NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OAK VALLEY NORTH PROJECT

DATE: December 12, 2022

TO: State Clearinghouse, Agencies, Organizations, and Interested Parties

PROJECT: **Oak Valley North**; GPA 22-03, ZC 22-01 (SPA Area 4); TPM 38589; DPR 22-05/CUP 22-02 (Building 1), DPR 22-06/CUP 22-03 (Building 2), and DPR 22-07/CUP 22-04 (Building 3)

This Notice of Preparation (NOP) notifies agencies, organizations, and interested parties that the City of Calimesa (City), as Lead Agency, will prepare an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) for the **Oak Valley North Project** (Project), proposed by BICM Land Holding, LP. The Project entails the proposed subdivision of ± 110.8-acres and the reasonably foreseeable development of light industrial uses on ± 87.0 acres and high-density residential land uses on ± 19.8 acres. The City is requesting input from reviewing agencies and the public regarding the scope and content of the EIR.

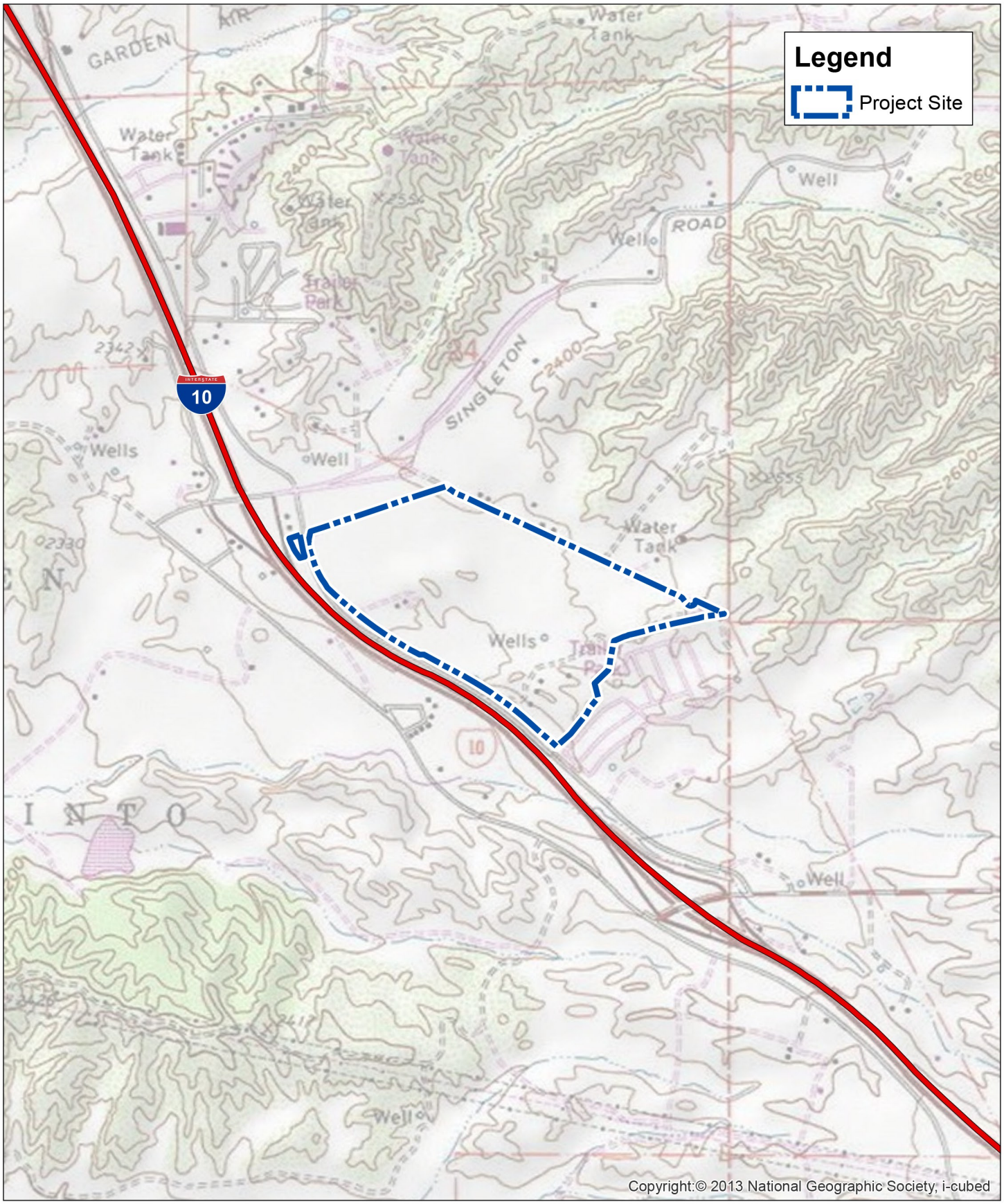
SCOPE OF THE EIR

In accordance with CEQA, the City determined that the proposed Project has the potential to result in significant impacts under the following issue areas. A detailed analysis of the following issue areas will be included in the forthcoming EIR:

- ¢ Aesthetics
- ¢ Agriculture & Forest Resources
- ¢ Air Quality
- ¢ Biological Resources
- ¢ Cultural Resources
- ¢ Energy
- ¢ Geology / Soils
- ¢ Greenhouse Gas Emissions
- ¢ Hazards & Hazardous Materials
- ¢ Hydrology / Water Quality
- ¢ Land Use / Planning
- ¢ Mineral Resources
- ¢ Noise
- ¢ Paleontological Resources
- ¢ Population / Housing
- ¢ Public Services
- ¢ Recreation
- ¢ Transportation
- ¢ Tribal Cultural Resources
- ¢ Utilities / Service Systems
- ¢ Wildfire
- ¢ Mandatory Findings of Significance

The EIR will assess the effects of the proposed project on the environment, identify potentially significant impacts, identify feasible mitigation measures to reduce or eliminate potentially significant environmental impacts, and discuss potentially feasible alternatives to the Project that may accomplish basic objectives while lessening or eliminating any potentially significant Project-related impacts.

This NOP is subject to a minimum 30-day public review period per Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082. During the public review period, public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project and identify those environmental issues that have the potential to be affected by the Project and should be addressed further by the City of Calimesa in the EIR. **The public review comment period for this NOP begins on December 12, 2022 and will close at 5:00 pm on January 10, 2023.**



Source(s): ESRI, USGS (2013)

0 325 650 1,300
Feet

USGS Topographic Map

Oak Valley North

JN: 1149-001
Date: December 2022

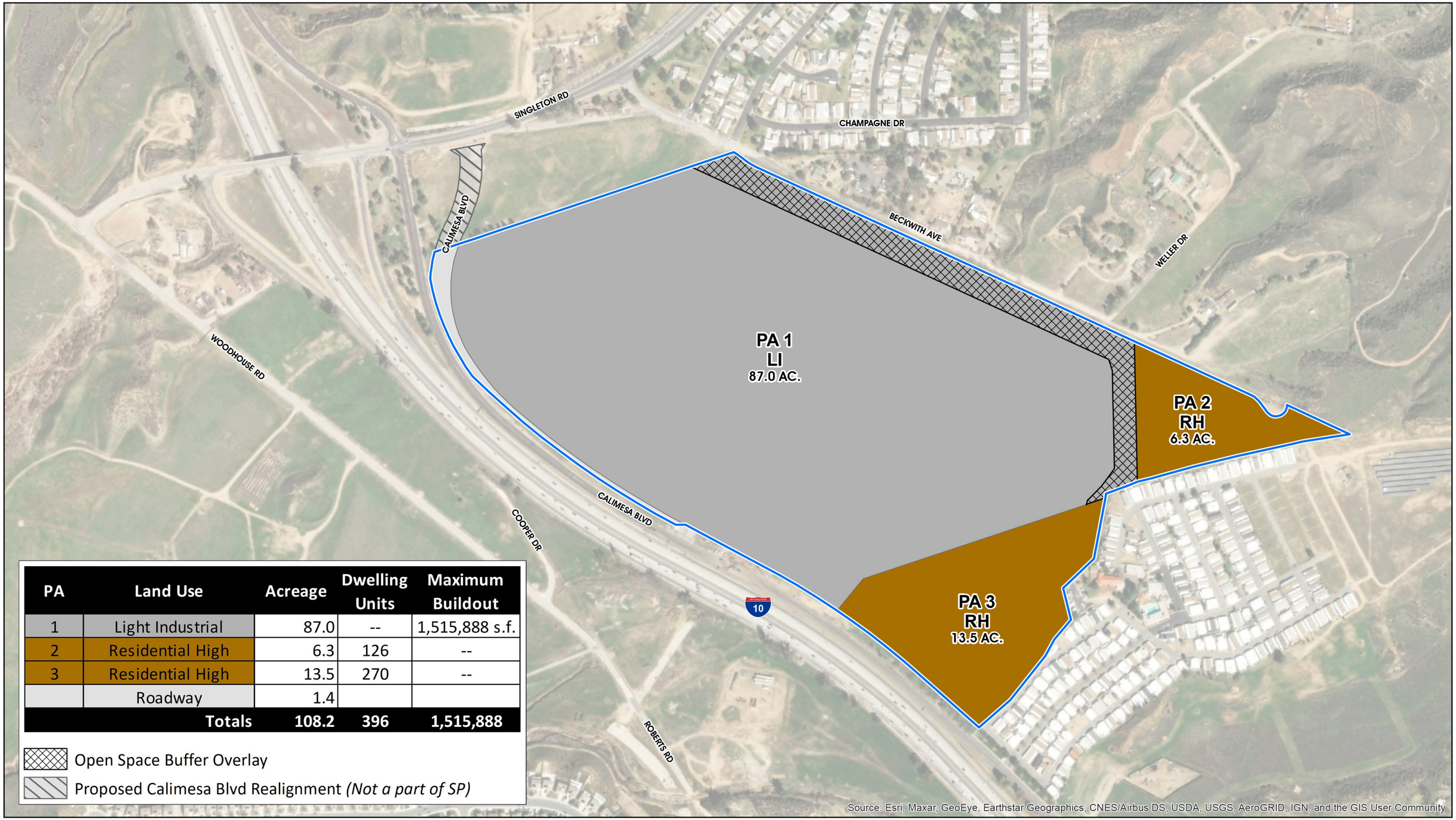
Source(s): ESRI, RCTLMA (2022)

0 175 350 700 Feet

Aerial Photograph

Oak Valley North

JN: 1149-001
Date: December 2022



PA	Land Use	Acreage	Dwelling Units	Maximum Buildout
1	Light Industrial	87.0	--	1,515,888 s.f.
2	Residential High	6.3	126	--
3	Residential High	13.5	270	--
	Roadway	1.4		
	Totals	**108.2**	**396**	**1,515,888**

Open Space Buffer Overlay

Proposed Calimesa Blvd Realignment *(Not a part of SP)*

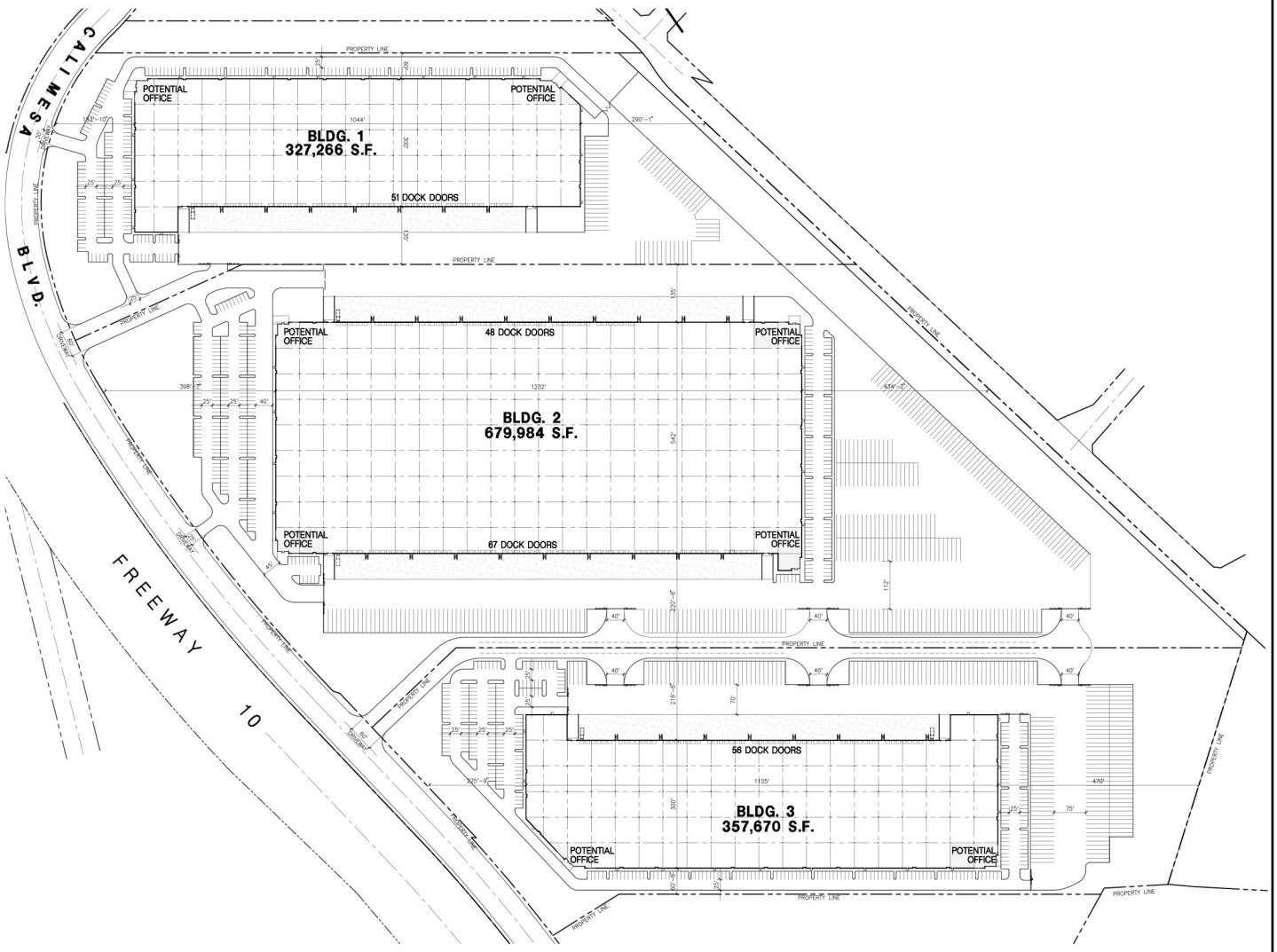
Source(s): ESRI, RCTLMA (2022)

0 100 200 400 Feet

Conceptual Land Use Plan

Oak Valley North

JN: 1149-001
Date: December 2022



Source(s): HPA (10-12-2022)

Not to Scale

Proposed Development Plans and CUPs

Oak Valley North

JN: 1149-001
Date: December 2022

LOZEAU DRURY LLP
T 510.836.4200
F 510.836.4205
1939 Harrison Street, Ste. 150
Oakland, CA 94612
www.lozeaudrury.com
richard@lozeaudrury.com

Via Email

December 14, 2022

Kelly Lucia, Planning Director
City of Calimesa Planning Department
908 Park Avenue
Calimesa, CA 92320
klucia@cityofcalimesa.net

Darlene Gerdes, City Clerk
City of Calimesa
908 Park Avenue
Calimesa, CA 92320
dgerdes@cityofcalimesa.net

Re: CEQA and Land Use Notice Request for the Oak Valley North Project (SCH 2022120265)

Dear Ms. Lucia and Ms. Gerdes,

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Oak Valley North project, including all actions related or referring to the proposed construction of 1,515,888 s.f. of light industrial building space, located at the following Assessor's Parcel Numbers: APN's 413-260-18, 25, 413-280-16, 18, 21, 30, 36, 37, 43 in the City of Calimesa ("Project").

