



Final Program Environmental Impact Report

Beaumont General Plan

SCH No. 2018031022



October 2020

Beaumont General Plan 2040

FINAL PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT

SCH No. 2018031022

Prepared for

City of Beaumont
550 East 6th Street
Beaumont, CA 92223

Contact: Christina Taylor, Community Development Director
(951) 572-3212



#ACITYELEVATED

Prepared by:

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October 2020

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Section 1 – Introduction

The Final Programmatic Environmental Impact Report (Final PEIR), as required pursuant to State *CEQA Guidelines* Sections 15089 and 15132, includes the Draft Programmatic Environmental Impact Report (Draft PEIR) or a revision thereof, comments and recommendations received on the Draft PEIR, a list of persons, organizations, and public agencies commenting on the Draft PEIR, and the responses of the lead agency, which is the City of Beaumont (City) for this Project, to significant environmental points raised in the review and consultation process. A Mitigation Monitoring and Reporting Program (MMRP) is also included to ensure compliance during Project implementation (Public Resources Code Section 21081.6, State *CEQA Guidelines* Section 15097).

1.1 Information Added Following Distribution of the Draft PEIR

The information added following distribution of the Draft PEIR does not constitute “significant new information” pursuant to State *CEQA Guidelines* Section 15088.5 because this information does not change the Project impacts and/or mitigation measures such that new or more severe environmental impacts result from the Project. The information is added as a result of comments received from responsible agencies, changes in the existing conditions at the site, revised public policies since the Draft PEIR was written, and/or minor corrections or clarifications. The additional information merely “clarifies or amplifies or makes insignificant modifications” in the already adequate Draft PEIR, as is permitted by State *CEQA Guidelines* Section 15088.5(b).

1.2 Relationship to the Draft PEIR

Minor changes that clarify or correct minor inaccuracies in the Draft PEIR appear as revised pages in the Corrections, Errata, and Changes from Draft PEIR to Final PEIR section which follows herein. The Draft PEIR considered by the City, as lead agency, has been edited to reflect corrections and responses to comments raised.

1.3 Public Review Summary

The EIR process for this Project consisted of three parts: the Notice of Preparation (NOP), Draft PEIR, and Final PEIR. The City distributed the NOP on March 9, 2018 to agencies, local governments, and interested parties of the general public. Pursuant to State *CEQA Guidelines* Section 15082, recipients of the NOP were requested to provide responses within 30 days upon receipt. Copies of the NOP and comments received are included in Appendix A to the Draft PEIR.

The City circulated the Draft PEIR for the Project for a 45-day public review period from September 8, 2020 through October 22, 2020. Notices of Completion and Availability of the Draft PEIR were circulated to the State Clearinghouse, responsible agencies, trustee agencies, and other interested parties on September 8, 2020.

General public Notice of Availability of the Draft PEIR was also given by publication in The Press-Enterprise daily circulation newspaper on September 8, 2020. As required by Public Resources Code Section 21092.3, a copy of the public notice was submitted to the Riverside County Clerk on September 8, 2020 and filed by the Clerk’s office on September 10, 2020.

As provided in the public notice and in accordance with State *CEQA Guidelines* Section 21091(d), the City accepted written comments through October 22, 2020. During the public review period for the Project, the City received 26 comment letters from agencies, community members, and other organizations. Three (3) comment letters were received subsequent to the close of the public review period and prior to publication of the Final PEIR. All timely comments are listed below; followed by all late comments.

The Responses to Comments, along with the comment letters, are included in Section 2 of this Final PEIR. In accordance with the provisions of Public Resources Code Section 21092.5, the City has provided a written response to each commenting public agency no less than 10 days prior to the proposed certification date.

1.4 List of Persons, Organizations, and Agencies that Commented on the Draft PEIR

1.4.1 Comments Received During Public Comment Period

Comment Letter	Name/Agency	Date of Letter
1	Riverside County Flood Control and Water Conservation District	September 11, 2020
2	Lansing Companies	September 15, 2020
3	Rudy Garcia	September 23, 2020
4	Susan Nash	September 24, 2020
5	Agua Caliente Band of Mission Indians	September 25, 2020
6	Richard Bennecke	October 8, 2020
7	California Department of Fish and Wildlife	October 22, 2020
8	Leaping Pegasus LLC and Legasus Constellation LLC	October 22, 2020
9	Bill Rex	October 1, 2020
10	Jacob Levine	October 9, 2020
11	Jeff Plumley	October 2, 2020
12	Jeff S. Thomas	September 24, 2020
13	John White	September 25, 2020
14	Mark Sontoski	September 24, 2020
15	Mark Sontoski	September 24, 2020
16	Mary A. Daniel	October 19, 2020
17	Megan Johnsen	October 11, 2020
18	Peter Forster	September 25, 2020
19	Robert Guilford	October 1, 2020
20	Ryan Marston	October 6, 2020
21	Leaping Pegasus LLC and Pegasus Constellation LLC (Shervin Shoushtary)	October 20, 2020

Comment Letter	Name/Agency	Date of Letter
22	Tanya Valdez	September 29, 2020
23	Beaumont Towne Centre (Thomas Daniel)	October 9, 2020
24	Beaumont Towne Centre (Thomas Daniel)	October 19, 2020
25	Beaumont Do It Best (Tom Kantzalis)	September 28, 2020
26	Lansing Companies (Casey Malone)	September 11, 2020

1.4.2 Comments Received After Close of Public Comment Period

Comment Letter	Name/Agency	Date of Letter
27	Soboba Band of Luiseño Indians	October 27, 2020
28	Channel Law Group, LLP (McDonald's)	October 27, 2020
29	Beaumont-Cherry Valley Water District	October 29, 2020

Section 2 – Response to Comments

Pursuant to State *CEQA Guidelines* Section 15088, the responses to comments presented in this section address specific, relevant comments on environmental issues raised in the submitted comment letters.

All of the comment letters are included in this section. Each comment letter is followed by the responses to each of its comments. Each comment letter is identified by the number designated in Section 1.4 of this Final PEIR, and identifying information for each commenter is provided at the beginning of the corresponding responses. Specific comments are delineated and lettered as well. Corrections and additions resulting from comments on the Draft PEIR are summarized in Section 3.2 of this Final PEIR.

Master Responses

The City is providing master responses to certain issues that were raised by one or more comment letters. The master responses are numbered and provided below, and they are referred to throughout the letter specific responses, which are included in this section.

The information contained in the master responses does not constitute “significant new information” pursuant to Section 15088.5 of the State *CEQA Guidelines* because this information does not change the project impacts and/or mitigation measures such that new or more severe environmental impacts result from the project. The information contained in the thematic responses responds to comments received.

Master Response 1:

This comment is requesting a change to the General Plan Land Use Map and Zoning Map for a specific parcel or parcels. The requested change will be considered by the Planning Commission and City Council. This comment does not raise an environmental issue; therefore, no additional response is required.

Master Response 2:

This comment is requesting information regarding the proposed revisions to the Zoning Map and Zoning Ordinance. This comment does not raise an environmental issue; therefore no, additional response is required.

Master Response 3:

This comment is in regard to the General Plan. This comment does not raise an environmental issue; therefore no, additional response is required.

Master Response 4:

This comment is objecting to the proposed revision to the proposed Zoning Map Revision for a specific parcel or parcels. This objection is noted and will be considered by the Planning Commission and City Council. This comment does not raise an environmental issue; therefore, no additional response is required.

Comment Letter 1 – Riverside County Flood Control and Water Conservation District

Comment letter 1 commences on the next page.

JASON E. UHLEY
General Manager-Chief Engineer



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

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

233589

September 11, 2020

City of Beaumont
550 East 6th Street
Beaumont, CA 92223

Attention: Christina Taylor

Re: Beaumont 2040 Plan

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

1-A

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

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

1-B

City of Beaumont
Re: Beaumont 2040 Plan

233589

GENERAL INFORMATION

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

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

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

Very truly yours,



DEBORAH DE CHAMBEAU
Engineering Project Manager

cc: Riverside County Planning Department
Attn: John Hildebrand

SLJ:blm

1-C

Response to Comment Letter 1 – Riverside County Flood Control and Water Conservation District

Response to Comment 1-A:

The District's role in the review of land divisions and other land uses cases in incorporated cities is noted. This is not an environmental issue.

Response to Comment 1-B:

That the Beaumont 2040 Plan would not be impacted by District Master Drainage Plan Facilities and does not proposed facilities of regional interest is noted. This is not an environmental issue.

Response to Comment 1-C:

Regarding the need for an NPDES permit, CLOMR, and Section 1602 Agreement, Clean Water Act Section 404 Permit, and Clean Water Act Section 401 Water Quality Certification the Beaumont Draft PEIR states:

Additionally, subsequent development projects may also require review and approval by various departments or agencies outside of the City, including but not limited to those listed below. It should be noted that the following actions are associated with the future development of the City as it builds out pursuant to the Beaumont 2040 Plan. That is, actions of the types listed here would occur whether or not the proposed Project was approved. And, as such, these actions are listed as general items and are not directly associated with the Beaumont 2040 Plan.

- *Future development affecting Waters of the U.S. or adjacent wetlands would need to fill out a permit from the U.S. Army Corps of Engineers issued pursuant to Section 404 of the Federal Clean Water Act (CWA).*
- *Prior to obtaining a CWA Section 404 permit, a future development may also need to obtain a water quality certification or waiver from the Regional Water Quality Control Board pursuant to Section 401 of the Federal CWA.*
- *Future development affecting native habitat within a streambed may need a Streambed/Bank Alteration Agreement issued by the California Department of Fish and Wildlife pursuant to Section 1600 et seq. of the California Fish and Game Code.*
- *[...]*
- *Future development within or altering a 100-year floodplain or other FEMA-mapped flood hazard area would need to obtain a Letter of Map Revision (LOMR), Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Revision Based on Fill (CLOMR-F) that describes the effect that the proposed project or fill would have on the National Flood Insurance Program map. (Draft PEIR, pp. 1-1-1-11; 3-71-3-72.)*

Additionally, new development consistent with the Beaumont 2040 Plan will comply with Policy 7.5.1, which states:

Ensure compliance with the National Pollution Discharge Elimination System (NPDES) MS4 permit requirements. (Draft PEIR, pp. 5.9-26, 5.18-28.)

Regarding the mapped 100-year flood hazard zone, approximately 198 acres of the City are located within this zone A, and approximately 154 acres of the City are mapped within the 500-year flood zone. (Draft PEIR Figure 5.9-3.) Within the SOI, there is less than one acre identified to be within the 500-year flood zone. The Draft PEIR states that development proposed within a flood hazard zone may be required to purchase mandatory flood insurance, submit to FEMA Conditional Letter of Map Revision (CLOMR) for approval, and following construction of any flood control facility(ies), submit for approval from FEMA a Letter of Map Revision (LOMR). (Draft PEIR, p. 5.9-10.)

