving the project area ● Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible 	<p>Applicants to prepare technical assessments evaluating potential construction-related air quality impacts.</p> <p>Implementation of individual mitigation may be required as specified in project-specific technical assessments.</p>	<p>Prior to approval of non-ministerial projects.</p> <p>Implementation of individual mitigation during construction.</p>	<p>Once during construction.</p>	<p>Community & Development Department, Building and Safety Division</p> <p>Project contractor</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
AQ-2: Implement measures to reduce criteria air pollutant emissions during operation.							
<p>Prior to approval by the City for non-ministerial development projects proposed on Opportunity Sites, applicants shall prepare and submit a technical assessment evaluating potential project operation phase-related air quality impacts to the Planning Division for review and approval. The evaluation shall be prepared in conformance with SCAQMD methodology in assessing air quality impacts. If operations-related air pollutants are determined to have the potential to exceed the SCAQMD-adopted thresholds of significance, the Planning Division shall require incorporation of mitigation measures and/or project design features to reduce air pollutant emissions during operational activities, to be included as part of the conditions of approval. Possible mitigation measures and/or project design features to reduce long-term emissions could include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Providing truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for loading/unloading in accordance with CARB Rule 2845 (13 California Code of Regulations Chapter 10 § 2485) • Providing changing/shower facilities as specified in Section A5.106.4.3 of the California Green Building Standards Code (CALGreen) (Nonresidential Voluntary Measures) • Providing bicycle parking facilities per Section A4.106.9 (Residential Voluntary Measures) of CALGreen • Providing preferential parking spaces for low-emitting, fuel-efficient, and carpool/van vehicles per Section A5.106.5.1 of CALGreen (Nonresidential Voluntary Measures) • Encouraging facilities to support electric charging stations per Section A5.106.5.3 (Nonresidential Voluntary Measures) and Section A5.106.8.2 (Residential Voluntary Measures) of CALGreen • Providing appliances shall be Energy Star–certified appliances or appliances of equivalent energy efficiency (e.g., dishwashers, refrigerators, clothes washers, and dryers). Installation of Energy Star–certified or equivalent appliances shall be verified by Building & Safety during plan check • Equipping landscaped common areas with electrical outlets to enable use of electric landscaping equipment to the extent feasible 	<p>Applicants to prepare technical assessments evaluating potential operations-related air quality impacts.</p> <p>Implementation of individual mitigation may be required as specified in project-specific technical assessments.</p>	<p>Prior to approval of non-ministerial projects.</p> <p>Implementation of individual mitigation during construction.</p>	<p>Once during construction.</p>	<p>Community & Economic Development, Building and Safety Division</p> <p>Applicant/Designer</p>			
AQ-3: Prepare a health risk assessment.							
<p>Prior to approval by the City, applicants for Opportunity Site development that (1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating</p>	<p>Applicants to prepare health risk assessments.</p>	<p>Prior to approval of non-</p>	<p>Once during construction.</p>	<p>Community & Economic</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
diesel-powered transport refrigeration units, and (2) are within 1,000 feet of a sensitive land use (e.g., residences, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall submit an HRA to the Planning Division for review and approval. The HRA shall be prepared in accordance with policies and procedures of the state Office of Environmental Health Hazard Assessment and SCAQMD. If the HRA shows that the incremental cancer risk and/or noncancer hazard index exceeds the respective thresholds, as established by SCAQMD at the time a project is considered, the applicant will be required to identify and demonstrate that best available control technologies for toxics, including appropriate enforcement mechanisms, that are capable of reducing potential cancer and noncancer risks are implemented. Best available control technologies for toxics may include, but are not limited to, restricting idling on site or electrifying warehousing docks to reduce DPM or requiring use of newer equipment and/or vehicles. Best available control technologies for toxics identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the project plans.	Implementation of individual mitigation may be required as specified in project-specific health risk assessment.	ministerial projects.	Implementation of individual mitigation during construction.	Development, Planning Division			
Biological Resources							
BIO-1: Conduct literature review, habitat assessment, and surveys.							