We hereby request that the City of Calimesa send by electronic mail, if possible or U.S. mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City of Calimesa and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City of Calimesa, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
  - Notices of any public hearing held pursuant to CEQA.
  - Notices of determination that an Environmental Impact Report ("EIR") is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.
  - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
  - Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
  - Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.

- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of any addenda prepared to a previously certified or approved EIR.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.
- Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

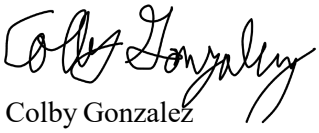
Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which require local counties to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail or U.S. Mail to:

Richard Drury
Molly Greene
Colby Gonzalez
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
richard@lozeaudrury.com
molly@lozeaudrury.com
colby@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Colby Gonzalez
Lozeau | Drury LLP

From: Davena Rivera <davenarivera@yahoo.com>
Date: December 15, 2022 at 12:07:56 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Cc: KATHY MANAGER <ranchocalimesamanager@hotmail.com>
Subject: Oak Valley North Environmental Impact Report

Thanks to the City of Calimesa, those of us that live at 10320 Calimesa Blvd., will be completely surround by truck bays and warehouses. Have any of you considered building them in your own backyards instead of ours? You will completely decimate our property values and living conditions. The pollution alone and noise will be unbearable. Have you taken into consideration the wellbeing, safety and health of your community citizens?

Shame on all of you. It is my intention to see that all of you that approved or are a part of this will be voted out of office. You are so out of touch with the citizens of Calimesa it is unreal. Apparently, you can pick and choose the persons that will be affected by this. This is not the type of business needed by Calimesa. Is your plan to box us all in with warehouses and trucks? There are three large senior communities that will be directly affected by this project.

We have been in a construction zone for the last two years plus. I have personally witnessed twice where traffic control associated with the construction almost caused a head-on collision two separate times and one time in the presence of a sheriff's deputy officer when an accident did happen to one of our residents here.

This needs to stop and allow us to live peacefully and safely in our community.

Sincerely,

Davena Rivera

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
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Luiseño

VICE CHAIRPERSON
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Chumash

SECRETARY
Sara Dutschke
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Yokayo Pomo, Yuki, Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
[Vacant]

COMMISSIONER
[**Vacant**]

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

December 15, 2022

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
Dec 16 2022
STATE OF CALIFORNIA

Kelly Lucia
City of Calimesa
908 Park Avenue
Calimesa, CA 92320

Re: 2022120265, Oak Valley North Project, Riverside County

Dear Ms. Lucia:

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

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

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

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

AB 52

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

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

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

SB 18

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

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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

Sincerely,

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

From: Diane Mendez <dmendez@beaumontusd.k12.ca.us>
Sent: Thursday, December 29, 2022 8:28 AM
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Oak Valley North Project DPR 22-05/CUP 22-02, DPR22-06/CUP 22-03 and DPR 22-07/CUP 22-04

The Beaumont Unified School District does not have an issue with the commercial portion of the Oak Valley North project but would like to take this opportunity to remind the developer that the commercial project is subject to school mitigation fees. This project will be charged at the commercial development rate; currently $0.78 per square foot. Please note that this fee is subject to change annually and the developer should verify the current rate at the District's website at https://www.beaumontusd.us/apps/pages/Developer_Fees.

The District reserves the right to comment further during the comment period.

Thank you for giving us this opportunity to comment.

--

Beaumont Unified School District
Facilities & Planning Team

Diane M. Mendez - Facilities Coordinator

P.O. Box 187 - 350 Brookside Avenue
Beaumont, CA 92223-0187
Direct: (951) 797-5374
Fax: (951) 845-4561
Email: dmendez@beaumontusd.k12.ca.us

Mission Statement: The Beaumont Unified School District shall provide high-quality educational opportunities for all students in a safe and secure learning environment through a shared commitment among home, school, and community.

From: Pat Tate <pattate1543@yahoo.com>
Sent: Thursday, December 29, 2022 9:02 PM
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Change of zoning

I'm against changing the current status to that of high density housing. There's already way too much traffic and this change results in unsafe situations for residents of Calimesa.

Sent from my iPhone

From: steven holland <steve92553@icloud.com>
Sent: Thursday, December 29, 2022 7:02 PM
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Oak valley north project

I'm writing with concern about the planned oak valley north project.
Developing the area between singleton and cherry valley blvd would cause a huge strain to the area and disrupt the current living state to the locals in the area.
The roads are already congested enough and the city continues to employ old dates road construction design tactics making travel throughout the city slow and congested.

Adding more homes to that area would cripple the roads even more.
Further more there is a very popular hiking/biking trails through the wildlife preserve to the north of the planned area that would be strained or even destroyed due to this construction.
The coyotes are already killing lots of neighborhood pets because they have nowhere to go to hunt.
Further reducing this area would cause more coyote interactions with the public.
I agree that the city needs to develop the area so it's not an eye sore compared to the planned construction happening to the south of the freeway.
If the city would like to develop that area I would like to suggest any of the following. A park, dog park, skatepark, bicycle pump track (like Menifee just built)
Sent from my iPhone

From: David Zaitz <dzmtb100@att.net>
Sent: Friday, December 30, 2022 6:00 PM
To: Kelly Lucia <klucia@cityofcalimesa.net>
Cc: Albrgnz <albrgnz@netscape.net>; Sally Gonzalez <sllgn@aol.com>; mmejia43625@spectrum.net <mmejia43625@spectrum.net>; Justine Neighbor <justine0330@gmail.com>; Ed Saucerman <ed.summerwind@yahoo.com>
Subject: Scoping Comments for Oak Valley North Project Environmental Impact Reporter

Dear Ms. Kelly Lucia, Planning Director for the City of Calimesa

I have some very deep concerns about the development of another truck warehouse in the vicinity of the SummerWinds residential area and SummerWind Trails Elementary School.
There is a truck terminal that has recently been completed at Cherry Valley and Calimesa Blvd. Also under construction is a truck terminal on the southside of the 10 freeway at Singleton Rd. Now the City is contemplating issuing conditional use permits (a discretionary action) to allow the construction of approximately 100 trucking bays on the north side of the 10 freeway at Singleton Avenue (opposite of the one that is currently under construction).

Are part of the scoping process for an EIR the following should be considered:

1. The cumulative impacts short- and long-term on air quality of having three truck terminals in close vicinity to homes and schools.

2. The cumulative impacts short- and long-term of sound pollution of having three truck terminals in close vicinity to homes and schools.

3. The cumulative impacts short- and long-term on traffic at and near the intersections of the 10 freeway and Singleton. Singleton currently has one set of on- and off-ramps. Typically intersections have two sets, one for each direction.

4. The effect of regional traffic congestion. The 10 freeway in the vicinity of Calimesa has only three lanes. West of Calimesa in Redlands, the freeway is four lanes, and east of Calimesa in Beaumont, the freeway had four lanes. In other words, there is a bottleneck in the freeway at Calimesa. Will this added congestion add to air and noise pollution and have other environment and economic impacts?

5. The economic impacts on property values by introducing a concentration of industrial and trucking facilities near residential areas.

If you have any concerns or comments you would like to discuss, you may call me at (626) 757-5433.

Also I request copies of any past and future public notices concerning this development, be mailed to me at my home address. My address is 1354 Chestnut Rd., Calimesa, CA 92320.

From: David Zaitz <dzmtb100@att.net>
Sent: Friday, December 30, 2022 8:31 PM
To: Darlene Gerdes <DGerdes@cityofcalimesa.net>
Subject: Proposed Warehouse/Terminal in the Oak Valley North Project

Dear Ms. Darlene Gerdes, City Clerk
City of Calimesa

As City Clerk please receive this communication on behalf of the City Council and forward it to its members.

The City is currently contemplating discretionary approvals for another warehouse in the City of Calimesa near on Calimesa Blvd, between Singleton and Cherry Valley Blvds. In the area, one terminal has recently been completed and a second is under construction. The City staff is preparing for approval of a third terminal with approximate 100 docks in the Oak Valley North project that is near residential neighborhoods and schools.

The City Council should put a moratorium on all discretionary approvals for warehouses and truck terminals until all currently approved warehouses/truck terminals are completed along with associated interchange improvements so that the City may study the actual effects on its constituents.

I am a member of the Summerwinds HOA. After posting this on HOA facebook page, I received many concerned response. I believe you would get similar responses from Singleton Heights HOA and the near senior mobile home village.

City staff has already recognized that the proposed project will have significate impacts on the environment as they are requiring the preparation of an Environmental Impact Report as opposed to preparing a negative declaration or mitigated negative declaration in compliance with the California Environemtal Quality Act.

We are concerned about the proposed project for the following reasons:

1. The cumulative impacts, short- and long-term, on air quality of having three truck terminals in close vicinity to homes and schools.

2. The cumulative impacts, short- and long-term, of sound pollution of having three truck terminals in close vicinity to homes and schools.

3. The cumulative impacts, short- and long-term, on traffic at and near the intersections of the 10 freeway and Singleton. Singleton currently has one set of on- and off-ramps. Typically, intersections have two sets, one for each direction.

4. The effect of regional traffic congestion. The 10 freeway in the vicinity of Calimesa has only three lanes. West of Calimesa in Redlands, the freeway is four lanes, and east of Calimesa in Beaumont, the freeway had four lanes. In other words, there is a bottleneck in the freeway at Calimesa. As such, the development will have a regional impact on transit, noise and air pollution.
5. The economic impacts on property values by introducing a concentration of industrial and trucking facilities near residential areas.

I respectfully request that I be sent any future public notices concerning this development.
Also could you provide the Council File Number you have filed this communication?

From: Edna Lynn Ernst <eernst4@verizon.net>
Sent: Saturday, December 31, 2022 11:24 AM
To: editor@newsmirror.net <editor@newsmirror.net>; Kelly Lucia <klucia@cityofcalimesa.net>
Subject:

This is how I feel regarding this proposal. I think an effort should be made to have a meeting at the Sharondale Clubhouse so that others in Sharondale can have their say.

Edna “Lynn” Ernst
35530 Champagne Dr.
Calimesa, CA 92320
(909) 684-7074
December 31, 2022

editor@newsmirror.net

RE: Oak Valley North Project

I am a resident of Sharondale (a senior community) and I was a participant in the fight against the mega warehouse that was proposed to be built at the NE corner of Calimesa Blvd. and Singleton Rd.

It was my understanding that the zoning was set for NO warehouse over 250,000 sq. ft. All three proposed warehouses are over 250,000 sq. ft. each. Why build more warehouses when there ae so many empty warehouses all over the place with “For Lease Signs” all over them.

Why would they allow high density residential units to be built in this area when we have such a shortage of water?

The impact of all this additional traffic will make the intersection of Beckwith and Singleton, that is already a problem for people using Beckwith to get on Singleton to become an impossible problem.

The noise level and the pollution level from the diesel trucks will also be a problem for the seniors in this area when many of them are already dealing with breathing problems..

Copy: City of Calimesa Planning Division
Kelly Lucia, M. URP, Planning Director
908 Park Ave.
Calimesa, CA 92320
klucia@cityofcalimesa.net

From: Laura White <laurawhite727@icloud.com>
Sent: Wednesday, January 04, 2023 10:52 PM
To: Darlene Gerdes <DGerdes@cityofcalimesa.net>

Subject: 100 dock warehouse at singleton and calimesa blvd

To whom this may concern,
I have been a resident in calimesa for two years now after relocation to the state of california. I have fallen in love with the area. It has a little town feel while still being close to the city. The sense of community here is unmatched. Unfortunately there was a warehouse built within 2 miles of my home and now there are plans for another warehouse to go up.

I am completely displeased with how this community is turning out. We don't have the infrastructure to support this type of development. We honestly don't have the infrastructure to support the amount of people and traffic that cherry valley Blvd gets now. I notice there are plans to assist with that issue now but it keeps getting pushed back. The traffic to get off the expressway now during rush hour is insane and the traffic goes back onto the freeway. There also isn't an entrance to get on i10 westbound or get off i10 heading eastbound. Which would cause another infrastructure issue. There are more pressing issues to deal with in this community first before even entertaining the idea of another warehouse. The first one hasn't even opened yet and we have no idea the impact this will have on the community and the environment. I am not understanding the rush to approve another warehouse before seeing how the current one will affect the community and the lives of the residents.
I did not buy a house in calimesa to see the area turn into an industrial center. We need more positive impacts on the community and not ones that will positivity affect the pockets of the city and not assist in making calimesa more pleasant to live.

If this warehouse is approved everyone on the board will lose my vote during the next election.

Please feel free to reach out to me if needed.
Laura Procter
1135 coriander st
Calimesa
Sent from my iPhone

From: Alicia Hadley <aliciahadley@yahoo.com>
Date: January 5, 2023 at 8:18:21 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Impacts of Oak Valley Project North in Calimesa Comment/Concern

Hello, I am a resident of Calimesa and oppose the Oak Valley Project North In Calimesa and would like to provide comment.