The Beaumont 2040 Plan includes the following policy and implementation regarding FEMA mapped floodplains:

Policy 9.8.1 In coordination with the Public Works Department, annually review the City's Land Use and Flood Hazard Maps to ensure that they accurately reflect areas recognized by FEMA as being subject to flooding. (Draft PEIR, p. 5.9-28.)

Policy 9.8.9 Encourage property owners and residents to purchase flood insurance for areas outside of the FEMA-mapped 100-year flood zones, especially in areas that have experienced flooding in the past. (Draft PEIR, p. 5.20-15.)

Implementation S22 Flood Control Maps. Regularly update City's maps to reflect latest FEMA designations. (Draft PEIR, pp. 5.9-29.)

Comment Letter 2 – Lansing Companies (Michael K. Lansing)

Comment letter 2 commences on the next page.

From: Michael Lansing <mlansing@lansingcompanies.com>

Sent: Tuesday, September 15, 2020 4:57 PM

To: Christina Taylor <Ctaylor@beaumontca.gov>; Casey Malone <cmalone@lansingcompanies.com>

Cc: steven mehlman <smehlman@beaumontca.gov>; Gregory Lansing <glansing@lansingcompanies.com>; Will Roberts <wroberts@lansingcompanies.com>

Subject: RE: Elevate Beaumont 2040

Dear Ms. Taylor,

Thank you for the prompt reply to our request. I've copied Steven Mehlman on this e-mail as well. We are anxious to move forward towards development of the 53 acres (APNs: 417-170-006, 417-170-007, 417-170-008, 417-190-005, 424-080-007) in question located at the South end of the City (see map below from Casey's prior e-mail).

1. This site has a number of constraints that are not conducive to residential development. The power lines, the earthquake fault lines, and so forth (see exhibits).
2. It would seem impractical to zone this as residential since you are showing industrial to the North and this would create, almost an island of housing where future residents will have to drive through a truck road or industrial routes to get home.
It seems like the residents here would eventually complain, and we see no reason to put the City in that position.
3. If you research our company, we have a very good reputation of 38 years of land development in the IE.
4. Our company projects that we are likely to see a manufacturing boom in this Country like we have never seen before. This is in addition to the e-commerce boom we are already experiencing.
5. Users must have sites ready to go, Most cities don't get that. They feel the user can wait 1 or 2 years while the City and developer figure out all the issues. We know better, and we believe Beaumont knows better. Lansing Companies jumps ahead getting sites ready for development well ahead of the demand, so that users can just get in and start operations. We make things happen. Our firm was recently, partially, responsible for a very large user (not public yet) committing a 900,000 sf point of sale project in the City of Perris, creating many jobs and revenue.

Also attached is a copy of a preliminary site plan drafted by our engineer. It's been prepared, taking into consideration, the topography, power lines, and the fault line.

Thank you for your consideration, and let's see how we can make this happen (to get GP designation to industrial).

Michael K. Lansing



**12671 High Bluff Drive
Suite 150
San Diego, CA 92130
P: 858-523-0719
F: 858-523-0826**

From: Christina Taylor [<mailto:Ctaylor@beaumontca.gov>]
Sent: Monday, September 14, 2020 10:15 AM
To: Casey Malone
Cc: Michael Lansing
Subject: RE: Elevate Beaumont 2040

They are in the City. This why parcel numbers help!

The public hearings for the General Plan Update will be held October 27th at the Planning Commission and November 3rd & November 17th at City Council. Meeting participation is encouraged to be virtual and you will be able to find the links on the City's website a couple days before the meetings take place.

You are also welcome to submit a comment in writing to either me or the City Clerk and we will make sure it is noted for the record.

I think the City may entertain a change back to industrial depending on the project.

CHRISTINA TAYLOR
Community Development Director

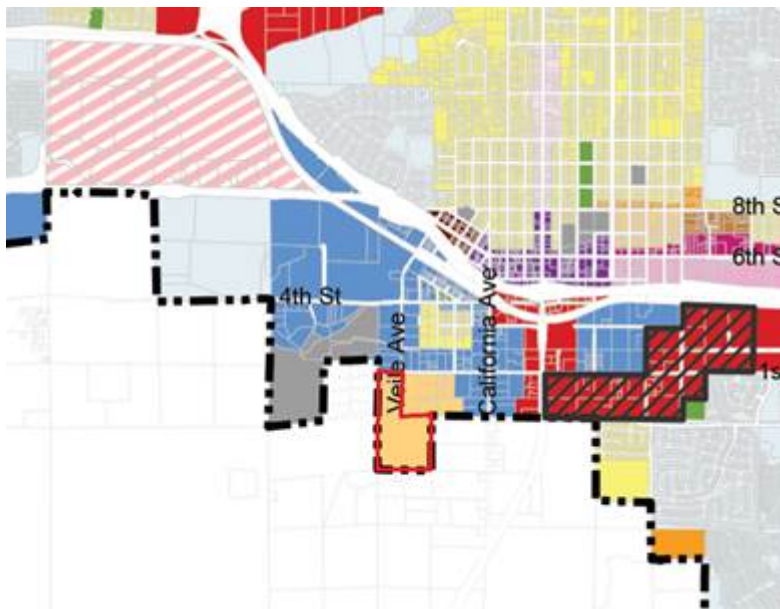
City of Beaumont
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BeaumontCa.gov
[Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Casey Malone <cmalone@lansingcompanies.com>
Sent: Monday, September 14, 2020 9:52 AM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Cc: Michael Lansing <mlansing@lansingcompanies.com>
Subject: RE: Elevate Beaumont 2040

Thanks for getting back to me. Here are the APNs. It appears to be in the City based on the new zoning map (off Veile Ave.) and will be designated TN.

APN: 417-170-006, 417-170-007, 417-170-008, 417-190-005, 424-080-007



Casey Malone



12671 High Bluff Drive, Suite 150
San Diego, CA 92130
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From: Christina Taylor [<mailto:Ctaylor@beaumontca.gov>]
Sent: Monday, September 14, 2020 9:43 AM
To: Casey Malone <cmalone@lansingcompanies.com>
Cc: Michael Lansing <mlansing@lansingcompanies.com>
Subject: RE: Elevate Beaumont 2040

Good morning,

It appears that property is in the unincorporated area of the County of Riverside and just in the sphere of influence of the City of Beaumont. If you have parcel numbers I can double check for you.

CHRISTINA TAYLOR

Community Development Director

City of Beaumont

550 E. 6th Street, Beaumont, Ca 92223

Desk (951) 572-3212 | Fax (951) 769-8526

BeaumontCa.gov

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From: Casey Malone <cmalone@lansingcompanies.com>
Sent: Friday, September 11, 2020 3:35 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Cc: Michael Lansing <mlansing@lansingcompanies.com>
Subject: Elevate Beaumont 2040

Hello Ms. Taylor,

My company is looking at purchasing the property shown on the attached map. I was going through the General Plan website and noticed that the City is in the process of updating its GP and it looks like the northern portion of the property is being changed from industrial to residential.

When will the City approve the new plan?

Will the City support changing this property to be entirely industrial?

Thank you for your help on this matter.