Preliminary Review: Prior to construction on Opportunity Sites that are vacant or where the potential presence of biological or aquatic resources exists, a consistency review shall be performed to ensure that the project is consistent with the requirements of the WRC MSHCP. For the project-specific WRC MSHCP consistency process, the applicant shall employ a qualified biologist approved by the City to review the future Opportunity Site project. The qualified biologist shall conduct a site-specific literature review, which shall consider, at a minimum, the future development project, site location, GIS information, WRC MSHCP survey areas and requirements, and known sensitive biological resources. The review shall assess the site for special-status plants and/or wildlife, aquatic resources, sensitive natural communities, wildlife corridors or nurseries, or other regulated biological resources covered by the WRC MSHCP and/or pursuant to CEQA, FESA, or CESA that could be affected by the project. In some cases, a literature review would be sufficient for the biologist to make a no impact and/or a less-than-significant impact determination for all six of the thresholds of significance (Section 3.2.4) of biological resources and/or the determination that the project is consistent with the WRC MSHCP. In this case, no further work shall be required, and if deemed necessary by the City, a summary report stating the basis for these findings, identifying each	Applicants shall ensure their projects are consistent with the requirements of the WRC MSHCP.	Prior to construction.	Once.	Community & Economic Development, Planning Division			
	Applicants shall conduct habitat assessment surveys if preliminary review warrants it. Implementation of individual mitigation may be required as specified in project-specific habitat assessment surveys.	Prior to construction activities. Implementation of individual mitigation during construction.	Once during construction.	Qualified biologist			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>threshold of significance with a CEQA finding, shall be the only requirement.</p> <p>Habitat Assessment Survey: If, during the preliminary review, it is determined that potential biological resources including any species covered under the MSHCP exist on the individual Opportunity Site that could be affected, then a habitat assessment survey shall be required unless a qualified biologist determines that a field review/habitat assessment is not needed. If needed, and/or the project is in a WRC MSHCP designated survey area, this survey shall consist of a site visit conducted by a qualified biologist, where the proposed individual development project and adjacent buffer (as appropriate for the target species relative to the potential project direct and indirect impacts) shall be assessed for WRC MSHCP covered species and habitats; candidate, sensitive, or special-status plants and/or wildlife; aquatic resources; sensitive natural communities; and wildlife corridors or nurseries while identifying and mapping all vegetation communities and land-cover types. If suitable habitat is present for candidate, sensitive, or special-status plants or animals and cannot be avoided, then focused protocol surveys may be required, as determined by the qualified biologist, with appropriate reporting. If aquatic resources are present and cannot be avoided, a jurisdictional delineation may be required. Mitigation shall include an analysis of all the biological resources identified in the thresholds of significance, with a determination made regarding significance for each threshold. Reporting shall include regulatory assessment, impact analyses, and identification and implementation of appropriate measures based on the presence of biological resources.</p> <p>Reduce and Avoid Impacts: If, following the literature review and surveys for Opportunity Sites, it is determined that the site would not directly or indirectly affect any WRC MSHCP covered species or habitats; candidate, sensitive, or special-status plants and/or wildlife; aquatic resources; sensitive natural communities; or wildlife corridors or nurseries, then no further action or WRC MSHCP consistency analysis shall be required. If, however, it is determined that impacts on WRC MSHCP covered species or habitats; candidate, sensitive, or special-status plants and/or wildlife; aquatic resources; sensitive natural communities; or wildlife corridors or nurseries would occur and therefore would be considered significant, then additional mitigation measures as recommended by the qualified biologist and approved by the Planning Division shall be implemented to avoid or reduce impacts to the maximum extent feasible.</p>							

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
Cultural Resources							
CUL-1: Conduct a historical resource assessment.							
<p>The individual applicants shall hire a Secretary of the Interior-qualified historic preservation professional to conduct a historical resource assessment if a structure to be affected by a subsequent development project, at the time of application, is not in a previously surveyed area, is not a historical resource for the purposes of CEQA, and is at least 50 years old. The assessment shall formally evaluate the potential resource’s eligibility for listing to the CRHR, its potential eligibility as a Landmark or Structure of Merit, and its potential eligibility as a Contributor to a Historic District or Neighborhood Conservation Area. If the resource is found eligible for any of those designations, it shall be considered a resource that qualifies as a historical resource under CEQA and is therefore subject to the provisions of the Cultural Resources Ordinance. This includes obtaining the pertinent Certificates of Appropriateness and ensuring that the project plans adhere to the SOI Standards. For resources found ineligible for any of those designations, no additional mitigation would be necessary.</p>	<p>Applicants shall conduct historical resource assessments.</p> <p>Implementation of individual mitigation may be required as specified in project-specific historical resource assessments.</p>	<p>Prior to approval of non-ministerial projects.</p> <p>Implementation of individual mitigation during construction.</p>	<p>Once during construction.</p>	<p>Community & Economic Development, Planning Division</p> <p>Qualified historic preservation professional</p>			
CUL-2: Conduct an archaeological study.							
<p>For Opportunity Site development projects that require CEQA analysis (non-ministerial projects), prior to construction, and if it is determined that the development project will involve ground disturbance of some type, the applicant shall conduct an archaeological study. This study will be conducted during project-specific CEQA analyses at Opportunity Sites that have not been studied in such a manner in the previous 5 years. The archaeological study shall follow the guidelines set forth by the City of Riverside Community & Economic Development Department in the document titled Consultant Requirements for Cultural Resources Survey, Studies and Reports Information Sheet (City of Riverside Community & Economic Development Department 2011) or successor document. The cultural resources archaeological recommendations shall be valid for 5 years after the date of the record search. After 5 years, the applicant shall retain an archaeologist who shall acquire an updated record search from the Eastern Information Center and review the cultural resources technical report recommendations.</p> <p>For proposed development locations where only a record search and/or a site visit have already been conducted prior to this EIR, the project applicant shall retain an archaeologist to:</p> <ul style="list-style-type: none"> Review record search results, site visit results, and any recommendations. Obtain an updated record search from the Eastern Information Center if the record search is older than 5 years. 	<p>Applicants shall conduct archaeological studies.</p> <p>City to make determinations regarding significance of project-level impacts.</p>	<p>Prior to approval of non-ministerial projects.</p> <p>Prior to approval.</p>	<p>Once.</p> <p>Once.</p>	<p>Community & Economic Development, Planning Division</p> <p>Qualified archaeologist</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> Review available historic maps, historic aerials, and other archival materials. Prepare a cultural resources memo with existing or updated record search results; a summary of background research of historic maps, aerials, etc.; and potential for historic and prehistoric archaeological resources to be present at the proposed development location. Additionally, the memo shall identify potential impacts and provide recommendations. <p>The City shall review these findings and make a determination regarding the significance of project-level impacts prior to approval of any future development. Should the archaeological study result in the identification of archaeological resources on the proposed development site, or should unanticipated discoveries of previously unknown archaeological resources be made during ground-disturbing activities at an Opportunity Site, Mitigation Measures MM-CUL-3 through MM-CUL-6 would be applicable.</p>							
CUL-3: Avoid archaeological sites through establishment of Environmentally Sensitive Areas (ESAs).							