This project will increase traffic, noise, environmental damage, degrade air quality due to increased trucks and emissions. It will put undue strain on our current infrastructure and stress our utility systems. This is not a good placement as there is no entry to the freeway at Singleton which means trucks would be emitting exhaust and causing noise all the way from either Cherry Valley or Calimesa Blvd exits which pass by a number of houses and are already impacted by freeway emissions. Home values will be lowered by the transportation impacts by significant increases in vehicles using the nearby roads and causing even further delays at the Calimesa Blvd and Singleton Rd stop signs. This wait is already many cars long during the day without increased traffic caused by this project. There is no community benefit to this project happening and it will impede any recreational space from being built in this area. Also, coyotes and other animals have been seen in this space so it would take away from their habitat and force them closer towards residential areas causing increased danger for children and pets.

Please do not move this project forward as it will be a detriment to our community and to our neighborhoods.

Sincerely,

Alicia Aponte
1263 Riviera Drive
Calimesa, CA 92320
(707)4991224

From: Lisa Ramos <lisanr26@yahoo.com>
Date: January 5, 2023 at 11:13:25 AM PST
To: Darlene Gerdes <DGerdes@cityofcalimesa.net>, Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Warehouse Project

Good Morning and Happy New Year,

I am writing this email as a resident of the city and concerned for the quality of life. Please reject the upcoming proposal for a warehouse built at Singleton and Calimesa Blvd. The city's current and foreseen infrastructure cannot handle the traffic that will be created by another warehouse. The current infrastructure does not accommodate the current residential residents and surely will be disastrous with added commercial truck traffic. Air quality will also decrease with the additional trucks in the very small area. Please look at neighboring cities with similar traffic and air quality issues due to increased approvals of warehouses. Please reject the proposal to place another warehouse in the city.

Also, please forward my email of concern to the city council and make it part of the project record.

Thank you,
Lisa Ramos
(909) 991-6154

From: Rubi Martinez <mitzirubi.martinez@gmail.com>
Sent: Thursday, January 05, 2023 11:27 AM
To: Darlene Gerdes <DGerdes@cityofcalimesa.net>
Subject: Oak Valley North - Please forward to City Council & make part of project record

Request that it be forwarded to the City Council and made part of the project record. Please send confirmation once completed.

Project: Oak Valley North; GPA 22-03, ZC 22-01 (SPA Area 4); TPM 38589; DPR 22-05/CUP 22-02 (Building 1), DPR 22-06/CUP 22-03 (Building 2), and DPR 22-07/CUP 22-04 (Building 3)

Hello,

I am writing as a concerned home owner about all these approved warehouses/terminals being built in the Calimesa/beaumont/cherry valley area that are RIGHT NEXT to residential areas, specifically the summerwind/fairways canyon residencies. These projects long term pose the dangers of:

1. High trafficked freeways with exponentially more trucks
2. Higher / deadlier traffic accidents with said trucks going and coming through the neighboring communities
3. Need of additional freeway entrances
4. Should there be an natural disaster emergency the summerwind/fairways canyon residencies only have the cherry valley on/off ramp and that will soon be also shared with a terminal, and no additional terminals are needed.
5. What are the environmental repercussions on these projects, as I'm sure there are economical benefits for the city but have we thought about long term environmental effects or issues.

Thank you for addressing my concerns and looking forward to hearing back.

Best,
--

Rubi Martinez

OPPOSITION TO OAK
VALLEY NORTH PROJECT

1-6-23

CALIMESA PLANNING DEPARTMENT
908 PARK AVENUE
CALIMESA, CA. 92320

JAMES WRIGHT
10320 CALIMESA BLVD #4
CALIMESA, CA. 92320

RECEIVED
JAN 10 2023
CITY OF CALIMESA

ATTN: KELLY LUCIA

RE: SIGNIFICANT PROJECT IMPACTS

DEAR KELLY,

NO ONE CAME TO CALIMESA TO LIVE NEXT TO WAREHOUSES. THEY CAME TO CALIMESA TO RAISE THEIR FAMILIES OR RETIRE AND ENJOY THE SCENIC VIEWS AND PLANT AND WILDLIFE AND BREATHE UNPOLLUTED AIR IN PEACE AND QUIET AND THE CITY NEEDS TO ALLOW THIS THROUGH SENSITIVE LAND USE PLANNING.

AND THE COMMUNITIES OF RANCHO CALIMESA AND SHARONDALE WOULD BE NEGATIVELY IMPACTED BY OAK VALLEY NORTH PROJECT. THE PEOPLE THERE ARE VULNERABLE TO IMPACT HEALTH EFFECTS OF WAREHOUSE OPERATIONS LIKE PROJECT DIESEL TRUCK TRAFFIC POLLUTION AND OTHER OBVIOUS AND REASONABLY AND FORESEEABLE DANGERS AND RISKS TO THEIR PERSONAL HEALTH, SAFETY AND WELFARE IN A UNTENABLE SITUATION.

HERE ARE THE SIGNIFICANT PROJECT RELATED IMPACTS OF THE OAK VALLEY NORTH PROJECT.

AIR QUALITY
BLACKS LAW DICTIONARY SAYS:
AIR POLLUTION. ENVIRONMENTAL LAW. 1. ANY HARMFUL SUBSTANCE OR ENERGY EMITTED DIRECTLY OR INDIRECTLY INTO THE AIR, ESP. IF THE HARM IS TO THE ENVIRONMENT OR TO THE PUBLIC HEALTH OR WELFARE; CONTAMINATES IN THE ATMOSPHERE.

GROSS POLLUTER AND OLDER DIESEL TRUCKS ARE INHERENTLY DANGEROUS BECAUSE OF HIGH MILAGE, AND DAMAGE FROM WEAR AND TEAR FROM CONTINUAL USE AND LACK OF PROPER MAINTENANCE PUTS DANGEROUS LEAKING OILS AND GREASE AND BRAKE DUST AND NEGATIVE ENERGY IN THE FORM OF DANGEROUS DIESEL EXHAUST PARTICULATE EMISSIONS THAT GRAVITY PULLS DOWN AND SETTLES ON THE GROUND AND THEN IT ACCUMULATES UNDER THE TRUCKS DURING PROJECT OPERATIONS OR JUST SITTING IN A PARKING LOT.

THESE FLUIDS ON THE GROUND DRY AND TURN INTO DUST (FUGITIVE DUST) THAT OUR RESIDENTS AND SENSITIVE RECEPTORS BREATHE INTO THEIR LUNGS WHEN BLOWN INTO THE AIR. THIS (FUGITIVE DUST) IS A CUMULATIVE DANGEROUS THREAT THAT IS GENERATED BY PROJECT OPERATIONS.

IN MY ADDRESS TO THE RIVERSIDE BOARD OF SUPERVISORS, I EXPLAIN THAT TECHNICALLY, EACH DIESEL TRUCK WITH A TRAILER INBOUND TO THE WAREHOUSE, (IS THE PROJECT) WITH ITS CONTENTS AND THE TOXIC POLLUTION GENERATED BY THE (PROJECT) IS ENVIRONMENTAL AND DETRIMENTAL TO RESIDENTS OF RANCHO CALIMESA AND SHARONDALE AND THEIR HEALTH, SAFETY, WELFARE AND FUTURE QUALITY OF LIFE.

ATTACHED TO THIS PACKET IS A RIVERSIDE AIR QUALITY DIESEL EXHAUST PARTICULATE POLLUTANT EIR. IT DOCUMENTS THE DANGEROUS ACUTE AND CHRONIC ADVERSE HEALTH EFFECTS FROM TOXIC AIR CONTAMINATES AND THE STATE OF CALIFORNIA LISTED DIESEL EXHAUST AS A KNOWN CARCINOGEN UNDER ITS SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT (PROPOSITION 65).

ALSO THE CALIFORNIA AIR RESOURCES BOARD LISTED DIESEL PARTICULATE AS A TOXIC CONTAMINATE.

THIS ANALYSIS OF THE AIR QUALITY IMPACTS USES SCIENCE METHODOLOGIES PRESCRIBED BY SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) TO DISCRIBE THE NEGATIVE AIR QUALITY IMPACTS THAT RESULT FROM PROJECT DIESEL ENGINE TRAFFIC DURING WAREHOUSE OPERATIONS.

IT SAYS, **DIESEL PARTICULATE CAN REMAIN AIRBORNE FOR UP TO (10 DAYS) AND REMAIN A AIR QUALITY**

PROBLEM FOR SOME TIME AFTER BEING EMITTED.

THIS PROBLEM SHOWS THE DEIRIMENTAL IMPACT EFFECTS OF DIESEL TRUCK TRAFFIC HAULING (THE PROJECT) WAREHOUSE CONTENTS, LINING UP AND DOWN INTERSTATE 10, THE ON AND OFF RAMPS, ON CHERRY VALLEY AND CALIMESA BLVDS AND SINGLETON RD.

EACH TRUCK TRAILER, WAITING IN LINE ONE AFTER ANOTHER IDLING AND SPEWING TOXIC FUMES INTO THE THE SURROUNDING AIR THAT RANCHO CALIMESA AND SHARENDALE RESIDENTS BREATHE AND PUTS THEIR LIVES IN DANGER WITH EXHAUST EMISSIONS OF **ROG, NOX AND CARBON MONOXIDE (REMAIN IN THE AIR FOR UP TO 10 DAYS)** AND WITH WAREHOUSE OPERATIONS 24/7 IS A PRESENT AND FUTURE DANGER IF CONTINUED, TO OUR SENSITIVE RECEPTORS.

AND THE MITIGATION MONITORING AND REPORTING PROGRAM DOES NOT WORK BECAUSE IT DEPENDS ON JUST TRUST THAT CONSTRUCTION AND DIESEL TRUCK TRAILERS (THE PROJECT) ARE PROPERLY MAINTAINED AND OPERATED.

EVEN IF EACH DIESEL TRUCK HAULING A HEAVY LOAD OF PROJECT CONTENTS AND QUEUE ON INTERSTATE 10 THE ON AND OFF RAMPS OR SURROUNDING RANCHO CALIMESA AND SHARONDALE ON CHERRY VALLEY BLVD, CALIMESA BLVD OR SINGLETON RD. EVEN AS EACH DRIVER WAITS TO MOVE FORWARD AFTER (5 MIN) AND TURNING OFF THE IGNITION, WHEN THEY TURN THEIR TRUCKS IGNITION BACK ON, AS THEY STEP ON THE ACCELERATOR EACH TRUCK AGAIN AND AGAIN SPEWS TOXIC DIESEL PARTICULATE INTO THE AIR OVER AND OVER EVERY DAY AND NIGHT 24/7 ALL YEAR LONG.

OUR RESIDENTS DESERVE BETTER AND HAVE AN INHERENT RIGHT TO BE PROTECTED FROM THIS KIND OF DANGER AND THERE IS NO JUSTIFICATION TO EXPOSE OUR TAX PAYING CITIZENS AND THEIR FAMILY TO THE RISKS OF WAREHOUSE OPERATIONS.

LAND USE

IT IS VITAL FOR CALIMESA'S FUTURE AS A DISTINCT COMMUNITY WITH AN IDENTITY THAT PRESERVES A SMALL TOWN RURAL ATMOSPHERE AND AS A COMMUNITY THAT IS DEDICATED TO PROTECTING HEALTH AND SAFETY OF ITS RESIDENTS YOUNG AND OLD FROM FUTURE ENVIRONMENTAL THREATS AND DANGERS FROM MEGA WAREHOUSE OPERATIONS.

THE RESIDENTS ARE AGAINST THE WAREHOUSES INTRUDING INTO THEIR LIVES AND THE CITY NEEDS TO LISTEN TO THE ISSUES THAT ARE IMPORTANT TO THEM AND SHOW THEM THAT THEY AND THEIR LOVED ONES ARE MORE IMPORTANT THAN THE WAREHOUSES.

THEY HAVE A RIGHT TO BE PROTECTED FROM DANGERS AND NOT TO CAUGHT UP IN A VICIOUS CYCLE OF REGRET AND MISTRUST OF CITY GOVERNMENT.

IT WAS A MISTAKE TO PUT OAK VALLEY NORTH PROJECT FORWARD AS IT ONLY BENEFITS THE DEVELOPERS AT THE CITY AT THE EXPENSE OF OUR CITIZENS. WHO EVER PUSHED THIS PROJECT KNEW OR SHOULD HAVE KNOWN IT WAS SELFISH AND UNFAIR TO OUR RESIDENTS.

COMMUNITY PARTICIPATION AND FEEDBACK REGARDING PRESENT AND FUTURE DEVELOPMENT IN CALIMESA AND ISSUES IMPORTANT TO OUR RESIDENTS WITH THEIR LOVED ONES YOUNG AND OLD IS GOOD HEALTH, SAFETY AND A CITY THAT HONORS ITS COMMUNITY WITH ITS BEAUTIFUL NATURAL SETTING THROUGH OPEN SPACE PRESERVATION, WILDLIFE CORRIDORS, AND EXTENSIVE TRAIL SYSTEMS AS WELL AS ENRICHING THE HEALTH AND QUALITY OF LIFE FOR CALIMESA THROUGH SENSITIVE PLANNING. THEY WANT HEALTH AND THE BEAUTY OF OUR CREATOR.

THE MAIN OBJECTIVE IS TO BE WAREHOUSE FREE AND TO REPLACE THE WAREHOUSES WITH PARKS AND OPEN SPACE.

THIS CAN BE DONE THROUGH THE SELECTION AND PLACEMENT OF LAND USES PRESERVING THE DESIRED SMALL TOWN CHARACTERISTICS OF CALIMESA BY PRESERVING THE NATURAL CHARACTER AND VISUAL QUALITY OF CALIMESA'S HILLSIDES AND SCENIC VIEWS AND NATURE THROUGH PARKS AND OPEN SPACE FOR OUR RESIDENTS

I PROPOSE THAT THE CITY OF CALIMESA AS THE LEAD AGENCY REJECT THE OAK VALLEY NORTH PROJECT AND IN ITS PLACE PUT NEXT TO RANCHO CALIMESA OPEN SPACE AND NEXT TO SHARENDALE A PARK FOR OUR RESIDENTS AND THEIR LOVED ONES.