Casey Malone



**12671 High Bluff Drive, Suite 150
San Diego, CA 92130**

P: 858-523-0719

F: 858-523-0826

cmalone@lansingcompanies.com

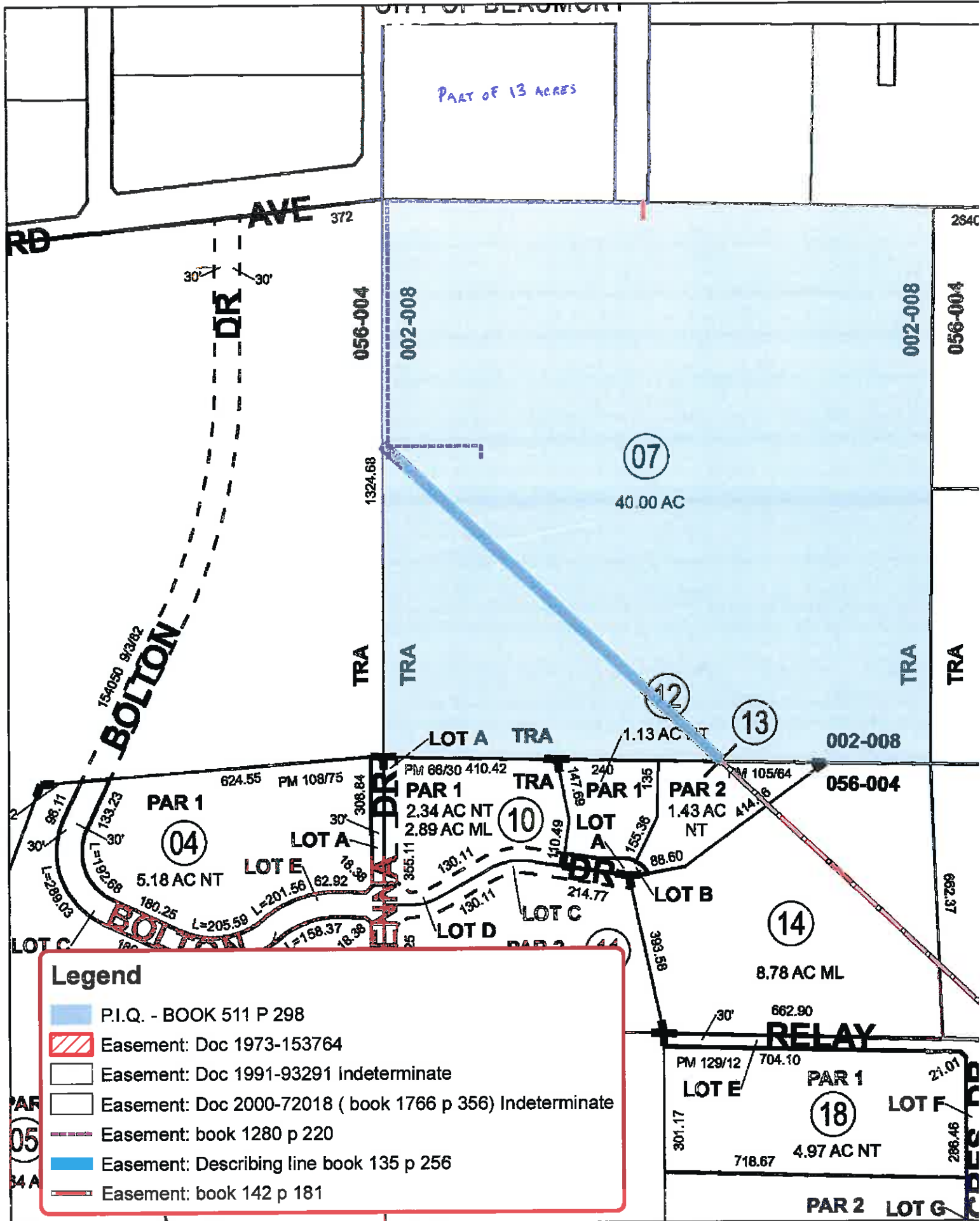
www.lansingcompanies.com

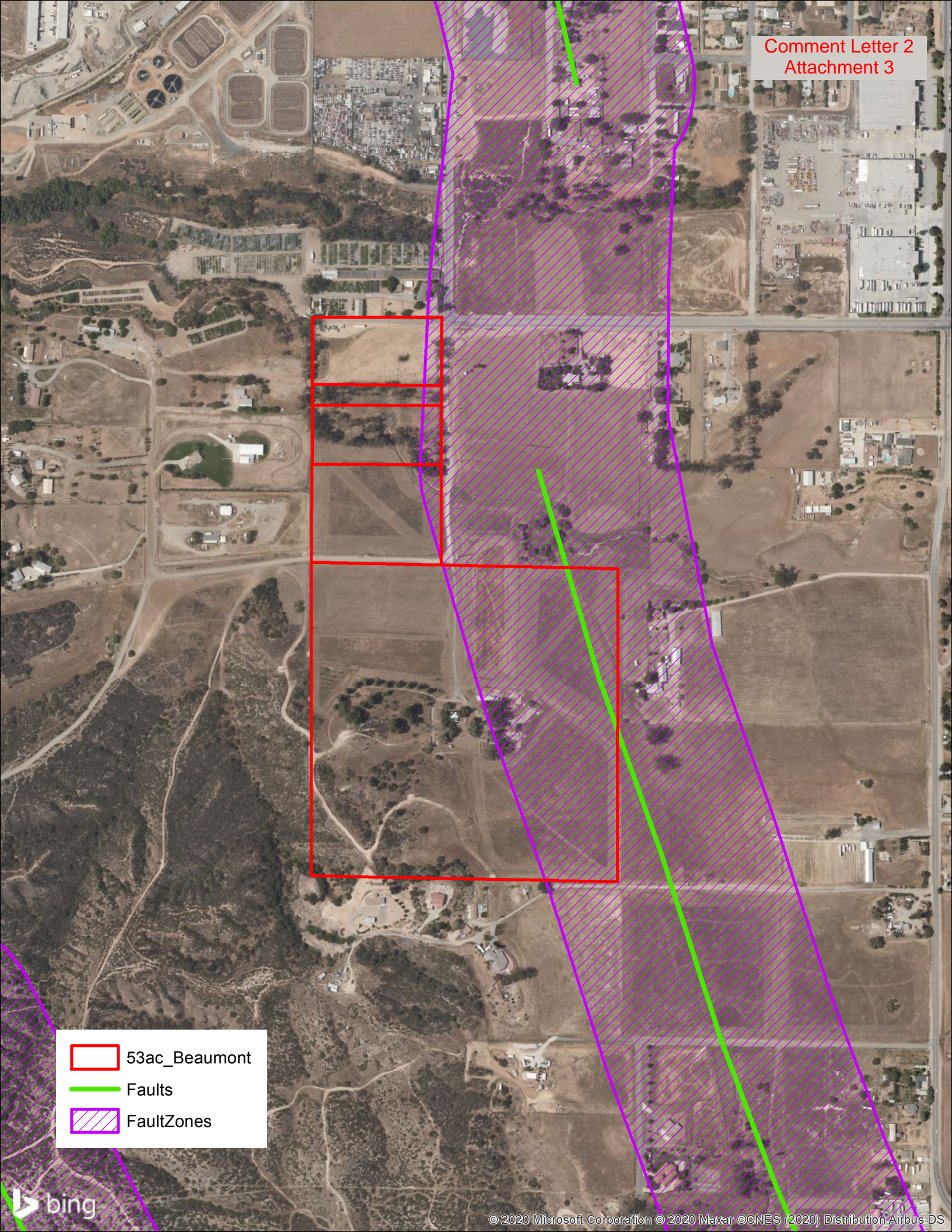
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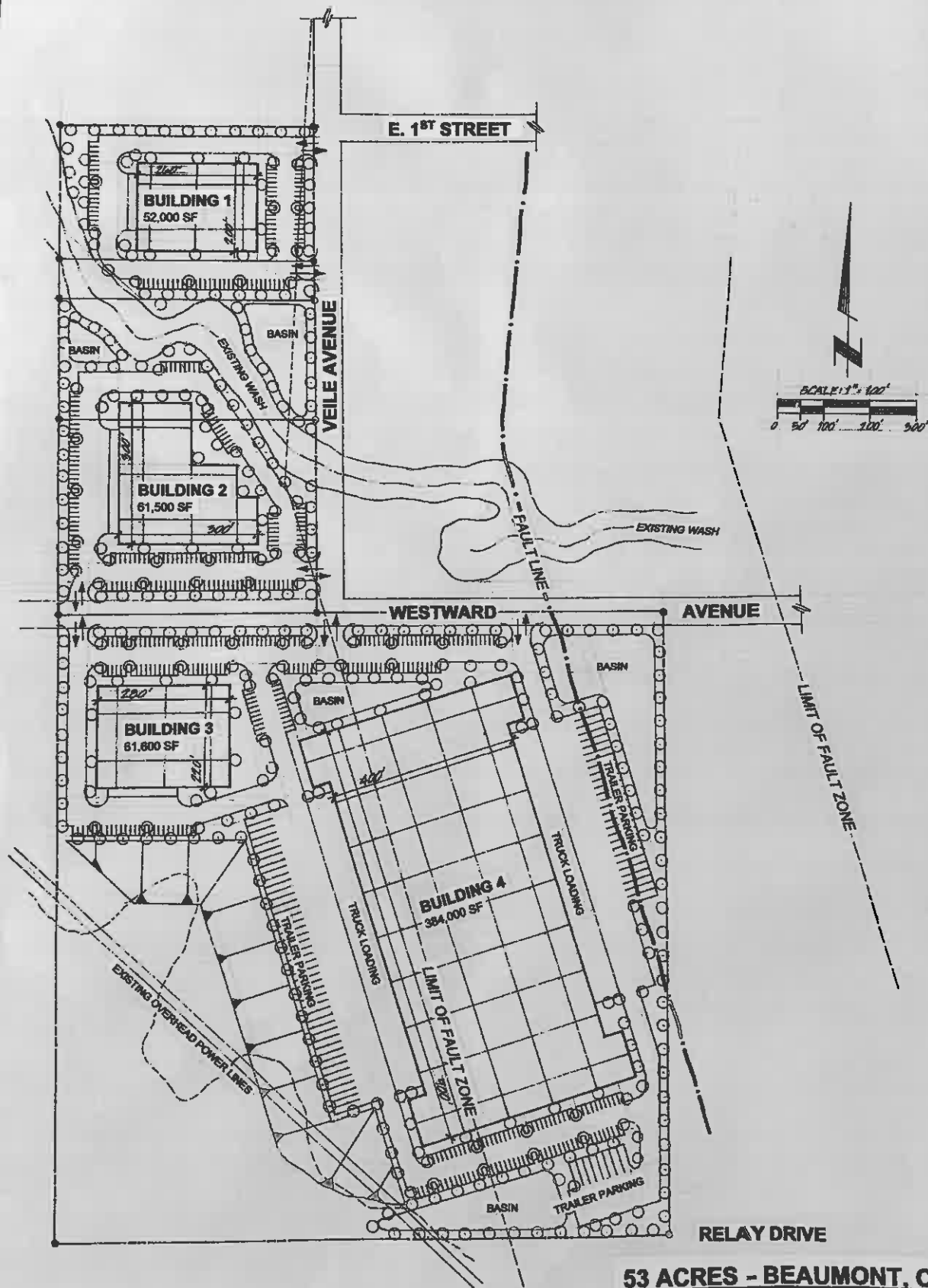
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- 53ac_Beaumont
- Faults
- FaultZones



53 ACRES - BEAUMONT, CA
CONCEPTUAL SITE PLAN
INDUSTRIAL PARK

Response to Comment Letter 2 – Lansing Companies

Response to Comment 2-A:

Comment noted. Refer to Master Response No. 1.

Comment Letter 3 – Ruby Garcia

Comment letter 3 commences on the next page.

From: Rudy Garcia <rudy_garcia1@verizon.net>
Sent: Wednesday, September 23, 2020 3:33:08 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Subject: Re: Beaumont General Plan

I was disappointed to see no plans for cleanup/rockscaping the Highland Springs I-10 interchange. It is an eyesore and makes Beaumont look like a third rate community/

T
3-A
I

Regards,

R. Garcia
rudy_garcia@ieee.org

Response to Comment Letter 3 – Ruby Garcia

Response to Comment 3-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 4 – Friends of the Northern San Jacinto Valley (Susan Nash)

Comment letter 4 commences on the next page.

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

From: Susan Nash <snashlaw@gmail.com>

Sent: Thursday, September 24, 2020 2:33 PM

To: Nicole Wheelwright <NWheelwright@beaumontca.gov>

Cc: Tom Paulek <atpaul70@gmail.com>

Subject: Comments on BeUMONT GENERAL PLAN UPDATE DRAFT ENVIRONMENTAL REPORT.

The 9,000 plus acre Potrero Unit of the San Jacinto Wildlife Area comprises approximately 1/2 of the City of Beaumont, but is completely absent from all of the General Plan Update maps and text.

The Project Description in the General Plan is fatally deficient without the inclusion of the SJWA/MSHCP Reserve Lands.

Once 9,100 acres were acquired by the State of California for inclusion within the SJWA, the Criteria Cells no longer exist/relevant. The 9100 acres are public lands which were specifically purchased for wildlife conservation and are managed by the California Department of Fish and Wildlife.

This omission was intentional and must corrected and a new draft general plan update/DEIR issued.

Susan Nash

President

Friends of the Northern San Jacinto Valley

1610 Sams Canyon

Beaumont CA 92223

909-228-6710

snashlaw@gmail.com

4-A

Response to Comment Letter 4 – Friends of the Northern San Jacinto Valley (Susan Nash)

Response to Comment 4-A:

The assertions in this comment regarding the absence and omission of the Protero Unit of the San Jacinto Wildlife Area (SJWA) and the SJWA/MSHCP Reserve Lands from the Beaumont 2040 Plan and Draft PEIR is incorrect. The Protero Reserve is shown on Figure 8.6 Beaumont MSHCP Cores and Linkages in the Existing Conditions Report. (ECR, p. 133.) The Existing Conditions report was prepared as part of the General Plan process and is included as Appendix B to the Draft PEIR.