<p>If archaeological resources are identified either through an archaeological study or as unanticipated discoveries during construction, implementation of Mitigation Measure MM-CUL-3 would be required. Avoidance is always the preferred method of treatment for archaeological sites. Additionally, should sacred objects or objects of religious importance to Native American tribes be identified, preservation in place avoids conflicts with traditional values of tribes who ascribe meaning to these resources and their locations. Impacts on cultural resources can be avoided through establishing fencing around cultural resources with a buffer and delineating these locations as ESAs. The appropriate buffer size shall be delineated upon consultation with Native American tribes and the City (for prehistoric resources). The City and the consultant archaeologist for individual development projects shall determine appropriate buffers for historical-period (non-Native American) archaeological resources on a case-by-case basis based on the known extent of archaeological sites and the relationship to proposed ground disturbance.</p>	<p>Applicants shall establish ESAs for avoidance if needed during construction.</p>	<p>During construction activities.</p>	<p>As needed.</p>	<p>Community & Economic Development, Planning Division</p> <p>Qualified archaeologist</p>			
CUL-4: Develop and implement an Archaeological Treatment Plan (ATP) for evaluation of newly discovered and/or unevaluated archaeological resources.							
<p>Mitigation Measure MM-CUL-4 shall apply as follows:</p> <ul style="list-style-type: none"> The results of an archaeological study conducted under Mitigation Measure MM-CUL-2 are unable to determine the eligibility of newly identified archaeological sites for inclusion to the CRHR and it is determined by the consulting archaeologist that additional study through Phase II testing is required; It is not possible to avoid impacts through the establishment of ESAs; or 	<p>Applicants shall develop an archaeological treatment plan.</p>	<p>Prior to construction.</p>	<p>Once.</p>	<p>Community & Economic Development, Planning Division</p> <p>Qualified archaeologist</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> Unanticipated archaeological resources are discovered during construction on Opportunity Sites. <p>If it is necessary to properly evaluate such properties in such a manner, an ATP shall be developed that describes methods and procedures for conducting subsurface excavations to determine the vertical and horizontal extents of an archaeological site. The ATP shall define the parameters of archaeological testing at the site and the extent of excavation and analysis of any materials recovered. The ATP shall also include guidelines for treatment and curation of any materials recovered during the testing process. Subsequent to implementation of the ATP, a technical report describing the methods and results of archaeological testing and formal evaluations of the archaeological sites and recommendations for further treatment shall be completed. The ATP shall be approved by the City and should involve consultation and review by Native American tribes consulting on the proposed development project. An ATP shall only be necessary for newly discovered archaeological sites that require additional information to make determinations of eligibility.</p>							
CUL-5: Implement data recovery for CRHR-eligible sites that cannot be avoided.							
<p>If archaeological studies identify a cultural resource as being potentially eligible for listing in the CRHR and ESAs cannot be established or project design cannot be altered, resulting in impacts on the site, then a Phase III data recovery program shall be developed, when mutually agreed upon by Native American representatives (for prehistoric or historic-period Native American sites) and the City. The data recovery program shall be outlined in a Data Recovery Treatment Plan that details the procedures and objectives for mitigation of impacts on the archaeological site. The Data Recovery Treatment Plan shall include a research design with testable hypotheses and data requirements necessary to address these hypotheses. Additionally, the Data Recovery Treatment Plan shall identify methods of excavation, analysis, and curation of any archaeological materials recovered. The Data Recovery Treatment Plan shall also identify the treatment of any human remains discovered during data recovery procedures. If the archaeological resource is Native American (prehistoric or historic-period in age), then the City, the applicant, and the archaeologist shall engage in consultation so that Native American representatives can be involved in the development of the data recovery plan.</p> <p>Data recovery shall involve analysis of a representative sample of the materials recovered during excavation. For prehistoric archaeological sites, all excavations should be monitored by a representative from a geographically appropriate Native American group. At the conclusion of the data recovery program, a data recovery technical report shall be completed detailing the results of</p>	Applicants shall be responsible for data recovery of CRHR-eligible sites that cannot be avoided.	Prior to construction.	Once.	Community & Economic Development, Planning Division			Qualified Archaeologist

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
the excavations and analysis. Curation of recovered archaeological materials shall be conducted per the guidance in the Data Recovery Treatment Plan and with consultation between the City and appropriate Native American tribes. Other forms of mitigation could include additional research with archival sources, landscape studies, designation of open space, public outreach programs, and public education/public displays.							
CUL-6: Retain an on-call archaeologist for monitoring.							
For Opportunity Site development projects that require CEQA analysis, Mitigation Measure MM-CUL-6 shall be implemented when archaeological studies completed under Mitigation Measure MM-CUL-2 determine that a project has a less-than-significant potential for archaeological discoveries. Additionally, upon agreement between Native American representatives (for prehistoric or historic-period Native American sites) and the City for archaeological resources that have not been determined eligible for listing in the CRHR or NRHP that are unavoidable at an Opportunity Site, Mitigation Measure MM-CUL-6 shall be implemented. Prior to the issuance of a grading permit, the applicant shall provide a letter from a qualified archaeologist stating that the applicant has retained their services, and that the archaeologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.	Applicants shall provide verification that a qualified archaeologist has been retained for an on-call basis during grading and ground-disturbance activities.	Prior to the issuance of a grading permit.	Once, then as needed.	Community & Economic Development, Planning Division (verification) Building and Safety Division (issuance of building permits) Native American representatives Applicants Qualified archaeologist			
CUL-7: Conduct archaeological and Native American monitoring.							