ACCORDING TO THE LATEST LAND USE TABLE LU-A (2013) AS A STARTING POINT FOR FUTURE GROWTH OF CALIMESA, ONLY 1.1% OF OPEN SPACE EXSITS IN THE CITY AND 74.1% OF PLANNING AREA LAND USE IS VACANT.

THE CITY OF CALIMESA LAND USE ELEMENT GOALS STATE:
PRESERVE AND ENHANCE THE SMALL-TOWN ATMOSPHERE OF CALIMESA
A LOGICAL AND EFFICIENT PATTERN OF DEVELOPMENT THAT REDUCES INFRASTRUCTURE COSTS AND MAINTAINS THE CHARACTER OF CALIMESA.
AN ARRANGEMENT OF LAND USES THAT ACHIEVES MAXIMUM COMPATIBILITY BETWEEN LAND USES AND ESPECIALLY WITH EXISTING NEIGHBORHOODS.

AND THE CITY SAYS PARKS AND RECREATION, OPEN SPACE ARE IMPORTANT COMPONENTS OF THE QUALITY OF LIFE DESIRED BY THE RESIDENTS OF CALIMESA.

IT ALSO SAYS THE CITIES GOALS AND POICIES RELATED TO THESE ISSUES AND THE ACTIONS THE CITY WILL TAKE TO ENSURE THAT **RESIDENTS NEEDS AND DESIRES FOR PARKS, RECREATION, AND OPEN SPACE ARE RECOGNIZED AND ADDRESSED AS THE DEVELOPMENT OF THE CITY CONTINUES.**

AND THE CITIES OPEN SPACE POTENTIAL IS SIGNIFICANT AND IDENTIFIES THE NEED TO MAINTAIN EXISTING OPEN SPACE AND NATURAL RECREATIONAL AREAS FOR THE ENJOYMENT OF RESIDENTS AND THE PROTECTION OF THE ENVIRONMENT.

I NOW ASK THE CITY OF CALIMESA CALIFORNIA TO REJECT **(GPA)22-03 GENERAL PLAN AMENDMENT** AND THE MODIFICATION OF THE LAND USE ELEMENT OF THE CITY OF CALIMESA 2014 GENERAL PLAN TO CHANGE THE GENERAL PLAN USE DESIGNATIONS ON THE PROPERTY FROM BUSINESS PARK (BP), LIGHT INDUSTRIAL (LI) AND RESIDENTIAL LOW MEDIUM DENSITY (RLM) TO LIGHT INDUSTRIAL (LI) AND RESIDENTIAL HIGH DENSITY (RH)

AND IN ITS PLACE CHANGE I PROPOSE TO MODIFY THE LAND USE ELEMENT OF THE CITY OF CALIMESA 2014 GENERAL PLAN TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS ON THE PROPERTY FROM BUSINESS PARK (BP) LIGHT INDUSTRIAL (LI) AND RESIDENTIAL LOW MEDIUM DENSITY (RLM) TO PARKS & COMMUNITY RECREATION (P&CR) AND OPEN SPACE NATURAL (OSN).

AND I ASK THE CITY OF CALIMESA CALIFORNIA TO REJECT **ZONE CHANGE (ZC)22-01 (SPA AREA 4)** AND THE MODIFICATION OF THE CITY'S OFFICIAL ZONING MAP AS IT APPLIES TO THE PROPERTY TO CHANGE THE ZONING CLASSIFICATIONS FROM BUSINESS PARK (B-P), LIGHT INDUSTRIAL (L-I) AND RESIDENTIAL LOW MEDIUM (R-L-M) TO A ZONING CLASSIFICATION OF SPECIFIC PLAN AREA (SPA). THE OAK VALLEY NORTH SPECIFIC PLAN (SPA AREA 4) PROPOSES TO ESTABLISH A SPECIFIC PLAN FOR THE PROPERTY AND APPLY TO LAND USE DESIGNATIONS: LIGHT INDUSTRIAL (LI) AND RESIDENTIAL HIGH (RH)

AND IN ITS PLACE CHANGE I PROPOSE THE MODIFICATION OF THE CITY'S OFFICIAL ZONING MAP AS IT APPLIES TO THE PROPERTY TO CHANGE THE ZONING CLASSIFICATIONS FROM BUSINESS PARK (B-P), LIGHT INDUSTRIAL (L-I) AND RESIDENTIAL LOW MEDIUM (R-L-M) TO A ZONING CLASSIFICATION OF A SPECIFIC PLAN AREA (SPA). I PROPOSE TO ESTABLISH A SPECIFIC PLAN FOR THE PROPERTY AND APPLY TWO LAND USE DESIGNATIONS: PARKS & COMMUNITY RECREATION (P&CR) AND OPEN SPACE NATURAL (OSN)

TENTATIVELY, (AND I RESERVE THE RIGHT TO AMEND) USING THE PROPOSED 108 ACRES 34 ACRES OF OPEN SPACE NATURAL TO THE LEFT SIDE OF RANCHO CALIMESA WITH PLANNING AREA 1 BOARDERING CALIMESA BLVD AND BECKWITH AVE.

THE REMAINING APROX 74 ACRES FOR PARKS AND COMMUNITY RECREATION PLANNING AREA 2 WILL BOARDER CALIMESA BLVD AND BECKWITH AVE. NEXT TO SHARONDALE

I WOULD NEED THE HELP OF THE CITY OF CALIMESA FOR PLANNING AND SEEK OUT AND PURSUE ALL FORMS OF FEDERAL, STATE FUNDING AND PROGRAMMING OF PARK, TRAIL, AND RECREATION RESOURCES IN THE CITY.

I ASK THE CITY OF CALIMESA CALIFORNIA TO REJECT TENTATIVE PARCEL MAP (TPM) 38589

AND REJECT THE DEVELOPMENT PLAN REVIEW (DPR) 22-05 AND CONDITIONAL USE PERMIT (CUP) 22-02 AND DEVELOPMENT PLAN REVIEW (DPR) 22-06 AND CONDITIONAL USE PERMIT (CUP) 22-03 AND DEVELOPMENT PLAN REVIEW (DPR) 22-07 AND CONDITIONAL USE PERMIT (CUP) 22-02

I AM TAKING THIS ACTION BECAUSE I WANT THE BEST FOR MY COMMUNITY FOR THEIR HEALTH, AND SAFETY BUT THEY THINK THE CITY DOES NOT CARE ABOUT THEM BUT FAVORS DEVELOPERS BECAUSE OF THEIR MONEY AND INFLUENCE AND THIS SHOULD NOT BE.

SO BY ASKING THE CITY TO REJECT THE WAREHOUSE PROJECTS ON WHAT I THINK IS A SOLID FOUNDATION OF SIGNIFICANT ENVIRONMENTAL IMPACTS AND IMPACT HEALTH EFFECTS OF OPERATIONAL ACTIVITY AND WITH AN OPPORTUNITY TO HELP THE VERY GOOD PEOPLE OF MY COMMUNITY WHO DESERVE SO MUCH, IT IS AN HONOR TO SERVE.

SOUND AND VIBRATION

RANCHO CALIMESA AND SHARONDALE RESIDENTS ARE MOSTLY SENIORS AND RETIRED BUT ALL RESIDENTS YOUNG AND OLD SHOULD NOT BE EXPOSED TO THE EXCESSIVE NOISE ASPECTS OF DIESEL TRUCK TRAFFIC WITH HUNDREDS OF TRUCKS DRIVING IN FRONT OF THE NOISE SENSITIVE COMMUNITIES THE NOISE IS INTRUSIVE AND UNWANTED.

THE STATE OF CALIFORNIA HAS DEEMED CERTAIN LAND USES AS SENSITIVE, AND RANCHO CALIMESA AND SHARONDALE ARE FULL OF SENSITIVE RECEPTORS, PEOPLE WHO HAVE MEDICAL CONDITIONS AND NEED PROTECTION FROM THIS THREAT. THE CONSTANT NOISE AND VIBRATION WILL EXACERBATE PRE EXISTING MEDICAL CONDITIONS FURTHER DISRUPTING THEIR LIVES AND BREACHING THEIR PEACE.

FIRE

RANCHO CALIMESA AND SHARONDALE ARE IN A HIGH FIRE HAZARD SEVERITY ZONE AND THE FIRE DANGER SAFETY ISSUE AND CANNOT BE COMPROMISED. A MEMBER OF THE RIVERSIDE COUNTY EMERGENCY RESPONSE TEAM MANAGEMENT DEPARTMENT TOLD ME THAT IN A RED FLAG WILD FIRE EVENT WITH PROJECT DIESEL TRUCK-TRAILERS LINED UP AND DOWN INTERSTATE 10, AND BACKED UP FROM THE ON-OFF RAMPS, THEIR CREWS WOULD NOT BE ABLE TO RESPOND PROPERLY.

BECAUSE OF THIS RISK AND THREAT WITH WAREHOUSE PROJECT TRAFFIC LINED UP AND DOWN CHERRY VALLEY BLVD, CALIMESA BLVD AND SINGLETON RD. THERE COULD BE A MASS CASUALTY EVENT AT RANCHO CALIMESA AND SHARONDALE COSTING THE LIVES OF OUR RESIDENTS NOT ABLE TO EGRESS SAFELY FROM THE PARKS AND WOULD CREATE A KILL BOX AT THE FRONT OF THE PARKS WHERE ALL CANNOT GET OUT.

BECAUSE OF THESE DETRIMENTAL IMPACTS THAT WOULD DIRECTLY AFFECT OUR RESIDENTS HEALTH, SAFETY AND PRESENT AND FUTURE QUALITY OF LIFE ISSUES WOULD NOT EXIST WITHOUT WAREHOUSE OPERATIONS.

CORDIALLY,

JAMES WRIGHT

BLACKS 12 ed 1051 11

European powers in consequence of our annexation of Texas and possibly of other territory southward, sought to give President Monroe's announcement on the subject of colonization the meaning popularly but erroneously conveyed by the expression 'no more European colonies on this continent.' But, in so doing, he restricted its application to North America, saying that 'it should be distinctly announced to the world as our settled policy, that no future European colony or dominion shall, with our consent, be planted or established on any part of the North American continent.' It is obvious that President Polk, in pronouncing against the establishment of any 'dominion' by a European power — a term which includes the acquisition by voluntary transfer or by conquest of territory already occupied — asserted something quite different from Monroe's declaration against 'colonization.' He asserted something which should be called the Polk doctrine rather than the Monroe doctrine; and it was, perhaps, the consciousness of this fact that led him to restrict the new doctrine, which was to be maintained by us without regard to other American powers, and not merely by each of those powers 'by its own means,' to the North American continent." John Bassett Moore, "The Monroe Doctrine: Its Origin and Meaning," in 1 *The Collected Papers of John Bassett Moore* 334, 338-39 (1944).

poll, *n.* (18c) 1. A sampling of opinions on a given topic, conducted randomly or obtained from a specified group. 2. The act or process of voting at an election. 3. The result of the counting of votes. 4. (*usu. pl.*) The place where votes are cast.

poll, *vb.* (17c) 1. To ask how each member of (a group) individually voted <after the verdict was read, the judge polled the jury>. See JURY POLLING. 2. To question (people) so as to elicit votes, opinions, or preferences <the committee polled 500 citizens about their views>. 3. To receive (a given number of votes) in an election <the third-party candidate polled only 250 votes in the county>. — **polling,** *n.*

pollicitation. *Contracts.* (15c) The offer of a promise.

"By a *promise* we mean an accepted offer as opposed to an offer of a promise, or, as Austin called it, a *pollicitation.*" William R. Anson, *Principles of the Law of Contract* 6 (Arthur L. Corbin ed., 3d Am. ed. 1919).

polling booth. (1805) A small, partly enclosed space in a polling place where a person can vote in an election.

polling place. (18c) The location where people go to vote in an election. — Also termed *polling booth; voting station.*

poll tax. See TAX.

pollutant. (1892) A poisonous or noxious substance that contaminates the environment, esp. the air and water.

▸ **criteria pollutants.** (1974) Pollutants, esp. air pollutants, that are known to be hazardous to health, such as smog and acid rain. — Also termed *criteria contaminants.*

pollute, *vb.* (14c) To corrupt or defile; esp., to contaminate the soil, air, or water with noxious substances. — **pollution,** *n.* — **polluter,** *n.*

polluter-pays principle. (1972) *Int'l law.* The doctrine that the costs of cleaning up damage caused by pollution should be borne by the person responsible for causing the pollution.

pollution. (14c) 1. The harmful addition of a substance or thing into an environment; esp., the introduction of man-made products, esp. waste products, into a natural area <further increases in fertilizer use will lead to nitrate pollution>. 2. The state or condition of being polluted.

▸ **air pollution.** (1874) *Environmental law.* 1. Any harmful substance or energy emitted directly or indirectly into the air, esp. if the harm is to the environment or to the public health or welfare; contaminants in the atmosphere. — Also termed *air impurity.* 2. The artificial introduction of such substances or contaminants into the atmosphere; the emission of impurities into the air.

▸ **land pollution.** (1909) The disposal of solid or liquid wastes on the surface of land or underground, producing nuisances, soil and water contamination, and threats to public health.

▸ **marine pollution.** (1952) The introduction of harmful substances and products, such as toxins, chemicals, and solid waste, into the ocean.

▸ **water pollution.** (1865) The contamination of a body of water by directly or indirectly discharging into it substances that were inadequately treated to remove harmful materials.

pollution exclusion. See EXCLUSION (3).

po. lo. suo. *abbr.* PONIT LOCO SUO.

polyandry (pol-ee-an-dree). (17c) The fact, condition, or practice of a woman's having more than one husband at the same time. Cf. POLYGYNY; MONANDRY. — **polyandrous,** *adj.*

polyarchy (pol-ee-ahr-kee). (17c) Government by many persons. — Also termed *polygarchy* (pol-ə-gahr-kee). Cf. MONARCHY. — **polyarchal,** *adj.*

polygamist (pə-lig-ə-məst). (17c) 1. Someone who has several spouses simultaneously. 2. An advocate of polygamy.

polygamy (pə-lig-ə-mee), *n.* (16c) 1. The fact, condition, or practice of having more than one spouse simultaneously. — Also termed *simultaneous polygamy; plural marriage.* 2. *Hist.* The fact, condition, or practice of having more than one spouse during one's lifetime, though never simultaneously. • Until the third century, polygamy included remarriage after a spouse's death because a valid marriage bond was considered indissoluble. — Also termed *successive polygamy; serial polygamy; sequential marriage.* Cf. BIGAMY; MONOGAMY. — **polygamous,** *adj.* — **polygamist,** *n.*

"Polygamy (many marriages) is employed at times as a synonym of bigamy and at other times to indicate the simultaneous marriage of two or more spouses." Rollin M. Perkins & Ronald N. Boyce, *Criminal Law* 458 (3d ed. 1982).