The Protero Unit is shown in the General Plan as Open Space on Figure 3.5 Land Use Map (p. 62), Figure 8.1 MSHCP Relation to Land Use (p. 199), Figure 8.3 Narrow Endemic Plant Species, Survey (p. 206), Figure 8.4 Criteria Area Species Survey (p. 207), Figure 8.5 Burrowing Owl Survey (p. 208), and Figure 9.4 Fire Hazard Severity Zone – Planned Land Use Map (p. 230). Recognition of the need to preserve the SJWA was considered in preparing both the General Plan and the proposed revisions to the City's Zoning Ordinance and Zoning Map. Specifically, the Project proposes to delete Section 17.03.160 Mineral Resources Overlay Zone from the Zoning Ordinance and Zoning Map. The Mineral Resources Overlay (MRO) Zone is the dark green hatched area shown on the Existing Zoning figure on the page following this response. As indicated in this figure, much of the Protero Reserve is within the MRO Zone.

Regarding the adequacy of the Project Description in the General Plan, the General Plan does not contain a project description. If the comment is referring to the Project Description in the Draft PEIR, the assertion that the Project Description is deficient in any way is incorrect. The Project Description (Section 3) in the Draft PEIR is thorough, complete, stable, and finite. State CEQA Guidelines §15124 sets forth the required contents of an EIR Project Description. The following table presents the requirement of the CEQA Guidelines and the location in the Draft PEIR in which this information is provided.

CEQA Guidelines §15124	Location in Draft PEIR
<p><i>The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.</i></p> <p>(a) <i>The precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.</i></p>	<p>Figure 1-1– Regional Map Figure 1-2 – Vicinity Map Figure 3-1– Regional Map Figure 3-2 – Vicinity Map Figure 3-3 – Beaumont Subareas Figure 3-4 – Land Use Plan</p>
<p>(b) <i>A statement of the objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits.</i></p>	<p>Section 1.3 (pp. 1-8 – 1-10) Section 3.4 (pp. 3-69 – 3-70)</p>
<p>(c) <i>A general description of the project's technical, economic,</i></p>	<p>Section 3.3 (pp. 3.8 – 3-69)</p>

CEQA Guidelines §15124	Location in Draft PEIR
<i>and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities</i>	describes the Project components. Section 3.1 (pp. 3-7) describes the Project's local and regional setting. Detailed environmental setting discussions are included the environmental impact discussion in Section 5.1 through 5.20 (pp. 5.1-1 – 5.20-23.) Public Service facilities are discussed in Sections 5.3, 5.14, 5.15, 5.16, and 5.18.
<p>(d) <i>A statement briefly describing the intended uses of the EIR.</i></p> <p>(1) <i>This statement shall include, to the extent that the information is known to the Lead Agency</i></p> <p>(A) <i>A list of the agencies that are expected to use the EIR in their decision making, and</i></p> <p>(B) <i>A list of permits and other approvals required to implement the project.</i></p> <p>(C) <i>A list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies. To the fullest extent possible, the lead agency should integrate CEQA review with these related environmental review and consultation requirements.</i></p> <p>(2) <i>If a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed, preferably in the order in which they will occur. On request, the Office of Planning and Research will provide assistance in identifying state permits for a project</i></p>	Section 3.5 (pp. 3-71 – 3-72.)

As shown in the above table, the Draft PEIR contains all of the information required by State CEQA Guidelines §15124. Therefore, the Project Description is not deficient as asserted and no modifications to the Draft PEIR are required.

Regarding the applicability of the MSHCP Criteria Cells, Lockheed Martin sold most of the Potrero Reserve property to the State of California in 2003.¹ This transfer was completed after preparation of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) from 2000-2003. The ownership

¹ Lockheed Martin, Beaumont Remediation website. (Available at <https://www.lockheedmartin.com/en-us/who-we-are/eesh/remediation/beaumont.html>, accessed September 5 and October 29, 2020.)

of this property by the State of California and its relationship to the MSHCP is discussed on page 5.4-27 of the Draft PEIR, which states:

Proposed Core 3

Proposed Core 3 (Badlands/Potrero) consists mainly of publicly owned lands (CDFW) and is considered Public/Quasi-Public areas in the MSHCP; it is located in the northwest to southern portions of the City's sphere of influence.

The fact that Criteria Cells are still represented in the MSHCP documents, and as reflected in the PEIR, does not diminish from the conservation value or purpose of the Potrero lands contributing to the lands owned by the California Department of Fish and Wildlife as part of the San Jacinto Wildlife Area. This comment does not raise any environmental issues that were not addressed in the General Plan and/or Draft PEIR nor does it change any of the significance determinations in the PEIR. Therefore, no revisions to the General Plan or Draft PEIR are necessary.

[illegible]

Comment Letter 5 – Agua Caliente Band of Cahuilla Indians

Comment letter 5 commences on the next page.

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION



03-036-2018-003

September 25, 2020

[VIA EMAIL TO: Ctaylor@beaumontca.gov]
City of Beaumont
Ms. Christina Taylor
550 East 6th Street
Beaumont, California 92223

Re: Beaumont 2040 Plan Draft EIT AB52 & SB18 Consultation

Dear Ms. Christina Taylor,

The Agua Caliente Band of Cahuilla Indians (ACBCI) appreciates your efforts to include the Tribal Historic Preservation Office (THPO) in the Beaumont 2040 Plan project. The project area is not located within the boundaries of the ACBCI Reservation. However, it is within the Tribe's Traditional Use Area. For this reason, the ACBCI THPO requests the following:

*A copy of the records search with associated survey reports and site records from the information center.

* Upon receipt of the records search information in digital and GIS format the THPO will conclude consultation.

Again, the Agua Caliente appreciates your interest in our cultural heritage. If you have questions or require additional information, please call me at (760)699-6907. You may also email me at ACBCI-THPO@aguacaliente.net.

Cordially,

Pattie Garcia-Plotkin
Director
Tribal Historic Preservation Office
AGUA CALIENTE BAND
OF CAHUILLA INDIANS

Response to Comment Letter 5 – Agua Caliente Band of Cahuilla Indians

Response to Comment 5-A:

This comment is regarding Assembly Bill 52 and Senate Bill 18 consultation and requests a copy of the records search and associated survey reports. As discussed on page 5.17-9 of the Draft PEIR, the City provided the requested information to the Agua Caliente Band of Cahuilla Indians (ACBCI) on November 20, 2019. City staff and the ACBBI consulted on April 8, 2020 and ACBBI provided edits to the Open Space and Conservation Element on May 13, 2020. ACBBI's comments to the Open Space and Conservation Element were incorporated into the Beaumont General Plan. The City provided notice that to ACBBI that consultation was concluded on September 8, 2020. The City will not be reopening consultation for the proposed Project.

As discussed on Draft PEIR page 5.17-9, future development within the Planning Area will be subject to the AB 52 and SB 18 consultation process through compliance with General Plan Policy 8.11.4, which states:

Policy 8.11.2 Comply with notification of California Native American tribes and organizations of proposed projects that have the potential to adversely impact cultural resources, per the requirements of AB52 and SB18.

This comment does not raise any new environmental issue and no further response is required. No new environmental issues were raised with this comment. The City appreciates the ACBBI's participation in the CEQA process.

Comment Letter 6 – Richard Bennecke

Comment letter 6 commences on the next page.

From: Richard Bennecke <RBennecke@hotmail.com>
Sent: Thursday, October 08, 2020 7:47 AM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Cc: Nicole Wheelwright <NWheelwright@beaumontca.gov>
Subject: Written Comments RE: General Plan Update

The General Plan needs to emphasize the role Technology will play in shaping the landscape for future development initiatives. Recognition should be given to the technological tools that will enhance and sustain economic vitality going forward. Connectivity, Wi-Fi hotspots, relay towers, etc., will be essential as businesses will need these tools to advance their productivity and profitability. By adding this element to the General Plan, the City of Beaumont will be assuring a bright future in its efforts to attract economic development. 6-A

Respectively Submitted For Your Consideration,

Richard Bennecke

Response to Comment Letter 6 – Richard Bennecke

Response to Comment 6-A:

Comment noted. Refer to Master Response No. 1.

Comment Letter 7 – California Department of Fish and Wildlife

Comment letter 7 commences on the next page.



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Comment Letter 7

October 22, 2020
Sent via email

Christina Taylor
Community Development Director
City of Beaumont
550 East 6th Street
Beaumont, CA 92223
Ctaylor@beaumontca.gov

Subject: Draft Program Environmental Impact Report
City of Beaumont
Beaumont General Plan Update (Beaumont 2040 Plan)
State Clearinghouse No. 2018031022

Dear Ms. Taylor:

The California Department of Fish and Wildlife (CDFW) received the proposed Draft Program Environmental Impact Report (DEIR) on September 8, 2020 from the City of Beaumont (City) for the Beaumont General Plan Update (Beaumont 2040 Plan) Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

7-A

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

7-B

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.

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 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.

7-B
Cont.

PROJECT DESCRIPTION SUMMARY

The City and City's Sphere of Influence (SOI), collectively referred to as the "Planning Area," is located in the northwestern portion of Riverside County (County), and is bounded by the City of Calimesa to the northwest, unincorporated areas of the County to the west, unincorporated County areas (e.g., Cherry Valley) to the north, unincorporated County areas and the City of San Jacinto to the south, and by the City of Banning to the east. The Planning Area encompasses approximately 41.51 square miles (26,566 acres). Major transportation routes through the Planning Area include Interstate 10 (I-10), State Route 60 (SR-60), and State Route 79 (SR-79).

7-C

The proposed Project includes:

1. Adoption and implementation of the General Plan Update (Beaumont 2040 Plan);
2. Adoption and implementation of the revised Zoning Ordinance and Zoning Map.

COMMENTS AND RECOMMENDATIONS

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

7-D

CDFW recognizes that the general plan EIR need not be as detailed as CEQA documents prepared for specific projects that may follow (CEQA Guidelines § 15146). CDFW also recognizes that the level of detail should be reflective of the level contained in the plan or plan element being considered (Rio Vista Farm Bureau Center v. County

7-E

of Solano (1992) 5 Cal.App.4th 351). However, please note that the City cannot defer the analysis of significant effects of the general plan to later-tiered CEQA documents (Stanislaus Natural Heritage Project v. County of Stanislaus (1996) 48 Cal.App.4th 182).

7-E
Cont.