If cultural resource studies have identified archaeological resources determined eligible for the CRHR or NRHP that are unavoidable at an Opportunity Site, Mitigation Measure MM-CUL-7 shall be implemented upon agreement among Native American representatives (for prehistoric or historic-period Native American sites). At least 30 days prior to application for a grading permit and before any grading, excavation, and/or ground-disturbing activities take place, the applicant shall retain an SOI Standards-qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. The archaeologist, in consultation with consulting tribes, the applicant, and the City, shall develop an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that occur on a development site. Details in the plan shall include: 1. Project grading and development scheduling:	Applicants shall conduct Native American monitoring of appropriate sites.	During construction activities.	As needed.	Community & Economic Development, Planning Division Consulting Tribes Landowners/ Applicants Qualified archaeologist and Native American monitors			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>a. The development of a rotating or simultaneous schedule in coordination with the applicant and the project archaeologist for designated Native American tribal monitors (if resources are prehistoric in age) from the consulting tribes during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American tribal monitors' authority to stop and redirect grading activities in coordination with all project archaeologists</p> <p>b. The protocols and stipulations that the applicant, tribes, and project archaeologist for the individual development project shall follow in the event of inadvertent cultural resource discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation</p> <p>c. Treatment and final disposition of any cultural resources, sacred sites, and human remains if discovered on a development site</p> <p>d. The scheduling and timing of the Cultural Sensitivity Training</p>							
CUL-8: Employ procedures for treatment and disposition of cultural resources.							
<p>If cultural resources are inadvertently discovered during the course of grading for individual Opportunity Sites, the following procedures shall be carried out for treatment and disposition of the discoveries:</p> <p>1. Consulting Tribe(s) Notified: Within 24 hours of discovery, and if the resources are Native American in origin, the consulting tribe(s) shall be notified via email and phone. The applicant shall provide the City evidence of notification to consulting tribes. Consulting tribe(s) shall be allowed access to the discovery in order to assist with the significance evaluation.</p> <p>2. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the project archaeologist. The removal of any artifacts from a development site shall be thoroughly inventoried with tribal monitor oversight of the process.</p> <p>3. Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains, as part of the required mitigation for impacts on cultural resources. The applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community & Economic Development Department with evidence of same:</p> <p>a. Accommodate the process for onsite reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future</p>	<p>Applicants shall employ treatment procedures for unanticipated discoveries.</p>	<p>During construction activities.</p>	<p>As needed.</p>	<p>Community & Economic Development, Planning Division</p> <p>Consulting Tribes</p> <p>Landowners/ Applicants</p> <p>Qualified archaeologist and Native American monitors</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed.</p> <p>b. Execute a curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will ensure professional curation and availability to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation.</p> <p>c. If more than one Native American tribe or band is involved with the subsequent development project and cannot come to a consensus as to the disposition of cultural materials, curate the discovered items at the Western Science Center or Museum of Riverside by default.</p> <p>d. At the completion of grading, excavation, and ground-disturbing activities on the site, provide to the City a Phase IV Monitoring Report documenting monitoring activities conducted by the project archaeologist and Native American tribal monitors within 60 days of completion of grading. This report shall document the impacts on the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required Cultural Sensitivity Training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced shall be submitted to the City, the Eastern Information Center, and consulting tribes.</p>							
CUL-9: Conduct cultural sensitivity training.							
<p>For Opportunity Site development projects where either Mitigation Measures MM-CUL-6 or MM-CUL-7 are implemented, Mitigation Measure MM-CUL-9 shall also be implemented. Prior to the commencement of construction activities, the SOI Standards-certified archaeologist and Native American monitors shall attend the pre-grading meeting with the applicant/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.</p>	<p>Applicants shall develop a cultural resources sensitivity training.</p>	<p>During construction activities.</p>	<p>As needed.</p>	<p>Community & Economic Development, Planning Division</p> <p>Qualified archaeologist and Native American monitors</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
Paleontological Resources							
PAL-1: Conduct paleontological resources investigations							
<p>During the development review process and prior to construction on Opportunity Sites that are located on geologic units with Undetermined, High A, or High B paleontological sensitivity, the project applicant shall conduct paleontological resource investigations consistent with SVP guidelines. This process shall include:</p> <ul style="list-style-type: none"> • Conducting a paleontological records search through the Los Angeles County Natural History Museum to identify previously recorded paleontological localities and the presence of sensitive deposits in the City • Reviewing Opportunity Site design and maximum depths and extents of Project ground disturbance components • Reviewing publicly available geotechnical reports for information concerning subsurface deposits and deposit depths across the City • Identifying the potential for sensitive paleontological deposits underlying the Opportunity Site that project implementation could affect • Determining whether impacts on sensitive deposits, if present, would be significant. <p>If no sensitive deposits are identified or if they are sufficiently deeper than the Opportunity Site excavations and would not be encountered during construction, no further steps shall be required. If sensitive deposits are identified and could be affected by development of the Opportunity Sites, implement Mitigation Measure MM-PAL-2.</p>	<p>Applicants shall conduct paleontological resources investigations in undetermined or high sensitive areas.</p>	<p>Prior to approval of development projects.</p>	<p>Once.</p>	<p>Community & Economic Development, Planning Division</p> <p>Qualified paleontologist</p>			
PAL-2: Avoid paleontological resources or conduct monitoring.							