"[T]his one-marriage-at-a-time rule behind which the legal systems of the West have seemingly thrown so much weight is not what a sociologist would call a general prohibition of polygamy. Polygamy can be simultaneous (if more than one spouse is simultaneously present) or successive (if spouses are married one after the other). Only simultaneous polygamy is prohibited by the laws with which we are here concerned. These statutes reserve the use of the word *polygamy* for that kind which is not very common among us. They do not affect the serial form, which is so very popular in the United States and Western Europe that . . . the law is fast changing to adapt to it." Mary Ann Glendon, *The Transformation of Family Law* 52 (1989).

polygarchy. See POLYARCHY.

polygraph, *n.* (1923) A piece of equipment used to determine whether someone is lying by measuring and recording involuntary physiological changes in the human body, esp. sudden changes in the heart rate, during interrogation. • Polygraph results are inadmissible as evidence in most states but are commonly used by the police as an

include power plants and industrial boilers. The highest levels of Sulfur Dioxide emissions typically occur near large industrial complexes.

- **Lead (Pb)** – Lead concentrations once exceeded the State and Federal air quality standards by a wide margin, but have not exceeded State or Federal air quality standards at any regular monitoring station since 1982. Health effects associated with lead include neurological impairments, mental retardation, and behavioral disorders. At low levels, lead can damage the nervous systems of fetuses and result in lowered IQ levels in children (EPA 2005). Though special monitoring sites immediately downwind of lead sources recorded many localized violations of the State standard in 1994, no violations have been recorded at these stations since 1996. Unleaded gasoline has greatly contributed to the reduction in lead emissions in the SCAB. Since the proposed project will not involve leaded gasoline, or other sources of lead emissions, this criteria pollutant is not expected to be a factor with project implementation.

Toxic Air Contaminants

Toxic air contaminants (TACs) are chemicals generally referred to as those contaminants known or suspected to cause serious health problems, but do not have a corresponding ambient air quality standard. There are hundreds of air toxics, and exposure to these pollutants can cause or contribute to cancer or non-cancer health effects such as birth defects, genetic damage, and other adverse health effects. Effects may be both chronic (i.e., of long duration) and acute (i.e., severe but of short duration) on human health. Acute health effects are attributable to sudden exposure to high quantities of air toxics. These effects can include nausea, skin irritation, respiratory illness, and, in some cases, death. Chronic health effects usually result from low-dose, long-term exposure from routine releases of air toxics. The effect of major concern for this type of exposure is cancer, which typically requires a latency period of 10-30 years after exposure to develop.

In 2000, the SCAQMD released the Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES-II). The monitoring portion of MATES-II was designed to measure numerous air toxic compounds at different locations in the Basin in order to establish a baseline of existing air toxic ambient concentrations, as well as risk level data, and to assist in the assessment of modeling performance accuracy. Ten sites were selected and air samples were collected for up to one year. The ten locations are in Anaheim, Burbank, Compton, Fontana, Huntington Park, Long Beach, Los Angeles, Pico Rivera, Rubidoux, and Wilmington. Rubidoux is the nearest monitoring site to the proposed project.

The addition of diesel particulate toxicity dramatically increases carcinogenic risk. The modeled cancer risk for diesel particulates for this site is approximately 1000 in one million. This cancer risk is what residents are currently exposed to in the Basin.

Diesel Emissions

Diesel engines utilize compression, contrary to standard gasoline engines, which use conventional spark plugs, to ignite fuel. Engines that use compression typically run at higher

temperatures than gasoline engines, thereby causing the oxygen and nitrogen present in air during intake, to form oxides of nitrogen (NO_X). To combat NO_X production in a diesel engine, the engine temperature can be reduced, but then increased amounts of particulate matter (PM) and hydrocarbons (HC) are produced as byproducts of the now uncombusted fuel. Hydrocarbons, once in the atmosphere, react with NO_X to produce ozone (O_3), among other pollutants.

Diesel exhaust composition is dependent on many factors: fuel composition, engine type, lubricating oils, and emission control systems. Diesel exhaust is a complex mixture of thousands of gases and fine particles. The gaseous fraction of diesel exhaust is comprised of typical combustion gases such as oxygen, carbon dioxide, nitrogen, and water vapor. However, air pollutants such as carbon monoxide, sulfur oxides (SO_X), nitrogen oxides (NO_X), volatile hydrocarbons and low-molecular weight polycyclic aromatic hydrocarbons (PAH) and PAH-derivatives are also components of the gaseous fraction. Additionally, some of the gaseous components, such as benzene, are known carcinogens.

The particle fraction of diesel exhaust is comprised of aggregates of carbon particles with inorganic and organic substances adhered to them. The inorganic fraction of diesel exhaust particles consists of solid carbon (or elemental carbon) particles ranging in size from 0.01 to 0.08 microns in diameter. The organic fraction consists of soluble organic compounds such as aldehydes, alkanes, alkenes, PAH and PAH derivatives. The total component of a diesel particle (inorganic + organic) is in the fine particle range of 10 microns in size or less (width of a human hair), but 92 percent of these diesel particles are even smaller, at less than 1 micron in diameter.

Diesel particles can remain airborne for up to 10 days because of their small size. Therefore, they do not fall-out or precipitate easily, and remain an air quality problem for some time after being emitted. Scientists use elemental carbon as a surrogate since there is no current technology available to monitor directly for diesel particles. It is important to understand that the cancer risks estimated by the CARB related to mobile-source diesel exhaust and health risk assessment studies represent the probability that a person develops cancer; the estimated risks do not represent mortality rates.

Greenhouse Gases and the Global Warming Effect

"Stratospheric ozone depletion" refers to the slow destruction of naturally occurring ozone, which lies in the upper atmosphere (called the stratosphere) and which protects Earth from the damaging effects of solar ultraviolet radiation. Certain compounds, including chlorofluorocarbons (CFCs,) halons, carbon tetrachloride, methyl chloroform, and other halogenated compounds, accumulate in the lower atmosphere and then gradually migrate into the stratosphere. In the stratosphere, these compounds participate in complex chemical reactions to destroy the upper ozone layer. Destruction of the ozone layer increases the penetration of ultraviolet radiation to the Earth's surface, a known risk factor that can increase the incidence of skin cancers and cataracts, contribute to crop and fish damage, and further degrade air quality (SCAQMD 2005).

Some gases in the atmosphere affect the Earth's heat balance by absorbing infrared radiation. This layer of gases in the atmosphere functions much the same as glass in a greenhouse (i.e.,

above, in **Table 5.3-A.** The AAQS represent the level of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those people most susceptible to further respiratory distress such as asthmatics, the elderly, very young children, people already weakened by other diseases or illness and persons engaged in strenuous work or exercise, all referred to as "sensitive receptors." SCAQMD defines a "sensitive receptor" as a land use or facility such as residences, schools, childcare centers, athletic facilities, playgrounds, retirement homes and convalescent homes.

Energy Efficiency Standards

Title 24 regulations are statewide building design and construction standards that improve the energy efficiency of new buildings. Energy efficiency reduces the demand for electric generation, natural gas and other fuels. Energy efficient buildings also reduce the air emissions associated with electric generation and combustion of natural gas and other fuels.

Air Quality Management Plan

The California Air Resources Board (CARB) maintains records as to the attainment status of air basins throughout the state, under both State and Federal criteria. The portion of the SCAB within which the City of Riverside is located is designated as a non-attainment area for ozone and PM-10, and PM-2.5 under State standards, and as a non-attainment area for ozone, carbon monoxide, PM-10, and PM-2.5 under Federal standards. The Air Quality Management Plan (AQMP) for the SCAB establishes a program of rules and regulations directed at attainment of the State and national air quality standards based on population projections and land uses contained in local land use plans. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections.

Air Quality Management District Rules

SCAQMD Rule 402 states that "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals."

The City will be required to comply with existing SCAQMD rules for the reduction of fugitive dust emissions. SCAQMD Rule 403 establishes these procedures. They include the application of water or chemical stabilizers to disturbed soils at least twice a day, covering all haul vehicles before transport of materials, restricting vehicle speeds on unpaved roads to 15 mph, and sweeping loose dirt from paved site access roadways used by construction vehicles. In addition, it is required to establish a vegetative ground cover on disturbance areas that are inactive within 30 days after active operations have ceased. Alternatively, an application of dust suppressants can be applied in sufficient quantity and frequency to maintain a stable surface. Rule 403 also

requires grading and excavation activities to cease when winds exceed 25 mph. Weed abatement activities ordered by a municipal or county fire department are exempt from Rule 403 under certain conditions. (SCAQMD, Rule 403(g)(1)(J).) Specifically, weed abatement should be accomplished by mowing, or, if mowing is not feasible, disking can be used if the site is watered before the disking occurs (see Tool 43 for information on implementation).

Toxic Air Contaminants

Toxic Air Contaminants are regulated under both Federal and State laws. Federally, the 1970 Amendments to the Clean Air Act included a provision to address air toxics. California regulates toxic air contaminants through its air toxics program, mandated in Chapter 3.5 (Toxic Air Contaminants) of the Health and Safety Code (H&SC § 39660, et seq.) and Part 6 Air Toxics "Hot Spots" Information and Assessment (H&SC § 44300, et seq.). The California Air Resources Board (CARB), working in conjunction with the Office of Environmental Health Hazard Assessment (OEHHA), identifies toxic air contaminants. Air toxic control measures may then be adopted to reduce ambient concentrations of the identified toxic air contaminant below a specific threshold based on its effects on health, or to the lowest concentration achievable through use of best available control technology for toxics (T-BACT). The program is administered by the CARB. Air quality control agencies, including the SCAQMD, must incorporate air toxic control measures into their regulatory programs or adopt equally stringent control measures as rules within six months of adoption by CARB.

Diesel Regulations

In 1990, the State of California listed diesel exhaust as a known carcinogen under its Safe Drinking Water and Toxic Enforcement Act (Proposition 65). In 1998, the California Air Resources Board listed diesel particulate as a toxic air contaminant.

The California Air Resources Board (CARB), a sub-agency of the California Environmental Protection Agency (Cal EPA), is taking the lead on addressing diesel emissions in the State of California. The first step to significantly reduce diesel emissions occurred in September 2000 when the CARB approved the "Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles" or Diesel Risk Reduction Plan. The two main goals of the Diesel Risk Reduction Plan are: 1) to get new diesel fueled engines to use state-of-the-art emission controls as well as low-sulfur diesel fuel and, 2) for existing diesel engines to be retrofitted with emission control features. Effects of meeting these goals set by the CARB would be reducing the health effects experienced by Californians from diesel exhaust.

Under the CARB's Diesel Risk Reduction Program, mobile diesel emissions have their own set of reduction programs, as opposed to stationary diesel sources (generators), which are addressed separately under the Reduction Plan. One of the incentive programs for mobile diesel sources is the Carl Moyer Program, which is a clean engine incentive program. This program provides money in the form of grants to cover the incremental portion of the cost to purchase cleaner burning engines or retrofitting existing ones.

8.35.070 Refuse enclosure size requirements.

A. Residential Collection.

1. Condominium/Apartment/Fourplex.

a. One- and two-bedroom units: one four-cubic-yard bin per eight units.

b. Three-bedroom units: one four-cubic-yard bin per six units.

c. Fourplex units: one four-cubic-yard bin per unit.

d. Senior citizen units: one four-cubic-yard bin per 10 units.

B. Single-Family Detached, Duplexes, and Triplexes. Automated collection may be substituted for the above.

C. Commercial Collection.

1. Shopping center/retail: one four-cubic-yard bin per 8,000 square feet.

2. Multi-tenant shopping center/retail: one four-cubic-yard bin per two tenants. (Determined on a case-by-case basis. The city may require additional containers or specify other types of containers.)

3. Office development: one four-cubic-yard bin per 15,000 square feet.

4. Service commercial (hotel, motel, etc.): one four-cubic-yard bin per 10,000 square feet. (Determined on a case-by-case basis. The city may require additional containers or specify other types of containers.)

5. Service commercial restaurants, fast food, or mini-marts: two four-cubic-yard bins per building or unit. (Determined on a case-by-case basis. The city may require additional containers or specify other types of containers.)

6. Service commercial (vehicle, appliance, furniture, repair, etc.): one four-cubic-yard bin per 8,000 square feet.

D. Industrial/Manufacturing Collection.

1. Industrial parks: one four-cubic-yard bin per 8,000 square feet.

2. Multi-tenant industrial park: one four-cubic-yard bin per every two tenant units.

3. Warehouse development: one four-cubic-yard bin per 30,000 square feet.

4. Heavy industry: quantity, size, type determined on a case-by-case basis. [Ord. 91-10; Code 1990 § 5.3.07.]

Chapter 8.40

MOBILE SOURCE AIR POLLUTION REDUCTION

Sections:

8.40.010 Findings.
8.40.020 Intent.
8.40.030 Definitions.
8.40.040 Administration of vehicle registration fee.
8.40.050 Legal construction.

8.40.010 Findings.

The city of Calimesa hereby finds and declares that:

A. Whereas, the city is committed to improving the public health, safety, and welfare, including air quality;

B. Whereas, mobile sources are a major contributor to air pollution in the South Coast Air Basin;

C. Whereas, air quality goals for the region established by state law cannot be met without reducing air pollution from mobile sources;

D. Whereas, the South Coast Air Quality Management Plan (AQMP) calls upon cities and counties to reduce emissions from motor vehicles consistent with the requirements of the California Clean Air Act of 1988 by developing and implementing mobile source air pollution reduction programs;

E. Whereas, such programs place demands upon the city's funds, those programs should be financed by shifting the responsibility for financing from the general fund to the motor vehicles creating the demand, to the greatest extent possible;

F. Whereas, Section 44223, added to the Health and Safety Code by action of the California Legislature on September 30, 1990 (Chapter 90-1705), authorizes the South Coast Air Quality Management District (SCAQMD) to impose an additional motor vehicle registration fee of $2.00, commencing on April 1, 1991, increasing to $4.00, commencing on April 1, 1992, to finance the implementation of transportation measures embodied in the AQMP and provisions of the California Clean Air Act;

G. Whereas, $0.40 of every dollar collected under Section 44223 of the Health and Safety Code

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Saturday, January 07, 2023 10:14 AM
To: Heather Sturgeon <hsturgeon@cityofcalimesa.net>
Subject: Online Form Submittal: Customer Comment Form

Customer Comment Form

Thank you for visiting the City of Calimesa. Our aim is to offer you great customer service. To help us measure our success, please comment on the service you received and the department which served you.