Western Riverside County Multiple Species Habitat Conservation Plan

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

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

7-F

The City is a Permittee to the MSHCP and its associated Implementing Agreement. Section 13.2 of the Implementing Agreement identifies County and Cities Obligations under the MSHCP and states that the County and Cities will “Adopt and maintain ordinances or resolutions as necessary, and amend their general plans as appropriate, to implement the requirements and to fulfill the purposes of the Permits, the MSHCP and this [Implementing] Agreement for private and public development projects...” Following review of the DEIR, CDFW is concerned that the City has not adequately identified the City’s obligations under the MSHCP and its Implementing Agreement. CDFW’s review has identified specific concerns related to the following sections of the DEIR: Wildfires, Land Use Adjacency, MSHCP Criteria Areas (Joint Project Review), Covered Species, Transportation Projects, and Annexation.

CDFW recommends that the forthcoming DEIR address the following:

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

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

7-G

Wildfires

The Beaumont 2040 Plan includes implementation of policies to protect human life, land and property from the effects of wildland fire hazards, including:

Policy 9.6.6: Require property owners to clear brush and high fuel vegetation and maintain fire-safe zones (a minimum distance of 30 feet from the structure or to the property line, whichever is closer) to reduce the risk of fires. For structures located within a Very High Fire Hazard Severity Zone, the required brush distance is up to 200 feet from structures up to their property line.

&

Policy 9.6.8: Require that developments located in wildland interface areas incorporate and enforce standards for construction, including a fuel modification program (i.e., brush clearance, planting of fire-retardant vegetation) to reduce the threat of wildfires.

The City, through their planning processes, should be ensuring that defensible space is provided and accounted for *within proposed development areas*, and not transferred to adjacent open space or conservations lands (Fuels Management, Section 6. 4. of the MSHCP). The DEIR identifies areas of Public/Quasi Public Conserved Lands and Open Space within the Project area. CDFW requests that the FEIR clearly identify: (1) if these lands are being proposed as mitigation to offset impacts associated with future projects; and (2) if these lands are also proposed to serve as defensible space. Please note that lands proposed to be managed for defensible space purposes will have lower conservation resource value as they require in-perpetuity vegetation management. CDFW recommends the inclusion of the following new measure in the FEIR:

MM BIO-[XX]: With respect to defensible space and impacts to Biological Resources, future projects shall fully describe and identify the location, acreage, and composition of defensible space *within* the proposed Project footprint prior to issuance of any grading permit. Future projects shall be designed so that impacts associated with defensible space (fuel modification, fire breaks, etc.) shall not be transferred to adjacent open space or conservations lands.

Adjacent Conserved and Public Lands

The proposed Project has the potential to impact lands managed by the Bureau of Land Management (BLM) the Western Riverside County Regional Conservation Authority (RCA) and other nearby public lands (e.g. National Forests, State Parks, State Wildlife Areas, 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). CDFW encourages the City to contact the BLM and RCA and other public land managers to determine if any portion of the project will impact adjacent

conserved lands, and to work collaboratively to avoid and minimize impacts. CDFW recommends the inclusion of the following new measure in the FEIR:

MM BIO-[XX]: Prior to issuance of any grading permit, future projects shall be assessed for potential impacts to adjacent conserved lands. The City shall contact adjacent public land managers to determine if any portions of the future projects will impact adjacent conserved lands, and design future projects to avoid and minimize impacts to other nearby public lands (e.g. National Forests, State Parks, State Wildlife Areas, BLM, RCA 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).

7-J
Cont.

Joint Project Review

To ensure the requirements of the MSHCP are properly met, future implementing projects within MSHCP Criteria Areas are subject to the Joint Project Review (JPR) process (Joint Project/Acquisition Review Process, Section 6.6.2.E of the MSHCP) through the Western Riverside County Regional Conservation Authority (RCA), as well as demonstrating consistency with other MSHCP requirements. Because the Project identifies activities within MSHCP Criteria Cells, CDFW recommends that the City include a new mitigation measure in the FEIR conditioning the Project to demonstrate compliance with the MSHCP and its associated Implementing Agreement. CDFW recommends the inclusion of the following new measure in the FEIR:

7-K

MM BIO-[XX]: Prior to issuance of any grading permit, future projects within MSHCP Criteria Areas shall demonstrate compliance with the MSHCP and its associated Implementing Agreement, via the completion of the Joint Project Review (JPR) process through the Western Riverside County Regional Conservation Authority (RCA), or via the provision of written correspondence from the RCA, United States Fish and Wildlife Service, and California Department of Fish and Wildlife stating that the Project is not subject to the JPR process.

Species Not Adequately Conserved

According to Section 2.1.4 of the MSHCP (Volume 1), 118 of the 146 Covered Species are considered to be adequately conserved. The remaining 28 Covered Species will be considered to be adequately conserved when certain conservation requirements are met as identified in the species-specific conservation objectives for those species. For 16 of the 28 species, particular species-specific conservation objectives, which are identified in MSHCP Table 9-3 (Volume 1 of the Plan), must be satisfied to shift those particular species to the list of Covered Species Adequately Conserved. For the

7-L

remaining 12 species, a Memorandum of Understanding must be executed with the Forest Service that addresses management for these species on Forest Service Land in order to shift these species to the list of Covered Species Adequately Conserved.

7-L
Cont.

The DEIR lists the MSHCP status of Mojave tarplant (*Deinandra mohavensis*) as “Covered” (Table 5.4A of the DEIR). CDFW requests the FEIR clarify that although Mojave tarplant is a covered species in the MSHCP, incidental take is not available until Mojave tarplant conservation Species Conservation Objective 3 has been met (p. P-194, Volume II of the MSHCP). Objective 3 states “Include within the MSHCP Conservation Area at least four localities (locally in this sense is not smaller than one quarter section) occupying at least 100 acres.” At the time of this letter, Mojave tarplant Object 3 has not been met, the species is not adequately conserved and incidental take is not available for this species. CDFW recommends the inclusion of the following new measure in the FEIR:

7-M

MM BIO-[XX]: Prior to final plan check (or equivalent), future projects shall demonstrate compliance with the MSHCP and its associated Implementing Agreement via avoidance of Species Not Adequately Conserved that have not met required species-specific conservation objectives per the Western Riverside (Section 2.1.4), such as the Mojave tarplant (*Deinandra mohavensis*). Take of Species Not Adequately Conserved is not allowed until specific-species conservation objectives are met. Future implementing Project activities should be designed to completely avoid any Species Not Adequately Conserved present within or adjacent to the Project area.

7-N

Transportation

The Transportation section (Section 4.2) evaluates transportation impacts associated with implementation of the Project. Included in this section are the City’s future intersections and roadway segments. CDFW was unable to find discussion of, or reference to, how the City’s proposed transportation network will demonstrate compatibility with the goals and objectives of the MSHCP; specifically, with Planned Roads within the Criteria Area (MSHCP section 7.3.5). CDFW also recommends that the City demonstrate how future Project will be consistent with Section 7.0 of the MSHCP. For future projects proposed within Public/Quasi-Public Lands, the FEIR 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 FEIR 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

7-O

7-P

7-Q

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 FEIR information that demonstrates that Project-related roads are MSHCP covered activities. The FEIR 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.

7-Q
Cont.

CDFW recommends that the City include a new mitigation measure in the FEIR conditioning all forthcoming road projects to demonstrate consistency with the MSHCP and its associated Implementing Agreement. CDFW recommends the inclusion of the following new measure in the FEIR:

MM BIO-[XX]: Prior to final plan check (or equivalent), all proposed road Projects within MSHCP Criteria Cells shall demonstrate compliance with the MSHCP and its associated Implementing Agreement, via the completion of appropriate review and consistency determinations by the Western Riverside County Regional Conservation Authority (RCA), including at a minimum: Joint Project Review (JPR), and potentially a Major Amendment to the MSHCP (if deemed necessary by the United States Fish and Wildlife Service, and California Department of Fish and Wildlife).

7-R

CDFW recommends that the FEIR 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 FEIR 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.

MM BIO-[XX]: Prior to final plan check (or equivalent), all proposed trail Projects within MSHCP Criteria Cells shall demonstrate compliance with the MSHCP and its associated Implementing Agreement, via the completion of appropriate review and consistency determinations by the Western Riverside County Regional Conservation Authority (RCA), including at a minimum: Joint Project Review (JPR), and potentially a Major Amendment to the MSHCP (if deemed necessary by the United States Fish and Wildlife Service, and California Department of Fish and Wildlife).

7-S

Annexation

The DEIR identifies that the Project may include future annexation of property to the City of Beaumont. Annexation and deannexation of lands within the MSHCP is discussed in Section 11.5 of the Implementing Agreement. Section 11.5 states that each MSHCP Permittee shall enforce the terms of the MSHCP, the Permits, and the Implementing Agreement, to all individuals or entities subject to the Permittee's jurisdiction, including lands in the MSHCP annexed into the Permittees' jurisdiction,

7-T

provided that the Minor Amendment requirements of Section 20.4.1(E) of the Implementing Agreement and Section 6.10.2 of the MSHCP have been met. Section 20.4.1(E) of the Implementing Agreement provides that for an annexation/deannexation to be considered as a Minor Amendment, it cannot *preclude MSHCP Reserve Assembly, significantly increase the cost of the MSHCP Conservation Area management or assembly or preclude achieve Covered Species conservation goals*. If these Minor Amendment requirements cannot be met, a Major Amendment will be required. CDFW recommends that the FEIR specifically address whether lands annexed/deannexed as part of the Project will the requirements of a Minor Amendment, as provided in MSHCP Section 6.10.2 and Section 20.4 of the Implementing Agreement.

7-T
Cont.

Mitigation Measures for Project Impacts to Biological Resources

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

7-U

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 requests that the FEIR 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. CDFW recommends the inclusion of the following new measure in the FEIR:

7-V

MM BIO-[XX]: Fully protected species may not be taken or possessed at any time. Future implementing Project activities should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area.

2. *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,

7-W

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. 7-W Cont.

CDFW recommends that the FEIR include additional specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. If pre-construction surveys are proposed in the DEIR, CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner. 7-X

MM BIO-2 defines the peak avian breeding season as February 15 to August 31. Because instances of nesting have been documented outside of this date range CDFW does not recommend relying on seasonal restrictions alone to avoid impacts to nesting birds, as nesting dates vary from year to year and some species may nest year-round. Instead, we recommend that a qualified ornithologist conduct nesting surveys prior to initiating vegetation removal and/or ground disturbing activities even outside of the peak nesting season. Because some species of bird nest directly on the ground CDFW also recommends that surveys be conducted across the entirety of the Project site, and not be limited to only those areas supporting vegetation.