<p>The applicant shall redesign the Opportunity Site development to avoid sensitive paleontological resources and deposits that could potentially contain these resources. If avoidance and/or Opportunity Site redesign is infeasible, then paleontological monitoring shall be implemented and shall include the following implementation steps:</p> <ul style="list-style-type: none"> • The applicant shall retain a qualified paleontologist, who shall attend the preconstruction meeting(s) to consult with the grading and excavation contractors or subcontractors concerning excavation schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as an individual who (1) has an MS or PhD in paleontology or geology and/or a publication record in peer-reviewed journals; (2) also has demonstrated familiarity with paleontological procedures and techniques; (3) is knowledgeable in the geology and paleontology of the county; (4) has proficiency in recognizing fossils in the 	<p>Applicants shall conduct paleontological monitoring if resources cannot be avoided.</p>	<p>During construction activities.</p>	<p>As needed.</p>	<p>Community & Economic Development, Planning Division</p> <p>Applicant/Designer</p> <p>Qualified paleontologist</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>field, determining their significance, and collecting vertebrate fossils in the field; and (5) has worked as a paleontological mitigation project supervisor in the county for at least 1 year.</p> <ul style="list-style-type: none"> • A paleontological monitor or a qualified paleontologist shall be on site on a full-time basis during excavation and ground-disturbing activities that occur in any undisturbed deposits below ground surface, to inspect exposures for contained fossils. The paleontological monitor shall work under the direction of the Project's qualified paleontologist. A paleontological monitor is defined as an individual selected by the qualified paleontologist who has experience in the collection and salvage of fossil materials. If fossils that have significance for the scientific record are discovered on a development site, the qualified paleontologist shall recover them and temporarily direct, divert, or halt grading to allow recovery of fossil remains. • The qualified paleontologist shall be responsible for the cleaning, repairing, sorting, and cataloguing of fossil remains collected during the monitoring and salvage portion of the mitigation program. • Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) at a scientific institution with permanent paleontological collections, such as the Los Angeles County Natural History Museum. • Within 30 days after the completion of excavation and ground-disturbing activities, the qualified paleontologist shall prepare and submit to the City of Riverside Community & Economic Development Department, Planning Division a paleontological resource recovery report that documents the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils. 							
PAL-3: Avoid/minimize impacts on paleontological resources during operation.							
<p>If significant paleontological resources and sensitive deposits with the potential to contain significant paleontological resources are identified within an Opportunity Site area during design/planning (Mitigation Measures MM-PAL-1 and MM-PAL-2), and deposits that are sensitive for significant paleontological resources remain exposed at or near the ground surface or become exposed during project operations, then an avoidance and minimization plan shall be prepared to avoid/minimize potential impacts during operations. This plan may include, but not be limited to:</p> <ul style="list-style-type: none"> • Securing sensitive deposits from accessibility through the development of exclusion zones • Preparing an operations and maintenance plan to minimize degradation and exposure of sensitive deposits 	<p>Applicants shall avoid or minimize impacts on paleontological resources if identified.</p>	<p>During construction activities.</p>	<p>As needed.</p>	<p>Community & Economic Development, Planning Division</p> <p>Qualified paleontologist</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> Designing and developing interpretive exhibits to provide education and understanding of the importance of avoiding and protecting sensitive deposits and paleontological resources <p>If significant impacts on a newly exposed or existing significant paleontological resource cannot be avoided, then Mitigation Measure MM-PAL-2 shall be implemented.</p>							
Greenhouse Gas Emissions							
GHG-1: Implement diesel emission-reduction measures during construction.							
<p>The applicant and/or contractor associated with future development of Opportunity Sites shall implement the following measures during construction and, where specified below, shall submit reports demonstrating compliance to the Planning Division for its review and approval.</p> <ul style="list-style-type: none"> The applicant shall limit all equipment and delivery truck idling times by shutting down equipment when not in use and reducing the maximum idling time to less than 3 minutes. The applicant shall also install clear signage regarding the limitation on idling time at the delivery driveway and loading areas. The applicant shall verify that all construction equipment is maintained and properly tuned in accordance with manufacturers' specifications. Prior to the commencement of construction activities using diesel-powered vehicles or equipment, the applicant shall verify that all vehicles and equipment have been checked by a certified mechanic and determined to be running in proper condition prior to admittance into the delivery driveway and loading areas. The applicant shall submit a report by the certified mechanic of the condition construction-related vehicles and equipment to the Planning Division prior to commencement of their use. 	Applicants shall implement measures to reduce diesel emissions and submit reports demonstrating compliance for approval.	During construction activities.	As needed.	Community & Economic Development, Planning Division			Applicant/Project contractor
GHG-2: Restrict use of natural gas in new development.							
Future development on Opportunity Sites shall utilize electrical lighting and heating to the maximum extent feasible or to the extent required by existing or future regulations. Natural gas appliances are to be avoided to the extent feasible as determined by the availability and capacity of electrical power distribution infrastructure.	Applicants shall design new development to use electrical lighting and heating.	Prior to approval of development projects.	Once	Community & Economic Development, Building and Safety Division			Applicant/Designer
GHG-3: Implement measures to reduce GHG emissions during operation.							
Prior to discretionary approval by the City for Opportunity Site projects subject to CEQA review (i.e., non-ministerial projects), each applicant shall be required to demonstrate that all feasible Tier 1 and Tier 2 CALGreen	Applicants shall demonstrate that feasible Tier 1 and Tier 2 CALGreen	Prior to approval of non-ministerial projects.	Once	Community & Economic Development,			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
Tier 2 CALGreen voluntary measures (Appendix A4 and Appendix A5 of the 2019 CALGreen) shall be implemented.	voluntary measures are implemented.			Building and Safety Division			
				Applicant/Project contractor			
Hazards and Hazardous Materials							
HAZ-1: Conduct project-level hazardous material site assessment for construction of Opportunity Sites involving soil disturbance at sites listed on hazardous materials database and implement measures.							