Name/Company	Russell Buckland
Mailing Address	964 Essex Rd Beaumont, Ca 92223
Email Address	rb4sc@att.net
Level of Service	Excellent
Department	Planning
Please provide us with any additional comments	I am opposed to the building of warehouses on Calimesa Blvd on the north or east side of the 10 freeway, north of Cherry Valley Blvd. Warehouses are a terrible thing so close to many hundreds of homes. The traffic there is already terrible, and to add hundreds of trucks is not a good use of this area. This should be permanently zoned as open space or residential. Thank you.

Email not displaying correctly? View it in your browser.

From: Blake Ferris <bferris68@gmail.com>
Date: January 8, 2023 at 5:29:25 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Cc: Selenne Sevilla <ssevilla@cityofcalimesa.net>
Subject: Oak Valley North Environmental Impact Report Public Comment

Hello,

To whom it may concern for the proposed project of Oak Valley North, I would like the below public comments to be noted and addressed in the Environmental Impact Report.

1. Please explain the impact of the proposed structures on the surrounding infrastructure. How does the City of Calimesa plan to mitigate increased traffic and maintain the required roads, walkways, etc...? In addition, what is the proposed timeline of the impact to the City relative to the construction of the warehouses?

2. Wildlife Impact: There are wildlife corridors, conservation cells and conservation lands within less than a mile of the property as addressed through the Riverside County Western Regional Authority. How will these warehouses impact the Conservation Areas and identified wildlife movement? Please take note that there is burrowing owl in the area as identified by the Riverside County Western Regional Authority which has been identified as Species of Special Concern by the California Department of Fish and Wildlife. How does the City of Calimesa plan to ensure the local burrowing owl species is not affected?

3. According to the California Environmental Quality Act, as issued by California's Rob Bonta, Attorney General of Department of Justice, "Warehouses located in residential neighborhoods or near other sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local communities." In addition, the document continued with the following guidance, "Per California Air Resources Board (CARB) guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors." Therefore, please consider the impact of the structures on the two senior communities of Rancho Calimesa and Sharondale which are both within the 1,000 feet of the property lines. There are also children who are vulnerable to a heightened risk of negative health outcomes due to exposure to air pollution at a child day care called Early Learning Academy within 1,000 feet of the property line.

The document to the link as quoted above can be found: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf

4. Impact of Housing Values relative to the construction of Warehouses. Is there any correlation to the increase or decrease of housing values within a certain radius to warehouses? Also, the impact of housing values in that community and how warehouses have affected the quality of life of the residents within that community?

5. Impact of Crime relative to the construction of Warehouses. Is there any correlation to the increase or decrease of crimes within a certain radius to the construction of warehouses and how can it be addressed? How does the City of Calimesa plan to mitigate crime if there is a positive correlation of increase of crime relative to the warehouses?

Thank you for receiving these comments and hope to see these addressed in the Environmental Impact Report.

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Best Regards,

Blake Ferris
(909) 843-0355
bferris68@gmail.com

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

January 9, 2023
Sent via email

Kelly Lucia
Planning Director
City of Calimesa
908 Park Avenue,
Calimesa, CA 92320

Subject: Notice of Preparation of Draft Environmental Impact Report
Oak Valley North
State Clearinghouse No. 2022120265

Dear Ms. Lucia

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of Calimesa (City) for the Oak Valley North (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

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

CDFW ROLE

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

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.). CDFW expects that it may

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

need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT LOCATION

The City of Calimesa Oak Valley North Project (Project) covers approximately 110.8-acres, located north of interstate 10 freeway, south of Singleton Rd, and north of Cherry Valley Blvd. in the City of Calimesa. The proposed Project includes nine (9) parcels (Assessor's Parcel Numbers 413-260-018, 413-260-025, 413-280-016, 413-280-018, 413-280-021, 413-280-030, 413-280-036, 413-280-037, 430-280-043) The Project site is not located within a Criteria Cell or Cell group.

PROJECT DESCRIPTION SUMMARY

The Project would consist of a General Plan Amendment, Zone Change, and establishment of the Oak Valley North Specific Plan. Specific details of the proposed Project include development of 1,515,888 square feet (SF) of light industrial warehouse buildings (consisting of three warehouse buildings) and 396 high-density residential units on 108.2-acres. Three accompanying Development Plan Reviews and Conditional Use Permits are proposed for the development of three warehouse building sites, each containing a building, parking areas, drive aisles, landscaping, lighting, walls, fencing, and signage. Building 1 would have 327,266 SF of floor area and 51 loading docks. Building 2 would have 679,984 SF of floor area and 115 loading docks. Building 3 would have 357,670 SF of floor area and 56 loading docks. A Tentative Parcel Map is proposed for the subdivision of 110.8 acres to form 6 parcels and dedicate public roadway right-of-way to the City of Calimesa for Beckwith Road (1.65 acres) and Calimesa Boulevard (1.96 acres).

COMMENTS AND RECOMMENDATIONS

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

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

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

CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009[2]). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDB@wildlife.ca.gov or https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

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

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California

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

Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific/MSHCP surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018[3].

5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

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

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

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

3 CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline)

and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.

2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).

3. An evaluation of impacts to on-site and adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.

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

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a "no project" alternative (CEQA Guidelines § 15126.6[e]).

Mitigation Measures for Project Impacts to Biological Resources

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

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss

of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.

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

3. *California Species of Special Concern* (CSSC): CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process.

4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

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

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

(Sundstrom v. *County* of *Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry* v. *City* of *Murrieta (1995)* 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc.* v. *County* of *Orange* (2005) 131 Cal. App. 4th 777).

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

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

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

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

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

Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

CDFW recommends the completion of nesting bird survey regardless of time of year to ensure compliance with all applicable laws pertaining to nesting. The timing of the nesting season varies greatly depending on several factors, such as the bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). CDFW staff have observed that changing climate conditions may result in the nesting bird season occurring earlier and later in the year than historical nesting season dates. In addition, the duration of a pair to build a nest and incubate eggs varies considerably, therefore, if pre-construction surveys are proposed in the DEIR, CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site.

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

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

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

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

Western Riverside County Multiple Species Habitat Conservation Plan

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

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

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. To be considered a covered activity, Permittees need to demonstrate that proposed actions are consistent with the MSHCP, the Permits, and the Implementing Agreement. The City of Calimesa is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. To demonstrate consistency with the MSHCP, as part of the CEQA review, per City Resolution No. 2004-10, the City shall ensure the Project implements the following:

1. Pays Local Development Mitigation Fees and other relevant fees as set forth in Section 8.5 of the MSHCP.

2. Demonstrates compliance with the HANS process or equivalent process to ensure application of the Criteria and thus, satisfaction of the local acquisition obligation.

3. Demonstrates compliance with the policies for 1) the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools, set forth in Section 6.1.2 of the MSHCP; 2) the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; 3) compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP; 4) the policies set forth in Section 6.3.2 and associated vegetation survey requirements identified in Section 6.3.1; and 5) compliance with the Best Management Practices and the siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

If the Project is located within the MSHCP Criteria Area and therefore, pursuant to the Implementing Agreement and the City's Resolution No. 2004-10 public and private projects are expected to be designed and implemented in accordance with the Criteria for each Area Plan and all other MSHCP requirements as set forth in the MSHCP and in Section 13.0 of the Implementing Agreement. Section 13.2 of the Implementing Agreement identifies that City obligations under the MSHCP and the Implementing Agreement include, but are not limited to: the adoption and maintenance of ordinances or resolutions (Resolution No. 2004-10), as necessary, and the amendment of general plans as appropriate, to implement the requirements and to fulfill the purposes of the Permits, the MSHCP, and the Implementing Agreement for private and public development projects (including siting, construction, design, operation and maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP); and taking all necessary and appropriate actions, following applicable land use permit enforcement procedures and practices, to enforce the terms of the project approvals for public and private projects, including compliance with the MSHCP, the Permits, and the Implementing Agreement. The City is also obligated to notify the Western Riverside County Regional Conservation Authority (RCA), through the Joint Project/Acquisition Review Process set forth in Section 6.6.2 of the MSHCP or proposed discretionary Projects within the Criteria Area and participate in any further requirements imposed by MSHCP Section 6.6.2.

To examine how the Project might contribute to, or conflict with, assembly of the MSHCP Conservation Area consistent with the reserve configuration requirements CDFW recommends that the DEIR identify the specific Area Plan within which the Project is located, and the associated Planning Species and Biological Issues and Considerations that may apply to the Project.

Following this sequential identification of the relationship of the Project to the MSHCP the DEIR should then include an in-depth discussion of the Project in the context of these aforementioned elements, and as mentioned, examine how the Project might contribute to, or conflict with, the conservation criteria of the MSHCP.

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

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

Wildlife Connectivity and Mountain Lion

The South Coast Missing Linkage Project[4] identifies the San Bernardino-San Jacinto Connection as an important east-west linkage between the Transverse and Peninsular Ranges for wildlife movement. The proposed Project has the potential to impact wildlife movement within this linkage area. For the San Bernardino-San Jacinto Connection, four focal species were identified to conduct landscape permeability analyses of the wildlife linkage, these include mountain lion (*Puma concolor*), badger (*Taxidea taxus berlandieri*), mule deer (*Odocoileus hemionus californicus*), and Pacific kangaroo rat (*Dipodomys agilis*)[5]. The Southern California/Central Coast Evolutionary Significant Unit (ESU) of mountain lion (*Puma concolor*, mountain lion), a CESA candidate species exhibits extremely low genetic diversity and effective population size, likely indicating a high risk of extinction[6]. The low genetic diversity and low population size partially result

4 South Coast Missing Linkages: A Wildland Network for the South Coast Ecoregion http://www.scwildlands.org/reports/scmlregionalreport.pdf
5 South Coast Missing Linkages Project: A linkage Design for the San Bernardino-San Jacinto Connection http://www.scwildlands.org/reports/scml_sanbernardino_sanjacinto.pdf
6 Center for Biological Diversity and the Mountain Lion Foundation. 2019. A Petition to List the Southern

from habitat fragmentation and isolation caused by roads and development that create movement barriers. The impacts to gene flow for mountain lion is the larger concern when contrasted with individual take. Isolation of subpopulations limits the genetic exchange of populations, prevents recolonization of suitable habitats following local extirpation, and ultimately puts the species at risk of local extirpation or extinction. The DEIR should address potential impacts on the habitat loss and wildlife movement for the mountain lion, including potential impacts on mule deer, an important prey species for mountain lion. The Constrained Proposed Linkage 23 in the MSHPC is intended to facilitate wildlife movement in this linkage area, however, because of development this linkage is impaired it is unclear if this linkage will function as intended. Therefore, the City of Calimesa should consider how east-west wildlife movement will be impacted by this Project. The Project, together with past and probably future projects, has a cumulatively considerable effect on mountain lion, mule deer, and other wildlife connectivity and the potential to limit wildlife movement through Riverside County, specifically the City of Calimesa. CDFW recommends assessing potential for impacts to the wildlife corridor in the San Bernardino-San Jacinto connection in addition to measures to minimize any potential impacts.

Burrowing Owl (*Athene cunicularia*)

The Project site has the potential to provide suitable foraging and/or nesting habitat for burrowing owl. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.”

CDFW recommends that the City of Calimesa follow the survey instructions in the “Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area”. The Survey Instructions specify that first a habitat assessment is conducted. If suitable habitat is not found on site, simply reporting the site is disturbed or under agricultural/dairy use is not acceptable. A written report must be provided detailing results of the habitat assessment with photographs and indicating whether or not the project site contains suitable burrowing owl habitat. If suitable habitat is found, then focused surveys at the appropriate time of year (March 1 to August 31), time of day, and weather conditions must be completed. Surveys will not be accepted if they are conducted during rain, high winds (> 20 mph), dense fog, or temperatures over 90 °F. The surveys must include focused burrow surveys and burrowing owl surveys. For the focused burrow surveys, the location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed should be recorded and mapped, including GPS coordinates in the report. The focused burrowing owl surveys include site

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California/Central Coast Evolutionarily Significant Unit (ESU) of Mountain Lions as Threatened under the California Endangered Species Act (CESA). Available from: https://fgc.ca.gov/CESA#ml

visits on four separate days. CDFW recommends that the site visits are conducted at least a week apart to avoid missing owls that may be using the site. Finally, CDFW recommends the report also include an impact assessment evaluating the extent to which burrowing owls and their habitat may be impacted, directly or indirectly by Project activities. A final report discussing the survey methodology, transect width, duration, conditions, and results of the Survey shall be submitted to the RCA and the City.

Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

Additionally, CDFW recommends that the City of Calimesa review and follow requirements for burrowing owl outlined in the MSHCP, specifically Section 6.3.2 (Additional Survey Needs and Procedures) and Appendix E (Summary of Species Survey Requirements). Appendix E of the MSHCP outlines survey requirements, actions to be taken if survey results are positive, and species-specific conservation objectives, among other relevant information.

<u>Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools.</u>

The MSHCP, Section 6.1.2, identifies that information necessary for the assessment of riparian/riverine and vernal resources includes identification and mapping of riparian/riverine areas and vernal pools. The assessment shall consider species composition, topography/ hydrology, and soil analysis, where appropriate. The assessment may be completed as part of the CEQA review process as set forth in Article V of the State CEQA Guidelines.

The documentation for the assessment shall include mapping and a description of the functions and values of the mapped areas with respect to the species listed above, under “Purpose.” Factors to be considered include hydrologic regime, flood storage and flood-flow modification, nutrient retention and transformation, sediment trapping and transport, toxicant trapping, public use, wildlife Habitat, and aquatic Habitat. The functions and values assessment will focus on those areas that should be considered for priority acquisition for the MSHCP Conservation Area, as well as those functions that may affect downstream values related to Conservation of Covered Species within the MSHCP.