CDFW recommends that at a minimum, the City revise MM BIO-2 and condition the measure to include the following (edits are in **bold** and ~~strikethrough~~):

MM BIO-2: **To ensure compliance with Fish and Game Code sections 3503, 3503.5, and 3513 no direct impacts shall occur to any nesting birds, their eggs, chicks, or nests.** If future implementing project activities are planned during the bird nesting ~~(February 15 to August 31)~~ season ~~and there are trees or vegetation on or adjacent site~~, nesting bird survey(s) consisting of up to three (3) site visits within ~~7~~ **3** days prior to ground disturbance, clearing and/or demolition activities shall be conducted to ensure birds protected under the Migratory Bird Treaty Act (MBTA) **and Fish and Game Code sections 3503, 3503.5, and 3513** are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional measures are required. 7-Y

If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer

shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume.

7-Y
Cont.

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

7-Z

MM BIO-[XX]: In the scenario special status species or other wildlife of low or limited mobility would otherwise be injured or killed from future implementing project-related activities, 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.

California Endangered Species Act

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

7-AA

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.

7-AA
Cont.

Based on review of CNDDDB, and/or knowledge of the project site/vicinity/general area, CDFW is aware that the following CESA-listed species have the potential to occur onsite/have previously been reported onsite: Crotch bumble bee (*Bombus crotchii*) and Mountain Lion (*Puma concolor*). Both Crotch bumble bee and Southern California Mountain Lion are Candidate Species under review by CDFW for listing. Candidates are given full CESA protection. Fish & G. Code, §2068.

CDFW requests that Table 5.4-B within the FEIR include both Crotch bumble bee and Southern California Mountain Lion and their special status as CESA Candidate Species.

7-BB

ADDITIONAL COMMENTS AND RECOMMENDATIONS

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

7-CC

ENVIRONMENTAL DATA

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

7-DD

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

7-EE

Christina Taylor, Community Development Director
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operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

7-EE
Cont.
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CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR for the City of Beaumont's Beaumont General Plan Update (Beaumont 2040 Plan) (SCH No. 2018031022). CDFW recommends that the County address the comments and concerns identified in this letter in the forthcoming revised DEIR or FEIR. If you should have any questions pertaining to the comments provided in this letter, please contact Eric Chan, Environmental Scientist, at (909) 483-6317 or at eric.chan@wildlife.ca.gov.

7-FF
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Sincerely,

DocuSigned by:

DF423498814B441...

For
Scott Wilson
Environmental Program Manager

ec: California Department of Fish and Wildlife
HCPB CEQA Coordinator

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

U.S. Fish and Wildlife Service
Karin Cleary-Rose
Karin_Cleary-Rose@fws.gov

Western Riverside County Regional Conservation Authority
Tricia Campbell
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ATTACHMENT 1

Mitigation Measure	Timing and Methods	Responsible Parties
Biological Resources		
<p>MM BIO-[X]: Prior to issuance of any grading permit, future projects within MSHCP Criteria Areas shall demonstrate compliance with the MSHCP and its associated Implementing Agreement, via the completion of the Joint Project Review (JPR) process through the Western Riverside County Regional Conservation Authority (RCA), or via the provision of written correspondence from the RCA, United States Fish and Wildlife Service, and California Department of Fish and Wildlife stating that the Project is not subject to the JPR process.</p>	<p>Timing: Prior to issuance of any grading permit</p> <p>Methods: Prior to issuance of a Grading Permit, Project Applicant shall submit to the City of Beaumont a Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis for review and consistency determination. Upon completion of the City's review, the Consistency Analysis is transmitted to the RCA and then the United States Fish and Wildlife Service and California Department of Fish and Wildlife for review and consistency determination.</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont and Western Riverside County Regional Conservation Authority.</p>
<p>MM BIO-[X]: Fully protected species may not be taken or possessed at any time. Future implementing Project activities should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area.</p>	<p>Timing: Prior to final plan check</p> <p>Methods: If the potential for fully protected species exist or suitable habitat exists on site, focused surveys shall be completed within one year of the submittal to the City for review. Focused surveys conducted in the appropriate season for each species, as identified in the habitat assessment report, shall be</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>

<p>MM BIO-[X]: In the scenario special status species or other wildlife of low or limited mobility would otherwise be injured or killed from future implementing project-related activities, 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.</p>	<p>conducted to determine presence/absence status.</p> <p>Timing: Prior to issuance of any grading permit and during Project activities</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>
<p>MM BIO-[XX]: With respect to defensible space and impacts to Biological Resources, future projects shall fully describe and identify the location, acreage, and composition of defensible space <i>within</i> the proposed Project footprint prior to issuance of any grading permit. Future projects shall be designed so that impacts associated with defensible space (fuel modification, fire breaks, etc.) shall not be transferred to adjacent open space or conservations lands.</p>	<p>Timing: Prior to final plan check, or equivalent.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>

<p>MM BIO-[XX]: Prior to issuance of any grading permit, future projects shall be assessed for potential impacts to adjacent conserved lands. The City shall contact adjacent public land managers to determine if any portions of the future projects will impact adjacent conserved lands, and design future projects to avoid and minimize impacts to other nearby public lands (e.g. National Forests, State Parks, State Wildlife Areas, BLM, RCA 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).</p>	<p>Timing: Prior to ground disturbance.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>
<p>MM BIO-[XX]: Prior to final plan check (or equivalent), future projects shall demonstrate compliance with the MSHCP and its associated Implementing Agreement via avoidance of Species Not Adequately Conserved that have not met required species-specific conservation objectives per the Western Riverside (Section 2.1.4), such as the Mojave tarplant (<i>Deinandra mohavensis</i>). Take of Species Not Adequately</p>	<p>Timing: Prior final plan check.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>

<p>Conserved is not allowed until specific-species conservation objectives are met. Future implementing Project activities should be designed to completely avoid any Species Not Adequately Conserved present within or adjacent to the Project area.</p>		
<p>MM BIO-[XX]: Prior to final plan check (or equivalent), all proposed road Projects within MSHCP Criteria Cells shall demonstrate compliance with the MSHCP and its associated Implementing Agreement, via the completion of appropriate review and consistency determinations by the Western Riverside County Regional Conservation Authority (RCA), including at a minimum: Joint Project Review (JPR), and potentially a Major Amendment to the MSHCP (if deemed necessary by the United States Fish and Wildlife Service, and California Department of Fish and Wildlife).</p>	<p>Timing: Prior to final plan check</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>
<p>MM BIO-[XX]: Prior to final plan check (or equivalent), all proposed trail Projects within MSHCP Criteria Cells shall demonstrate</p>	<p>Timing: Prior to ground disturbance.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>

<p>compliance with the MSHCP and its associated Implementing Agreement, via the completion of appropriate review and consistency determinations by the Western Riverside County Regional Conservation Authority (RCA), including at a minimum: Joint Project Review (JPR), and potentially a Major Amendment to the MSHCP (if deemed necessary by the United States Fish and Wildlife Service, and California Department of Fish and Wildlife).</p> <p>MM BIO-2 (Revised):</p> <p>To ensure compliance with Fish and Game Code sections 3503, 3503.5, and 3513 no direct impacts shall occur to any nesting birds, their eggs, chicks, or nests. If future implementing project activities are planned during the bird nesting (February 15 to August 31) season and there are trees or vegetation on or adjacent site, nesting bird survey(s) consisting of up to three (3) site visits within 7 3 days prior to ground disturbance, clearing and/or demolition activities shall be conducted to ensure birds protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code sections 3503, 3503.5, and</p>	<p>Timing: Prior to ground disturbance.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City of Beaumont</p> <p>Monitoring and Reporting: City of Beaumont</p>
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<p>3513 are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional measures are required.</p> <p>If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume.</p>		
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Response to Comment Letter 7 – California Department of Fish and Wildlife

Response to Comment 7-A:

This comment does not raise any environmental issues. Comment noted.

Response to Comment 7-B:

This comment does not raise any environmental issues and restates CDFW's role as a responsible agency. Comment noted.

Response to Comment 7-C:

This comment summarizes the Project Description from the EIR and does not raise any environmental issues. Comment noted.

Response to Comment 7-D:

This comment incorrect refers to the County as being the Lead Agency, it is the City of Beaumont and merely summarizes CDFW's role to comment on CEQA documents. Comment noted.

Response to Comment 7-E:

CEQA requires only that an EIR discuss "[t]he significant environmental effects of the proposed project." (Cal. Pub. Res. Code § 21100, subd. (a); *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1030.) "CEQA requires consideration of the potential environmental effects of the project actually approved by the public agency, not some hypothetical project." (*McQueen v. Board of Directors* (1988) 202 Cal.App.3d 1136, 1146.) " '[W]here future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences.' [Citation.]" (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 738.) Here, the scope of the Project, as appropriately described in the FEIR, is limited to recitation of policies, requirements, and siting criteria, and designation of general areas in which future facilities may permissibly be located. No specific development has been proposed. Where, as here, an EIR cannot provide meaningful information about a speculative future project, deferral of an environmental assessment does not violate CEQA. (*Towards Responsibility in Planning v. City Council* (1988), 200 Cal.App.3d 671, 681.) Certification of the FEIR would not constitute approval a project which envisions future action without future environmental review. (Cf. *Leonoff v. Monterey County Bd. of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.) Instead, the FEIR properly commits the County to future EIRs in the event a specific facility is proposed. Accordingly, the analysis of impacts contained in the FEIR is adequate under CEQA.

Response to Comment 7-F:

This comment summarizes the MSHCP and the City's role in implementing the MSHCP. No new environmental issues are raised that were not already addressed in the GP PEIR. Comment noted.

Response to Comment 7-G:

No new environmental issues are raised by this comment as this is a restatement of the intent of CEQA to evaluate biological impacts. Comment noted.

Response to Comment 7-H:

This comment focuses on two General Plan policies (Policy 9.66 and Policy 9.6.8) related to wildfire hazards. CDFW requests clarification that defensible spaces are created and maintained in the development footprint for projects, and not within any open space or conservation areas of the MSHCP.

In response to this comment, General Plan Policy 9.6.8 will be modified accordingly (double text represents newly added language):

Policy 9.6.8: Require that developments located in wildland interface areas incorporate and enforce standards for construction, including a fuel modification program (i.e brush clearance, planting of fire-retardant vegetation) to reduce the threat of wildfires. Fuel modification areas shall be located within the project site and shall be clearly delineated on grading plans.

This comment also includes a query as to whether the General Plan is identifying open space and Public Quasi Public Lands as mitigation for defensible spaces related to wildfire risk. There is no intent to use existing PQP lands for such a use and would not be allowed per the MSHCP. The revisions to GP Policy 9.6.8 outlined above clarifies the City's intent. No new environmental issues have been raised by this comment that would change the significance determinations of the PEIR.