<p>For development of Opportunity Sites at or adjacent to hazardous materials sites that are listed on hazardous materials databases (see Section 3.6.2, Environmental Setting), prior to construction activities associated with any Opportunity Site involving ground disturbance, the specific applicant shall be required to retain a professional hazardous materials specialist specializing in hazardous material impact assessment. The professional hazardous materials specialist shall conduct a project-level analysis to verify the presence or absence of hazardous material conditions (including Cortese List sites) in the vicinity of the ground-disturbance area and if there is potential for existing hazardous material conditions to be disturbed or released as a result of construction activities.</p> <p>This assessment shall consist of a search for environment-related information present in publicly accessible databases. The information shall be reviewed to determine if the construction footprint or adjacent properties are the site of (or in the vicinity of) contaminated soil or groundwater that has been left in place. If the professional hazardous materials specialist determines that the site (where ground disturbance is to occur) or hazardous material conditions in the vicinity of the site do not pose a risk, additional steps in this measure would not be required.</p> <p>If the construction footprint or adjacent properties are the site of contaminated soil or groundwater, the professional hazardous materials specialist shall determine the potential risk to construction workers, the public, or the environment from construction activities. The determination of risk would consider, among other factors, regulatory status, the type of project, the type of contaminated property, distance and direction to the project, and appropriate measures. If the hazardous materials specialist concludes that the subsequent project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, then no further action would be required.</p> <p>If a site is considered a risk to construction workers, the public, or the environment, the applicant shall implement measures to reduce risk including one or more of the following:</p>	<p>Applicants shall conduct a hazardous material impact assessment and conduct a records search to verify the presence or absence of hazardous materials. If sites are considered a risk, applicants shall implement measures to reduce hazard risks.</p>	<p>Prior to approval of non-ministerial projects, during construction activities.</p>	<p>Once, then as needed.</p>	<p>Community & Economic Development</p> <p>Professional hazardous materials specialist</p> <p>Project contractor</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> ● Implementation of engineering controls and BMPs during construction to minimize human exposure to potentially contaminated soils during construction. Engineering controls and construction BMPs could include, but are not limited to, the following: <ul style="list-style-type: none"> ○ Contractor employees working on site handling potentially contaminated media shall be certified in the Occupational Health and Safety Administration's 40-hour Hazardous Waste Operations and Emergency Response training. ○ Contractors shall water or mist soil as it is being excavated and stockpiled or loaded onto transport trucks. ○ Contractors shall place any stockpiled soil in areas shielded from prevailing winds or cover stockpiles with staked and/or anchored sheeting. ● Conducting a soil and/or groundwater sampling program to determine the type and extent of contaminants. The sampling program could include: <ul style="list-style-type: none"> ○ A scope of work for preparation of a Health and Safety Plan that specifies pre-field activity marking of boring locations and obtainment of utility clearance; and field activities, such as identifying appropriate sampling procedures, health and safety measures, chemical testing methods, and quality assurance/quality control procedures ○ Necessary permits for well installation and/or boring advancement ○ A Soil Sampling and Analysis Plan in accordance with the scope of work ○ Laboratory analyses conducted by a state-certified laboratory ○ Disposal processes, including transport by a state-certified hazardous material hauler to a state-certified disposal or recycling facility licensed to accept and treat hazardous waste ● Implementation of a Soil Management Plan. The purpose of a Soil Management Plan is to provide administrative, procedural, and analytical guidance to expedite and clarify decisions and actions if contaminated soils are encountered. Typically, procedures and protocols are included to ensure that contaminated soil is excavated properly and efficiently, and that unacceptable risks are not posed to human health or the environment from contaminated soils. Additionally, the Soil Management Plan shall contain procedures for handling, stockpiling, screening, and disposing of the excavated soil. The Soil Management Plan is a site-specific technical plan that could be required depending on 							

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>other screening activities conducted (listed above) and is not included as part of this EIR.</p> <p>If dewatering would be necessary in areas where contaminated groundwater exists, then dewatering procedures could be subject to permit requirements of the National Pollutant Discharge Elimination System. In addition, wastewater profiling shall be conducted to determine proper handling and disposal.</p>							
Noise							
NOI-1: Prepare a focused noise study and implement findings to reduce traffic noise.							
<p>For Opportunity Site projects that would exceed the 60 or 65 dBA CNEL threshold (based on the noise contour maps included in GP 2025), the applicant shall prepare a detailed analysis and implement mitigation to comply with the applicable City standards outlined in GP 2025. This could include but would not be limited to actions such as:</p> <ul style="list-style-type: none"> ● Installation of soundwalls to break the line of sight from noise sources such as traffic noise] ● Installation of noise-reducing insulation ● Installation of windows with sound transmission class (STC) ratings appropriate to reduce exterior-to-interior noise transmission ● Installation of HVAC systems 	<p>Applicants shall prepare noise studies and implement mitigation to comply with the applicable City standards.</p>	<p>Prior to approval of non-ministerial projects during design.</p>	<p>Once.</p>	<p>Community & Economic Development, Building and Safety Division and Planning Division</p>			<p>Applicant/Designer</p>
NOI-2: For any development where stationary noise sources may exceed interior or exterior noise standards, prepare a focused noise study and implement findings to reduce HVAC noise.							