The MSHCP identifies that for mapped riparian/riverine and vernal pool resources that are not included in the MSHCP conservation area, applicable mitigation under CEQA, shall be imposed by the Permittee (in this case the City). Further, the MSHCP identifies that to ensure the standards in Section 6.1.2 are met, the Permittee shall ensure that,

through the CEQA process, project applicants develop project alternatives demonstrating efforts that first avoid, and then minimize direct and indirect effects to the wetlands mapped pursuant to Section 6.1.2. If an avoidance alternative is not Feasible, a practicable alternative that minimizes direct and indirect effects to riparian/riverine areas and vernal pools and associated functions and values to the greatest extent possible shall be selected. Those impacts that are unavoidable shall be mitigated such that the lost functions and values as they relate to Covered Species are replaced as through the Determination of Biologically Equivalent or Superior Preservation (DBESP). The City is required to ensure the Applicant completes the Determination of Biologically Equivalent or Superior Preservation process prior to completion of the DEIR to demonstrate implementation of MSHCP requirements in the CEQA documentation.

Lake and Streambed Alteration Program

Based on review of material submitted with the NOP and review of aerial photography, at least one drainage feature traverses the site. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream, or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream, or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

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

CDFW’s issuance of an LSA Agreement is a “project” subject to CEQA (see Pub. Resources Code § 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification, please go to https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS .

ADDITIONAL COMMENTS AND RECOMMENDATIONS

Native Landscaping

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: https://calscape.org/. Local water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens (for example the Riverside-Corona Resource Conservation District in Riverside). Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: https://saveourwater.com/ .

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). Information can be submitted online or via completion of the CNDDB field survey form at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data . The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

ENVIRONMENTAL DOCUMENT FILING FEES

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

CONCLUSION

CDFW appreciates the opportunity to comment on the OP of a DEIR for the Oak Valley North Project in the City of Calimesa (SCH No. 2022120265) and recommends that the City of Calimesa address the CDFW's comments and concerns in the forthcoming

Project documents. Questions regarding this letter or further coordination should be directed to John Dempsey, Environmental Scientist, at john.dempsey@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Kim Freeburn
84F92FFEEFD24C8...

Kim Freeburn
Environmental Program Manager

ec:

Heather Pert, Senior Environmental Scientist, Supervisor
Inland Deserts Region
heather.pert@wildlife.ca.gov

Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@opr.ca.gov

Tricia Campbell (Western Riverside County Regional Conservation Authority)
Director of Reserve Management and Monitoring
tcampbell@rctc.org

From: Danae N Delaney <danaendelaney@gmail.com>
Date: January 9, 2023 at 8:43:38 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Letter Concerning North Valley Project Preparation of Draft EIR

Dear Kelly Lucia,

Attached is my letter of concern and requests as requested for public record. I will also be bringing in a copy tomorrow. Thank you for your time and work doing the things you do for the community. I know that you work for the city manager and he works for the city council, and they work for the residents of the community.

Sincerely,

Danae Delaney

Danae Delaney
223 Tanglewood Dr.
Calimesa, CA 92320

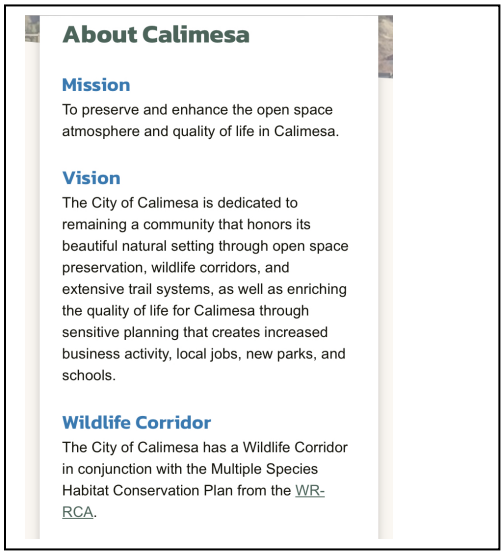
909.731.1936
danaendelaney@gmail.com

1/9/2023

Mayor Davis, Mayor Pro Tem Hewitt, Council Member Molina, Council Member Cervantez, Council Member Manly, City of Calimesa Planning Commissioners, City Manager, City Clerk, Planning Department

Dear **Mayor Davis, Mayor Pro Tem Hewitt, Council Member Molina, Council Member Cervantez, Council Member Manly, City of Calimesa Planning Commissioners, City Manager, City Clerk, Planning Department**,

I am writing because the City of Calimesa is considering General Plan Amendment and Zoning changes to accommodate another large network of warehouses on Calimesa Blvd., between Singleton Rd and Cherry Valley Blvd. About a mile away, one warehouse is complete, and a second is being developed, having been allowed much to the chagrin of property owners who were not expecting disamenities to be build so close to their purchases. Many homeowners did their due diligence and researched the General Plan for Calimesa, the zoning for those areas, and the ordinances on the books to control light pollution and semi truck traffic. Others looked into the written vision and mission statement set forth by the city leaders and are looking forward to having the City Council stand by the original founding mission statement, vision and values for the City of Calimesa.



About Calimesa

Mission

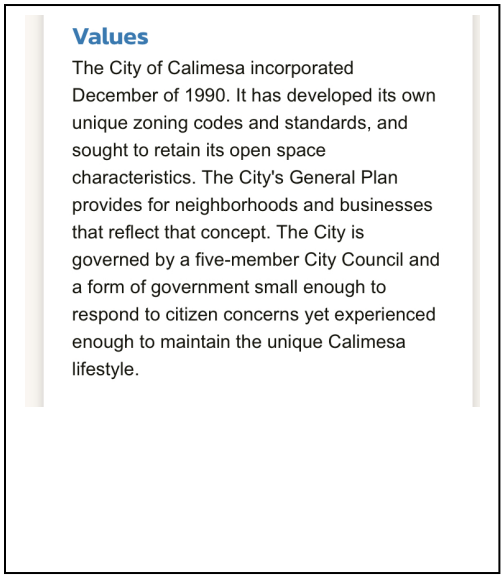
To preserve and enhance the open space atmosphere and quality of life in Calimesa.

Vision

The City of Calimesa is dedicated to remaining a community that honors its beautiful natural setting through open space preservation, wildlife corridors, and extensive trail systems, as well as enriching the quality of life for Calimesa through sensitive planning that creates increased business activity, local jobs, new parks, and schools.

Wildlife Corridor

The City of Calimesa has a Wildlife Corridor in conjunction with the Multiple Species Habitat Conservation Plan from the WR-RCA.



Values

The City of Calimesa incorporated December of 1990. It has developed its own unique zoning codes and standards, and sought to retain its open space characteristics. The City's General Plan provides for neighborhoods and businesses that reflect that concept. The City is governed by a five-member City Council and a form of government small enough to respond to citizen concerns yet experienced enough to maintain the unique Calimesa lifestyle.

- **Mission:**

  To PRESERVE and ENHANCE the OPEN SPACE atmosphere and quality of life in Calimesa.

  According to a study from Netherlands, Light Industrial areas degrade quality of life, decrease property values, and create community moral malaise, decrease community morale. A warehouse complex does not preserve or enhance the open space atmosphere or quality of life in Calimesa.

- **Vision:**

  The City of Calimesa is DEDICATED to REMAINING a community that HONORS its beautiful NATURAL SETTING through open space PRESERVATION, WILDLIFE CORRIDORS (where is the wildlife corridor that was expected, where is the trail from the Singleton Bridge all the way over Bryant for travel by horseback to and from the Yucaipa Equestrian Center. What I am observing is a pattern of removing amenities and replacing them with disamenities.) **and extensive trail systems** (where are those)**, as well as enriching the quality of life for Calimesa through SENSITIVE planning that creates increased business activity, local jobs, new** parks (where are they) **and schools.**

- **Values:**

  "The City of Calimesa incorporated in December of 1990. IT HAS DEVELOPED ITS <u>OWN UNIQUE ZONING CODES AND STANDARDS</u>, and sought to **<u>retain its open space characteristics.</u> The City's GENERAL PLAN provides businesses and neighborhoods that REFLECT that concept."**

  What concept is that? Open space characteristics, wildlife corridors, enriched and enhanced quality of life, providing amenities, i.e. extensive trail systems, more parks, open space, schools.

- **A Study from Netherlands concluded:**

  1. **Houses located in low density, green neighborhoods with scenic views, open space and parks have higher property values.**
  2. **Houses in high density areas with no parks, no open space, no scenic views have lower property values.**
  3. **Disamenities, industrial land and highway nearness decreases property values.**

     We already have a highway and two industrial areas in this area, lets keep some open space or add a scenic amenity with shopping and places to see open space and scenic views.

  4. **Road traffic noise affects property values.**

     We have this in these areas, and you are proposing more road traffic, specifically semi trucks and trailers.

5. **Areas closest to Light Industrial and Industrial areas have difficulty rebounding property values with shrinking open space and due to the disamenity being built in the community.**
6. **An industrial site's size affects community residents' housing prices. The larger the site, the larger the range of residents affected by the Light Industrial site.**
7. **Industrial Zoning of any kind increases crime and general community moral malaise.**

From my own observation, Industrial Areas in a community contribute to a lower community aesthetic and will not hold true to the mission, vision and values the City of Calimesa espouses and one that our City Council members agreed to use as a guide. Community morale is tied to aesthetics and amenities the community has within it.

My own recent driving study on the 10 and 210 freeways showed me evidence of the look, and feel and character of the places I drove through. On the 10 freeway, I drove through Calimesa, Yucaipa, Redlands, Loma Linda, San Bernardino, Rialto, Bloomington, Fontana, Etiwanda, Ontario, Rancho Cucamonga and Upland. Every area with Light Industrial and Industrial use with high truck traffic was blighted, and looking those areas up on a crime map, the areas surrounding the warehouses, light industrial and industrial use, were there areas with the highest crime rates.

I drove on the 210 freeway through San Bernardino, Rialto, Fontana, Rancho Cucamonga, Upland, Claremont, La Verne, Glendora, Azusa to Irwindale, and every area that was residential along the freeway or had some business use areas, had more of a community feel and presence. There was not truck and trailer traffic, and the crime in the area was lower.

Light Industrial Use absolutely reduces property values and increases crime which contributes to low moral malaise.

About High Density Residential: Will the high density housing be luxury condos or apartments or section 8 housing or homeless huts? What are we talking about here? I have many questions. Who will build? What have they built before? What are the price points? Who is the target group to bring to high density residential?

To consider General Plan and zoning changes is an affront to every single property owner in the area. Many looked up the city mission, vision and values, and looked up the General Plan and zoning in the area before purchasing their home. To change things on them now is not accurately representing this city to the public, to change these things now, take away amenities, here now or those planned, to take away amenities and replace them with disamenities is an affront to the taxpayers and the people you represent.

My last study was Calimesa, west of County Line Rd on Calimesa Blvd and Dunlap Ave. in Yucaipa. These Light Industrial Areas have homes surrounding them. The neighborhoods around the Light Industrial areas right here look vastly different from areas that are not close by.

You can see the difference yourself. Take a drive around. It's noticeable and undeniable.

When is the City of Calimesa going to stop allowing disamenities to replace our amenities and our opportunities to HAVE amenities in our community of hardworking, middle class people. Do the developers and land owners even live in Calimesa? Did they move on to Tennessee or other states? What is the City of Calimesa thinking? Please, reread the Mission, Vision and Values for the City of Calimesa again and adhere to what was intended when our city incorporated. If not, then, take the rose off the logo and replace it with a warehouse. Take the scenic view logo off the city website and replace it with a warehouse. The lack of integrity to the mission, vision and values is apparent as the city council approves zoning changes to allow that which was not intended.

What can the City Council and Planning Commission now do to offset the disamenities that have been created in the City of Calimesa? What can they do to provide amenities and adhere to the plans for open space, wildlife corridors, extensive trails and parks? Are the mission, vision and values real and true or are they hollow words to the people you serve, who work really hard for what they have, do their best to provide for their families, be good community members, and respect their elected leaders? Is that respect given deserved? When are those who oath to serve our community going to do right for the many instead of amend and change the City Plan and zoning so that the few, who may not even live here, can benefit while bringing disamenities and moral malaise to the many who live in our City of Calimesa?

I welcome the opportunity to discuss my position with you and show you the crime stats in nearby areas with light industrial use and high density housing. I want an extensive study on Light Industrial areas and crime, property values and community moral malaise to be included in the study. I would also like studies of light and traffic noise pollution and its effects on nearby residents to be included. You can call me at **909.731.1936** or by email at **danaendelaney@gmail.com**.

Sincerely,

Danae Delaney

From: Debbie LeLong <debsartdesigns@gmail.com>
Date: January 9, 2023 at 7:55:15 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Oak Valley North EIR

Hi Kelly,
I am attaching a letter with items I think need to be included in the study for the Environmental Impact Report. Some items I mention may fall under headings already listed but I wanted to be sure they were considered if not.

At the Zoom meeting you said I could request to be notified on information related to the Oak Valley North project since I am technically not within the notification parameters that are required for notification.
I would like to be included in the notifications as my home sits on the corner of Champagne and Rosedale and this project will definitely impact our whole community of Sharondale. My information is below.

Thank you,
Debbie

Debra Le Long
9695 Rosedale Dr
Calimesa, Ca 92320
email: debsartdesigns@gmail.com

January 9, 2023

City of Calimesa, Planning Division

Attn: Kelly Lucia, M.URP, Planning Director

908 Park Avenue

Calimesa, Ca 92320

Dear Kelly Lucia,

I am writing you regarding the Oak Valley North Project which I believe will negatively affect my property value, my health, and quality of life. I am a retired Yucaipa/Calimesa Educator. After a 30 year teaching career, I chose to retire to the city of Calimesa. I loved the rural feel of this area and when I found the Sharondale 55 plus Community, I knew this is where I wanted to settle to enjoy my retirement. I have been living in this community for 10 years now and I love the quiet beauty of this area. There have been lots of changes during the time I have been here. Lots of houses are being built and a new shopping center was built on Cherry Valley Blvd. to accommodate all of the housing in the area. I hate to see the rural area disappear but understand the need for some growth. What I don't understand is Calimesa approving warehouses in our city. The mega warehouse complex on Cherry Valley Blvd is in its final building stages which means we have yet to see how the impact of truckers accessing those warehouses will have on traffic, freeway on and off ramps, air quality, noise, etc. Anytime there is excess traffic or an accident on the freeway, people get off the freeway and use Calimesa Blvd causing more traffic jams. Prior to the opening of Singleton Rd to Bryant I have been stuck in those traffic jams multiple times for 45 minutes or more just trying to get home from Sandalwood Dr. to Singleton Rd. I know there are plans for freeway on and off ramp improvements, however, those improvements have not even begun and the city of Calimesa is going ahead with plans for more homes and warehouses on the South side of the freeway. Now we receive notice that the same developer has submitted plans to develop more warehouses on the North side of the freeway… The Oak Valley North Project.