Response to Comment 7-I:

A new mitigation measure is offered by CDFW to clarify that defensible spaces for fuel modification is not allowed in open space and conservation areas. The revisions to GP Policy 9.6.8 above will clarify this to be the case, and no new mitigation measures are required, as the project will already align defensible spaces into development footprints rather than conservation areas, as set forth by this Policy. No new environmental issues are raised by this comment.

Response to Comment 7-J:

This comment requests the City to add a mitigation measure requiring the City to contact adjacent property owners of conservation lands prior to issuing grading permits in order to determine if impacts will occur to the conservation lands they manage. The General Plan Draft PEIR already includes a General Plan policy to do such coordination. As outlined below in Policy 8.8.3. (Draft PEIR, p. 5.4-43.

Policy 8.8.3 Work with Riverside County and adjacent cities, landowners, and conservation organizations to preserve, protect, and enhance open space and natural resources consistent with the MSHCP.

The following General Plan policies and implementation action were also included within Section 5.4 of the Draft PEIR to demonstrate the measures the City will take to protect open spaces and conservation areas in relation to future development being located in proximity to such spaces. There is no impact identified by this comment that would require a mitigation measure.

Policy 8.8.6 Establish buffers between open space areas and urban development by encouraging less intensive rural development within proximity to the open space areas. (Draft PEIR, p. 5.4-43.)

Policy 8.10.1 Work with landowners and government agencies in promoting development concepts that are sensitive to the environment and consider the preservation of natural habitats and further the conservation goals of the MSHCP. (Draft PEIR, p. 5.4-44.)

Policy 8.10.2 Work with landowners and government agencies in identifying areas within the City of Beaumont and its Sphere of Influence that should be preserved as open space for passive recreation, resource management, or public safety and which meet the City's preservation obligations per the MSHCP. (Draft PEIR, p. 5.4-44.)

Policy 8.10.3 Encourage the protection of existing wildlife in the conservation areas located in the southerly portion of the City of Beaumont and its Sphere of Influence. (Draft PEIR, p. 5.4-44.)

Implementation C23 Future Development. Partner with landowners and government agencies in the sphere of influence to promote future development concepts, coordinate on open space uses, and protect existing wildlife. (Draft PEIR, p. 5.4-44.)

Additionally, as outlined in the Draft PEIR (page 5.4-62), the City is required as well as the County for the Sphere Areas, to follow Section 6.1.4 of the MSHCP which regulates the urban wildlife interface of future projects implemented under the General Plan. No additional mitigation measures are required.

Response to Comment 7-K:

Pages 5.4-52 and 5.4-53 of the GP Draft PEIR outline the Joint Project Review (JPR) process and that future projects implementing the General Plan in the Criteria Area will be subject to the JPR process. As identified in the Draft PEIR (p. 5.4-37), this is a requirement of the Implementing Agreement of the MSHCP and the City will be required to comply; no mitigation measure is necessary since this is already a regulatory requirement. No new environmental issues that were not already addressed in the EIR were raised by this comment.

Response to Comment 7-L:

This comment restates factual information about the MSHCP and the Covered Species. It does not raise any new environmental issues that are not already addressed in the Draft PEIR.

Response to Comment 7-M:

This comment requests clarification that although the Mojave tarplant is a Covered Species of the MSHCP and is stated as such on Table 5.4-A of the Draft PEIR, that CDFW wants the City to acknowledge that take of this plant would not be allowed under the Species Objectives have been met per Page 194 Volume II of the MSHCP. The City acknowledges this, and all development projects are required to be evaluated pursuant to the MSHCP which this is a requirement of the MSHCP. The Draft PEIR already identified compliance with the MSHCP, including this detail about how if Mojave tarplant is found in the future by some future project proponent, would have to be dealt with. This comment does not raise any new environmental issues.

Response to Comment 7-N:

See Response to Comment 7-M above. No new mitigation measure is necessary since complying with the Implementing Agreement and the conditions of the MSHCP are already required of the City and the General Plan already lays that out. No mitigation is necessary as this is not a new issue that is not already being addressed by compliance with an existing regulation.

Response to Comment 7-O:

This comment requests clarification about the planned roadways from the General Plan and how they will demonstrate compatibility with Section 7.3.5 of the MSHCP. **Figure 5.16-6 – Proposed Roadway Connections** of the Draft PEIR portrays the proposed roadway connections for the General Plan buildout. Section 5.4 of the Draft PEIR outlines how the project will comply with the MSHCP, which would include any proposed roadways that are in the Criteria Area; every project undertaken by the City

has to demonstrate compliance with the MSHCP. See [Response to Comment 7-R](#) below for further information. This comment does not raise any new environmental issues.

Response to Comment 7-P:

This comment requests clarification about how the General Plan will comply with Section 7 of the MSHCP. See [Response to Comment 7-O](#) above. As shown on Draft PEIR **Figure 5.4-1 – MSHCP Criteria Cells**; no development land use designations are included on PQP Lands. See also [Response to Comment 7-R](#).

Response to Comment 7-Q:

It is understood that the City as to comply with all aspects of the MSHCP including Sections 7.3.4 and 7.3.5 as mentioned in this comment. The Draft PEIR in Section 5.4 already established that the City is Permittee to the MSHCP and subject to its policies. All Permittees to the MSHCP are allowed to maintain and build roads in compliance with Section 7 of the MSHCP. This comment does not raise any new environmental issues that would change the significance determinations of the Draft PEIR.

Response to Comment 7-R:

This comment requests a new mitigation measure be added to the PEIR in Section 5.4 – Biological Resources that addresses how road projects will be evaluated. Although this mitigation measure is not necessary to lessen an environmental impact not already addressed by an existing regulation, the City will add the measure in general conformance with the language provided by CDFW.

MM BIO 4: During the CEQA process, the City shall evaluate all proposed road and trail projects within the MSHCP Criteria Area to ensure compliance with the MSHCP and the Implementing Agreement.

Response to Comment 7-S:

This comment requests an additional mitigation measure be added to address future trails. Although this mitigation measure is not necessary to lessen an environmental impact not already addressed by and existing regulation, mitigation measure **MM BIO-4** will be added. [Refer to Response to Comment 7-T.](#)

Response to Comment 7-T:

As stated correctly in this comment, the General Plan does not include any specific annexations as part of the General Plan approvals. The City's Sphere of Influence is included within the General Plan and PEIR analysis, as appropriate since the intent of the Sphere of Influence is to identify areas that could be annexed into the City. Future annexations will be required to fulfill the proper analysis such as completing CEQA analyses as well as MSHCP compliance. The PEIR does identify the City as Permittee and as such is required to implement the Implementing Agreement. Following the process identified in Section 6.10.2 and Section 20.4 of the Implementing Agreement would be required for projects that propose annexations. No new environmental issues have been raised by this comment that would change the significance determinations of the PEIR.

Response to Comment 7-U:

This comment references the County and also references long-term operation and maintenance. The project belongs to the City, not the County. A General Plan does not have long term operation and maintenance components. This comment does not raise any environmental issues.

Response to Comment 7-V:

the Biological Section of the PEIR, Section 5.4 does provide the assessment of impacts to species, including fully protected species as well as direct and indirect impacts to biological resources. The project is a General Plan so although the species known to occur in the Project Area are presented in Table 5.4-A and 5.4-B; the General Plan does not conduct focused surveys nor does it know if any fully protected species would be impacted by future development projects. The PEIR includes General Plan policies and mitigation measures in Section 5.4 that address impacts to biological resources including species. No new mitigation measures are necessary. No new environmental issues were raised by this comment that would change the environmental significance.

Response to Comment 7-W:

This comment reiterates Migratory Bird Treaty Act facts. No new environmental issues were raised by this comment.

Response to Comment 7-X:

This comment states that the PEIR needs to show minimization and avoidance measures related to nesting birds. The PEIR Page 5.4-46 outlines the potential impacts including those related to nesting birds that are foreseeable with the implementation of the General Plan. Modifications to MM Bio-2 outlined below in response to Comment 7-Y and as requested by this comment, will be changed to require 3 days prior to ground disturbance for the requirement of when pre-construction surveys are required. This comment does not raise any new environmental issues that were not already contemplated in the PEIR.

Response to Comment 7-Y:

This comment requests changes to the wording in **MM Bio-2**. The following text will be reflected in the Mitigation Monitoring and Reporting Program (MMRP). Double underlining and strikethroughs reflect the requested changes by CDFW which will be reflected in the final MMRP.

MM Bio 2: To ensure compliance with Fish and Game Code sections 3503, 3503.5 and 3515 no direct impacts shall occur to any nesting birds, their eggs, chicks, or nests. If future implementing project activities are planned during the bird nesting ~~(February 15 to August 31)~~ season ~~and there are trees or vegetation on or adjacent site,~~ nesting bird survey(s) consisting of up to three (3) site visits within ~~7~~ **3** days prior to ground disturbance, clearing and/or demolition activities shall be conducted to ensure birds protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code sections 3503, 3503.5, and 3513 are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional measures are required.

If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume.

Response to Comment 7-Z:

This comment requests the City to require biological monitors before and during all grading and habitat

disturbing activities for every project under the General Plan. As analyzed on page 5.4-47 of the Draft PEIR, development impacts have already been considered in the MSHCP and Take for the 146 covered species has already been evaluated and mitigated through the California Endangered Species Act and CEQA. Future implementing projects are required to comply with the MSHCP and CEQA which typically includes biological resources evaluations. The role of the General Plan PEIR is to broadly identify the biological resources present in the General Plan Project Area (i.e., the City and its sphere of influence and to outline the future analysis that future implementing projects will undertake. This process has been disclosed in the Draft PEIR in Section 5.4.

Each future projects will have to evaluate and mitigate for any specific species issues that may be present and potentially impacted on future sites. Mitigation measures identified in Section 5.4 of the Draft PEIR (**MM BIO-1, MM BIO-2**) outline measures that future projects will take to reduce and minimize impacts to wildlife species through development approved under the General Plan. However, given this comment, the City will add a new General Plan Policy that encourages future projects to incorporate measures into future construction bid spec documents to call for biological monitoring to prevent the killing of animal species from construction activities. This policy will also be called out on Draft PEIR page 5.4-44.

[NEW] **General Plan Policy 8.10.5:** City shall require project proponents to hire a CDFW-qualified biologist to monitor for special status species or other wildlife of low or limited mobility, if present, 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.

Response to Comment 7-AA:

This comment restates factual definitions of the CESA. This comment suggests that Crotch bumble bee and Mountain Lion are now considered Candidate species under the CESA. See Response to Comment 7-BB below.