<p>The applicant shall design HVAC systems for Opportunity Sites to comply with the applicable City Municipal Code standards. This could include but would not be limited to actions such as:</p> <ul style="list-style-type: none"> ● Preparation of a focused noise study to analyze HVAC noise, which shall identify a location for HVAC systems at appropriate distances so as to not exceed a noise level of 55 dBA Leq (exterior) and 45 dBA Leq (interior) between the hours of 7:00 a.m. and 10:00 p.m. and 45 dBA Leq (exterior) and 35 dBA Leq (interior) between the hours of 10:00 p.m. and 7:00 a.m. at the closest noise-sensitive land use. Design features that could be used to comply with the relevant threshold could include but are not limited to: <ul style="list-style-type: none"> ○ Locating HVAC systems far enough from residences so as to allow noise to attenuate to below the relevant standards ○ Installing housings or structural parapets around HVAC systems ○ Installing noise-reducing insulation ○ Installing windows with STC ratings appropriate to reduce exterior-to-interior noise transmission 	<p>Applicants shall prepare noise studies to evaluate HVAC noise, and reduce noise through implementation of design features if needed.</p>	<p>Prior to approval of non-ministerial projects during design.</p>	<p>Once.</p>	<p>Community & Economic Development, Building and Safety Division and Planning Division</p>			<p>Applicant/Designer</p>

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
NOI-3: Reduce construction-generated groundborne vibration to extent possible.							
<p>The City of Riverside Community & Economic Development Department, Planning Division shall, to the extent possible, require that heavy construction equipment (representative equipment such as large bulldozers) is not operated within 25 feet of onsite or offsite sensitive receptors (including, but not limited to, single- and multi-family residences, institutional or care facilities, etc.). If construction is anticipated within 25 feet of onsite or offsite sensitive receptors, the City shall require pre- and post-construction surveys to confirm that vibration did not result in damage to surrounding structures. Additionally, the City shall require vibration monitoring at the structure to determine if vibration levels exceed the 0.08 PPV threshold at the structure. Should an exceedance be identified, construction would be halted and additional measures would be implemented in order to reduce vibration levels. These additional measures could include, but are not limited to:</p> <ul style="list-style-type: none"> • Using smaller or less vibration-intensive equipment • Maximizing the distance from the vibration source 	<p>Applicants shall prepare pre- and post-construction surveys and implement measures to reduce groundborne vibration.</p>	<p>Prior to approval of non-ministerial projects. Halt construction if vibration occurs.</p>	<p>Once, then as needed.</p>	<p>Community & Economic Development, Building and Safety Division and Planning Division</p> <p>Project contractor</p>			
Transportation							
TRA-1: Implement VMT mitigation options.							
<p>As individual Opportunity Sites are developed, future development projects shall implement all feasible mitigation measures to reduce VMT.</p> <p>The amount and type of mitigation needed will vary based on the type and location of projects, as development in some areas of the City will generate VMT that is 15 percent below the existing VMT, some will generate VMT that is 0-15 percent below the City average, and others are in areas with VMT higher than the City average. Figure 3.12-1 shows the VMT per service population for each transportation analysis zone in the City and summarizes these three different efficiency areas of the City.</p> <p>Opportunity Site development projects in very efficient areas (e.g., more than 15 percent below the City average) shown in blue on the figure can be presumed not to have a significant VMT impact and would not need any VMT mitigation due to their location efficiency.</p> <p>Opportunity Site development projects in moderately efficient areas (e.g., between 0 percent and 15 percent below the City average) proposed pursuant to the Project shown in yellow on the figure shall incorporate a moderate amount of VMT mitigation. Potential measures for each individual development include, but are not limited to:</p> <ul style="list-style-type: none"> • Consider incorporating affordable housing into the Opportunity Site project (expected range of effectiveness 0.04-1.20 percent VMT reduction). 	<p>Applicants shall review VMT for Opportunity Sites and then implement all feasible VMT mitigation measure options in moderate and low efficient areas.</p>	<p>Prior to approval of non-ministerial projects. Implementation of individual mitigation options during design.</p>	<p>Once.</p>	<p>City of Riverside Public Works Development</p> <p>Applicant/Designer</p>			

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<ul style="list-style-type: none"> Connect the Opportunity Site project to transit, bicycle, and pedestrian facilities (expected range of effectiveness 0.25–0.5 percent VMT reduction). Provide bicycle parking (expected range of effectiveness 0.05–0.14 percent VMT reduction). Consider unbundling parking costs (expected range of effectiveness 2.6–13.0 percent VMT reduction). Provide car-sharing, bike sharing, or ride-sharing programs (expected range of effectiveness 0.4–15.0 percent VMT reduction). Provide transit passes (expected range of effectiveness 0.3–20.0 percent VMT reduction).² Increase Opportunity Site project density up to maximum zoning density to the extent feasible (expected range of effectiveness 0.8–30.0 percent VMT reduction). For Opportunity Site projects that are 2 acres or larger, provide publicly accessible shared-mobility zones. <p>Opportunity Site development projects in the least-efficient areas (e.g., higher VMT per service population than the City average) shown in red on the figure shall be subject to the maximum amount of TDM considered feasible in the City. These measures include, but are not limited to:</p> <ul style="list-style-type: none"> Identify measures for moderately efficient areas. Improve or increase access to transit (expected range of effectiveness 0.5–24.6 percent VMT reduction). Increase access to common goods and services, such as groceries, schools, and daycare (expected range of effectiveness 6.7–20.0 percent VMT reduction). Improve pedestrian or bicycle networks or transit service (expected range of effectiveness 0.02–8.2 percent VMT reduction). For Opportunity Site projects that are 3 acres or larger, provide traffic calming on site in accordance with the Complete Streets Ordinance (expected range of effectiveness 0.25–1.0 percent VMT reduction). Increase connectivity and/or intersection density on the Opportunity Site projects that are 3 or more acres (expected range of effectiveness 3.0–21.3 percent VMT reduction).² <p>The maximum total reduction potential for suburban development from TDM strategies described above is 15 percent (CAPCOA 2010). Recent research indicates that other factors such as building tenants play a substantial role in maximum TDM reduction potential. For the</p>							