The Oak Valley North Project plans do not follow the city's warehouse size cap of 250,000 square feet. The citizens of Calimesa fought hard to get this cap on warehouse sizes. Now this project is asking for a Specific Plan Amendment that will allow 3 warehouses, each warehouse building exceeding the 250,000 Sq. Ft. cap by 100,000 to 400,000 Sq. Ft. Why would the City of Calimesa even consider this proposal knowing that its citizens are not in favor of large warehouses? With warehouses planned on the South side of the freeway and the mega warehouse complex on Cherry Valley Blvd., why would the city risk its sensitive senior communities' health? Or the air quality and safety of our children? I suppose we will be in a battle once again to preserve our health and quality of life!

I have the following list of items that I believe should be included in the Environmental Impact Report.

- Impact on the aquifer that our local wells use. Will the quality of our water be affected? Will there be enough water? Restrictions are already in place due to the drought.
- Quality of the air for sensitive residents with health and lung issues.
- Noise, lights, and traffic congestion. Will there be time constrictions or will it be 24/7 interfering with sleep quality in surrounding areas?
- Increases in crime and safety. Increase in crime has already been seen with the new housing developments.
- People as part of the environment and not just natural resources…Human Impact.
- Disamenities… crime, lowering property values, safety for citizens, and community malaise.
- Wildfire… residents already pay higher insurance rates because of wildfire risks…how will our insurance premiums be impacted by the addition of warehouses and the proposed high density living area that is part of this proposal?
- Impact to wildlife and the wildlife corridors.

Thank you for setting up the zoom meeting. It was informative and appreciated, especially for those of us still trying to carefully navigate this pandemic. Before the pandemic hit, my neighbors and I attended the city council meetings on a fairly

regular basis. I love this community and hate to see it become like some of our neighboring cities that are overrun with warehouses, many of which are still sitting empty.

Sincerely,

Debra Le Long

9695 Rosedale Dr.

Calimesa, Ca. 92320

From: Laura Lewis <wylde_1b4@yahoo.com>
Date: January 9, 2023 at 8:47:03 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Oak Valley North Project

To Whom It May Concern,

I am a fairly new resident in Calimesa. I moved here in 2021 from Redlands, where i had lived since 1989. I watched the lovely Redlands of 1989, where an hour was more than enough time to go out to lunch, change to taking almost 45 minutes just to get back and forth with all the traffic there is now. Many times you have to wait through two signal cycles to even get through an intersection.

It was refreshing to move here. I enjoyed the open fields and wildlife that makes their homes there. I enjoy seeing the goats, sheep, cattle, horses and llamas along Cherry Valley Blvd. Unfortunately, that is going to be short-lived. The warehouses on Cherry Valley Blvd started shortly after I moved to my home at Rancho Calimesa, along Calimesa Blvd between Cherry Valley Blvd and Singleton Road.

And now, you propose to put more warehouses, adding a potential 222 trucks going in and out everyday, not even including all the employee vehicles possibly 24 hours a day, and 396 residential units, which could add 400 - 800 vehicles coming and going every day. High density residential, which is most likely apartment buildings, never provides enough parking for the number of residents, so that will add the blight of cars being parked in the streets all the time. Unfortunately these projects many times bring unsavory riff-raff and more crime to the area.

AIR QUALITY: The air quality is already poor along the freeway. Dust is always blowing from the constant breeze our community enjoys, but there is an extreme amount of dirt that fills the air from the freeway. The exhaust from the cars and trucks and the dirt from the tires clog up my A/C and furnace filters to the extent that I have to change them quarterly instead of the usual twice a year that I had always done in my previous home.

ENERGY: Where is the energy going to come from to support three warehouses in operation 24 hours a day and provide for up to 400 new family units? All we hear about is the energy crisis and are told not to run appliances after a certain time of day, being told not to charge the electric cars, etc. This is adding more strain to an already weak energy system.

HYDROLOGY/WATER QUALITY: The lingering droughts have depleted our water table considerably. Rancho Calimesa is on a well system for its water, as I am sure other areas are too. The Cherry Valley Nursery has recently had to drill a new well for their business. I see one well identified in your proposed plan. Is that going to supply all you need to support your proposed developments? How do you know it will not deplete the need that is already hard to supply? Where does this stop? We are told to use less, plant smarter etc and you want to add High Density Residential housing? It does not make sense, in my opinion.

NOISE: The noise pollution from the freeway is disturbing. I live in the first row of houses in Rancho Calimesa, and you cannot carry on a conversation with someone outside unless you stand right in front of them, due to the noise from the freeway. You cannot open your doors and windows without constant noise coming from the freeway. It is not only the noise, but also the vibration from the trucks. When I first moved in, I thought there was an earthquake because of the vibration. It is already bad, and now you propose to box us in on both sides of our community with more trucks coming and going 24 hours a day. Add to that, the traffic that uses Calimesa Blvd as an escape route when the freeway gets backed up. The LEAST you can do is build a noise barrier wall along the freeway to protect the residents from the increased disturbances that you are creating. You can investigate the one parallel to the freeway along Reservoir Road between Wabash and Ford Streets in Redlands.

POPULATION/HOUSING: Have you not learned anything from the problems that have been caused from the building that you have already approved? This situation is reminiscent to what transpired in Moreno Valley in the early 1980s. They built on every vacant piece of land around and then could not keep up with the schools needed for all the new families that moved in. It was a mess. I know because I moved there in 1979 when there was not much of anything and only one grocery store. I hate to see the same thing happening here.

PUBLIC SERVICES: What are the plans to expand the public services? Are there any plans to find a new location for the Post Office. The six or seven parking spaces already do not accommodate the current population! What other services are going to suffer?

UTILITIES/SERVICE SYSTEMS: You know very well these systems are already being strained, so how is High Density Housing and 24 hour warehouses going to help improve the situation?

I appreciate the opportunity to voice my concerns and opinions. I'm sure more people would have, if the time frame had not been during the holiday and New Year. Interesting how that worked out.

In conclusion, I do not support your proposal. I do not believe it is good to mix Industrial developments with Residential areas. I do not agree with your proposal to change the zoning to High Density Residential. It sends a message that you are more interested in revenue and don't care about the living conditions of the people you work for, your neighbors.

Sincerely,

Laura Lewis
10320 Calimesa Blvd. Spc. 91

Calimesa, CA 92320

From: David Zaitz <dzmtb100@att.net>
Date: January 10, 2023 at 12:38:15 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Subject: Additional Comments on Scopping Meeting

I understand today is the end of the scoping comments for the EIR for the Oak Valley North project. Please include the following into the above mentioned report.

There is a concern about the number of diesel truck trips the the project will create into and out of the new facility.

Please include this data in the EIR. This will show the real impact the facility will have on nearby residence and is more easily understood at the local level.

From: IGR – Intergovernmental Review <IGR@scag.ca.gov>
Date: January 10, 2023 at 12:57:04 PM PST
To: Kelly Lucia <klucia@cityofcalimesa.net>
Cc: Frank Wen <WEN@scag.ca.gov>, Scott Strelecki <strelecki@scag.ca.gov>
Subject: SCAG Comments on the NOP of a DEIR for the Oak Valley North Project [SCAG NO. IGR10809]

Good afternoon Kelly,

Please find attached SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Oak Valley North Project [SCAG NO. IGR10809].

Please contact me at (213) 630-1427 or IGR@scag.ca.gov if you have any questions or difficulties with the attached file.

If you wish to submit documents for IGR review, please submit it online via the IGR webpage or via email to IGR@scag.ca.gov.

Thank you!

Intergovernmental Review (IGR) Program

Annaleigh Ekman (she/her), Associate Regional Planner
Tel: (213) 630-1427
IGR@scag.ca.gov

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700, Los Angeles, CA 90017

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January 10, 2023

Kelly Lucia, Planning Director
City of Calimesa, Planning Division
908 Park Avenue
Calimesa, California 92320
Phone: (909) 795-9801
E-mail: klucia@cityofcalimesa.net

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Oak Valley North Project [SCAG NO. IGR10809]

Dear Kelly Lucia,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Oak Valley North Project ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is responsible for providing informational resources to regionally significant plans, projects, and programs per the California Environmental Quality Act (CEQA) to facilitate the consistency of these projects with SCAG's adopted regional plans, to be determined by the lead agencies.[1]

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

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Oak Valley North Project in Riverside County. The proposed project includes the adoption of a specific plan for up to 1,515,888 square feet of light industrial building space, up to 396 dwelling units (DU) on 108.2 acres. Planning Area 1 would contain the three light industrial buildings with 222 loading dock bays on 87.0 acres. Planning Areas 2 and 3 would contain up to 126 DU on 6.3 acres and 270 DU on 13.5 acres, respectively.

When available, please email environmental documentation to IGR@scag.ca.gov providing, at a minimum, the full public comment period for review.

If you have any questions regarding the attached comments, please contact the Intergovernmental Review (IGR) Program, attn.: Annaleigh Ekman, Associate Regional Planner, at (213) 630-1427 or IGR@scag.ca.gov. Thank you.

Sincerely,

Frank Wen, Ph.D.
Manager, Planning Strategy Department

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

COMMENTS ON THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OAK VALLEY NORTH PROJECT [SCAG NO. IGR10809]

CONSISTENCY WITH CONNECT SOCAL

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

CONNECT SOCAL GOALS

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

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

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

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

Connect SoCal Strategies

To achieve the goals of Connect SoCal, a wide range of land use and transportation strategies are included in the accompanying twenty (20) technical reports. Of particular note are multiple strategies included in Chapter 3 of Connect SoCal intended to support implementation of the regional Sustainable Communities Strategy (SCS) framed within the context of focusing growth near destinations and mobility options; promoting diverse housing choices; leveraging technology innovations; supporting implementation of sustainability policies; and promoting a Green Region. To view Connect SoCal and the accompanying technical reports, please visit the Connect SoCal webpage. Connect SoCal builds upon the progress from previous RTP/SCS cycles and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that helps the SCAG region strive towards a more sustainable region, while meeting statutory requirements pertinent to RTP/SCSs. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

The 2020 Connect SoCal also identifies a goods movement system in the SCAG region and develops strategies to address expected growth trends and demands in goods movement. For further information on the goods movement strategies, please see the 2020 Connect SoCal Goods Movement Technical Report. For further information on industrial development and warehousing in Southern California, please see Industrial Warehousing in the SCAG Region.

Connect SoCal identified Key Connections that lie at the intersection of land use, transportation and innovation meant to advance policy discussions and strategies to leverage new technologies and create better partnerships to increase progress on the regional goals. Accelerated Electrification is one of the Key Connections and was established to create a holistic and coordinated approach to de-carbonizing or electrifying passenger vehicles, transit, and goods movement vehicles. The Accelerated Electrification Key Connection sets a vision to reduce both the local and global emissions associated with multiple modes of transportation by deploying clean mobility solutions and the infrastructure needed to support them. SCAG staff encourages the lead agency to incorporate clean mobility solutions and supporting infrastructure into the project, as appropriate.

DEMOGRAPHICS AND GROWTH FORECASTS

A key, formative step in projecting future population, households, and employment through 2045 for Connect SoCal was the generation of a forecast of regional and county level growth in collaboration with expert demographers and economists on Southern California. From there, jurisdictional level forecasts were ground-truthed by subregions and local agencies, which helped SCAG identify opportunities and barriers to future development. This forecast helps the region understand, in a very general sense, where we are expected to grow, and allows SCAG to focus attention on areas that are experiencing change and may have increased transportation needs. After a year-long engagement effort with all 197 jurisdictions one-on-one, 82 percent of SCAG's 197 jurisdictions provided feedback on the forecast

of future growth for Connect SoCal. SCAG also sought feedback on potential sustainable growth strategies from a broad range of stakeholder groups – including local jurisdictions, county transportation commissions, other partner agencies, industry groups, community-based organizations, and the general public. Connect SoCal utilizes a bottom-up approach in that total projected growth for each jurisdiction reflects feedback received from jurisdiction staff, including city managers, community development/planning directors, and local staff. Growth at the neighborhood level (i.e., transportation analysis zone (TAZ) reflects entitled projects and adheres to current general and specific plan maximum densities as conveyed by jurisdictions (except in cases where entitled projects and development agreements exceed these capacities as calculated by SCAG). Neighborhood level growth projections also feature strategies that help to reduce greenhouse gas emissions (GHG) from automobiles and light trucks to achieve Southern California's GHG reduction target, approved by the California Air Resources Board (CARB) in accordance with state planning law. Connect SoCal's Forecasted Development Pattern is utilized for long range modeling purposes and does not supersede actions taken by elected bodies on future development, including entitlements and development agreements. SCAG does not have the authority to implement the plan -- neither through decisions about what type of development is built where, nor what transportation projects are ultimately built, as Connect SoCal is adopted at the jurisdictional level. Achieving a sustained regional outcome depends upon informed and intentional local action. To access jurisdictional level growth estimates and forecasts for years 2016 and 2045, please refer to the Connect SoCal Demographics and Growth Forecast Technical Report. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts				Adopted City of Calimesa Forecasts			
	Year 2020	**Year 2030**	**Year 2035**	**Year 2045**	**Year 2020**	**Year 2030**	**Year 2035**	**Year 2045**
Population	19,517,731	20,821,171	21,443,006	22,503,899	9,251	13,079	15,552	20,554
Households	6,333,458	6,902,821	7,170,110	7,633,451	4,009	6,241	7,655	10,409
Employment	8,695,427	9,303,627	9,566,384	10,048,822	2,223	3,289	3,643	4,066

MITIGATION MEASURES

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