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>City, outside of the Downtown core, a maximum TDM reduction potential of between 3 percent and 5 percent is expected.</p> <p>In addition to onsite TDM measures noted above, Opportunity Sites could potentially contribute to future VMT mitigation fee programs, banks, or exchanges. No regional VMT mitigation programs currently exist; however, if a relevant program that provides VMT mitigation is available through the City, the County of Riverside, or other regional entity, development projects could potentially pay into a fee program or purchase mitigation credits to achieve needed VMT mitigation instead of, or in addition to, onsite TDM measures.</p> <p>It should be noted that the California Air Resources Board’s Scoping Plan has shown that VMT per person has continued to grow throughout California even though the regional 2020–2045 RTP/SCS predicted that VMT would decrease. The Scoping Plan supports two key observations that are relevant to the findings in this EIR:</p> <ol style="list-style-type: none"> 1. VMT is influenced by a variety of factors that are outside of local land use control and are not sensitive enough in regional travel demand forecasting tools, including the price of fuel, income levels, and auto accessibility, among other factors. 2. California has more ability to influence VMT reduction through legislative action (e.g., VMT tax, increase in fuel tax, vehicle registration fees) than the regional agencies or the City of Riverside Community & Economic Development Department, Planning Division does through their regional planning and local land use authority. 							

Tribal Cultural Resources

TCR-1: Implement tribal cultural resources protocols and measures determined through consultation.

<p>During project-level CEQA review, when required, of Opportunity Site projects that would cause a substantial adverse change in the significance of a TCR, the City can and should develop project-level protocols and mitigation measures with consulting tribes, consistent with PRC Section 21080.3.2(a), to avoid or reduce impacts on TCRs during construction and operation of future development projects. Individual project proponents shall fund the effort to identify these resources through records searches, survey, consultation, or other means, to develop minimization and avoidance methods where possible and to consult with Native American tribes participating in AB 52 consultation to develop mitigation measures for TCRs that may experience substantial adverse changes.</p> <p>In the absence of any specific mitigation measures developed during AB 52 consultation, the City shall develop standard mitigation measures set forth in PRC Section 21084.3(b).</p> <p>The following are standard mitigation measures for TCRs.</p>	<p>Applicants shall develop protocols and mitigation measures to avoid and reduce TCR impacts, then implement them to avoid or reduce impacts.</p>	<p>During CEQA review. Implementation of individual mitigation during construction activities.</p>	<p>Once then as needed.</p>	<p>Community & Economic Development, Planning Division</p> <p>Applicant/Project contractor</p> <p>Consulting Tribes</p>
--	--	--	-----------------------------	---

Mitigation Measure/Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>1. Avoid and preserve the resources in place including, but not limited to, planning and constructing to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space to incorporate the resources with culturally appropriate protection and management criteria.</p> <p>2. Treat the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to:</p> <ul style="list-style-type: none"> a. Protecting the cultural character and integrity of the resource b. Protecting the traditional use of the resource c. Protecting the confidentiality of the resource d. Creating permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or using the resources or places e. Protecting the resource 							
TCR-2: Conduct consultation with City and applicant.							
<p>Prior to grading permit issuance, if there are any changes to project site design and/or proposed grades, the applicant or project sponsor and the City shall contact consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur among the City, applicant, and consulting tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of the cultural resources on the individual development sites. The City and the applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible on the individual development site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribes to provide tribal monitoring for ground-disturbing activities.</p>	<p>Applicant with the City shall conduct Native American consultation. Avoid or preserve in place cultural resources on the individual development sites. Work shall temporarily halt for inadvertent discoveries of archaeological resources until agreements are executed.</p>	<p>Prior to the issuance of a grading permit. Halt work during construction activities, as needed.</p>	<p>Once, then as needed.</p>	<p>Community & Economic Development Planning Division</p> <p>Applicant/Project contractor</p> <p>Consulting Tribes</p>			

AB = Assembly Bill, AQMP = air quality management plan, BMP = best management practice, CAP = Economic Prosperity Action Plan and Climate Action Plan, CARB = California Air Resources Board, CESA = California Endangered Species Act, CNEL = Community Noise Equivalent Level, CRHR = California Register of Historical Resources, dBA = A-weighted decibel, DPM = diesel particulate matter, EPA = U.S. Environmental Protection Agency, ESA = Environmentally Sensitive Area, FESA = federal Endangered Species Act, GIS = geographic information systems, HRA = health risk assessment, HVAC = heating, ventilating, and air conditioning, Leq = noise equivalent level, NRHP = National Register of Historic Places, PPV = peak particle velocity, PRC = California Public Resources Code, RMC = Riverside Municipal Code, RTP = Regional Transportation Plan, SCAG = Southern California Association of Governments, SCAQMD = South Coast Air Quality Management District, SCS = Sustainable Communities Strategy, SIP = State Implementation Plan, SOI = Secretary of the Interior, SVP = Society of Vertebrate Paleontology, TCR = tribal cultural resource, TDM = Transportation Demand Management, VMT = vehicle miles traveled, VOC = volatile organic compound, WRCOG = Western Riverside Council of Governments