Response to Comment 7-BB:

This comment requests Draft PEIR **Table 5.4-B – Special Status Wildlife Species Know to Occur within Regional Vicinity of the Planning Area** be updated to list Crotch bumble bee and Mountain Lion as Candidate species. **Table 5.4-B** already included the Crotch bumble bee. **Table 5.4-B** is updated to include the Mountain Lion as requested. The Errata to the Draft PEIR (Section 3 of the Final PEIR.) will include this update to **Table 5.4-B**. This merely clarifies the analysis of the EIR and does not change any of the significance determinations of the PEIR.

Response to Comment 7-CC:

This comment pertains to water-wise landscaping practices. The General Plan includes several goals and policies related to sustainable and water-wise landscaping. This comment does not raise any environmental issues that change the significance determinations of the PEIR.

Response to Comment 7-DD:

This comment requests reporting of results of species status species surveys. Since the project is a General Plan and the Draft PEIR analysis was conducted at a programmatic level under CEQA, there were no species surveys conducted as part of this EIR process. This comment is irrelevant to the type of project being proposed. No environmental issues were raised by this comment that would change the significance determinations in the Draft PEIR.

Response to Comment 7-EE:

Comment noted. The City knows it will be required to pay CDFW filing fees when it files its Notice of Determination.

Response to Comment 7-FF:

This comment incorrectly refers to the County making responses to the CDFW letter comments. The City has provided responses to the comments within this letter and appreciates CDFW's interest in the future buildout of the City of Beaumont.

Attachment 1

This comment letter also included an "Attachment 1" which is a table of the CDFW's suggested mitigation measures found in the body of the comment letter along with the Timing and Methods and Responsible Parties for each mitigation measure. As outlined in the above responses, not all of these proposed measures offered by CDFW will be incorporated as new mitigation measures in the PEIR. Since Attachment 1 is a repeat of information already provided in the body of the comment letter, no additional responses are necessary.

Comment Letter 8 – Leaping Pegasus LLC and Legasus Constellation LLC

Comment letter 8 commences on the next page.

Leaping Pegasus LLC & Pegasus Constellation LLC

One Harbor Drive, Suite 205 - Sausalito, CA 94965

Office: (415) 331-3030 – Fax (415) 331-3060 – Email: havenproperties@mac.com

City of Beaumont
Planning Department
550 E. 6th Street
Beaumont, CA 92223

Date: October 22, 2020

RE: Proposed Change of Zone of our Property in the City of Beaumont

Dear Community Development Director Christina Taylor,

My name is Shervin Shoushtary and I represent the owners of Leaping Pegasus LLC and Pegasus Constellation LLC (collectively, “Pegasus”) which collectively owns approximately 22.15 acres located in Downtown Beaumont (see Exhibit “A”) within the Extended Sixth Street District at the southeast intersection of Xenia Avenue and 1501 East Sixth Street (the “Property”).

We have received notification that the City of Beaumont is processing an update to its General Plan, and as presently drafted, our Property’s land use under the updated general plan is contemplated as “Local Commercial”.

However, we would please request that City Staff and its consultants please consider amending our Property’s land use designation to **Sixth Street Mixed Use** which would be consistent with the contemplated land use designations for the parcels immediately adjacent to the north and west of our property (see Exhibit “B” Downtown Area Land Use Plan).

It is our opinion that designating our land use as **Sixth Street Mixed Use** would further the City’s long range strategies of “creating a vibrant downtown”, “improve retail corridors”, and “expand housing choices” through providing us, or our future development partner, with the economic ability to move forward with a development project on the Property.

As you are aware, the way consumers shop has dramatically shifted towards eCommerce over the last decade and the covid-19 pandemic has only accelerated those consumer trends. We do not see an opportunity to develop a neighborhood retail center at this mid-block location in the foreseeable future.

However, we do believe there is an opportunity to develop much needed, affordable-by-design housing on our Property in the near future. Accordingly, changing our Property’s land use designation to **Sixth Street Mixed Use** will help contribute to the fulfillment of the vision of the City established in the General Plan Update.

Feel free to contact me on my mobile (415) 747-9129 should you have any questions. I would also be more than happy to meet to discuss our property.

Best Regards,

Shervin Shoushtary

LEAPING PEGASUS LLC & PEGASUS Constellation LLC
(415) 747-9129 Mobile

8-A

Leaping Pegasus LLC & Pegasus Constellation LLC

One Harbor Drive, Suite 205 - Sausalito, CA 94965

Office: (415) 331-3030 – Fax (415) 331-3060 – Email: havenproperties@mac.com

Exhibit “A”

Pegasus Property

APN 419-180-023 – 3.08 Acres

APN 419-180-024 – 2.82 Acres

APN 419-180-002 – 6.44 Acres

APN 419-180-003 – 1.09 Acres

APN 419-180-027 – 8.72 Acres



Leaping Pegasus LLC & Pegasus Constellation LLC
One Harbor Drive, Suite 205 - Sausalito, CA 94965
Office: (415) 331-3030 – Fax (415) 331-3060 – Email: havenproperties@mac.com

Exhibit “B”

Downtown Area Plan Land Use



Response to Comment Letter 8 – Leaping Pegasus LLC and Pegasus Constellation LLC

Response to Comment 8-A:

Comment noted. Refer to Master Response No. 1.

Comment Letter 9 – Bill Rex

Comment letter 9 commences on the next page.

From: Bill Rex <trex@rexhall.com>
Sent: Wednesday, September 30, 2020 4:53 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Subject: Zoning change

Christina Taylor,

I'm representing Beaumont RV and We just received a letter from your office stating a rezoning in our area from commercial general to urban village can you advise the ramifications of this. And how would I know if my specific property is in the overlay zone?

Thank you,
Bill Rex

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9-A
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From: [Bill Rex](#)
To: [Christina Taylor](#)
Subject: RE: Zoning change
Date: Thursday, October 01, 2020 9:46:46 AM
Attachments: [image001.png](#)

Christina,

Thanks for following up, APN # 414 – 120 – 006, 4.66 acres fronting Western Knolles Ave. in Beaumont Ca, Riverside County.

We're in the process of purchasing this parcel with the intention of having an RV dealership and or RV service center. If the zone change would affect this in any way then we would not purchase the property.

Thanks again,
Bill Rex

From: Christina Taylor <Ctaylor@beaumontca.gov>
Sent: Thursday, October 1, 2020 8:51 AM
To: Bill Rex <trex@rexhall.com>
Subject: RE: Zoning change

Good morning Bill,

Can you please provide me the existing zoning designation and the proposed zoning designation or a parcel number. I can then provide you the relevant information.

CHRISTINA TAYLOR
Community Development Director

City of Beaumont
550 E. 6th Street, Beaumont, Ca 92223
Desk (951) 572-3212 | Fax (951) 769-8526
[BeaumontCa.gov](#)
[Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



#ACITYELEVATED

Response to Comment Letter 9 – Bill Rex

Response to Comment 9-A:

Comment noted. Refer to Master Response No. 1.

Comment Letter 10 – Jacob Levine

Comment letter 10 commences on the next page.

From: [Jacob Levine](#)
To: [Christina Taylor](#)
Subject: Proposed Change of Zoning
Date: Friday, October 09, 2020 12:15:31 PM

Hi Christina,

My name is Jacob Levine and I live near the corner of American Way and E 8th St. I recently received a letter about the proposed change of zoning at our address. From RMF to DMF.

When I go to the websites provided I am not able to find anything related to the new “DMF” zoning. Could you please share with me what this new zoning will change, if anything? Or by chance direct me to the place where I can find out this information because it seems at bit buried.

Thank you,

Jacob Levine

10-A

Response to Comment Letter 10 – Jacob Levine

Response to Comment 10-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 11 – Jeff Plumley

Comment letter 11 commences on the next page.

October 2, 2020

Christina Taylor

550 East 6th Street

Beaumont, CA 92223

Dear Ms. Taylor,

I am writing to register my opposition to the proposed rezoning of my property which has the address of **521 Edgar Street**, and the parcel number of **418091017**, in the City of Beaumont. As you know, my property is undeveloped at this time. It is my intention to put a wood shop on my property. The proposed rezoning of my property from commercial manufacturing (CM) to downtown mixed use (DMU) would, as we have discussed, disallow my development plans, and subsequent light manufacturing business use. My property is located within 200 feet of the 10 freeway, and probably some 1500 feet north of the railroad tracks. Both the daily traffic from the freeway and the trains generate substantial noise and vibration, which is not likely to go away anytime soon. Furthermore, there are several going businesses near my property which utilize the CM zoning classification, and like the railroad tracks and the freeway, probably aren't going away anytime soon either. These businesses include body shops, well drilling, machine shops, auto repair, auto towing, cabinet shop, and others. I realize the rezoning won't affect these going businesses necessarily, but, given the environs of these businesses and my property, the CM zoning classification really is the most appropriate classification for these businesses as well as for my property's intended future use, rather than downtown retail/residential. If City Council is adamant about changing the zoning of my property, I would, at the very least, request a dual classification of DMU **and** CM. Otherwise, I would insist the zoning of my property remain unchanged. Thank you.


Jeff Plumley

11-A

Response to Comment Letter 11 – Jeff Plumley

Response to Comment 11-A:

Comment noted. Refer to Master Response No. 4.

Comment Letter 12 – Jeff S. Thomas

Comment letter 12 commences on the next page.

Carole Kendrick

From: Christina Taylor
Sent: Friday, September 25, 2020 8:16 AM
To: Carole Kendrick
Subject: Fwd: Proposed Change of Zone for our property
Attachments: Scanned from a Xerox Multifunction Printer.pdf

See below. If you have time - if not I'll respond Monday.

CHRISTINA TAYLOR
Community Development Director
City of Beaumont
550 E. 6th Street, Beaumont, Ca 92223
Desk (951) 572-3212 | Fax (951) 769-8526
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From: Thomas, Jeff S <jeff.s.thomas@lmco.com>
Sent: Thursday, September 24, 2020 4:29:47 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Subject: Proposed Change of Zone for our property

Hi Christina,

My name is Jeff Thomas and I am the project lead for the Lockheed Martin remediation project located in Beaumont CA. I received the attached letter in the mail and was wondering if you could e-mail me the link to the "summary of current zoning" found on the City's website as indicated in the letter? I am having a hard time typing it in from the letter.

12-A

Also, could you please provide a little more information on the reason for the rezoning and what that means for our site/project?

Thanks,
Jeff



+@A5CJH <N
Environmental Remediation
Project Lead
Phone: 301-548-2184

Response to Comment Letter 12 – Jeff S. Thomas

Response to Comment 12-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 13 – John White

Comment letter 13 commences on the next page.

Carole Kendrick

From: Christina Taylor
Sent: Friday, September 25, 2020 8:16 AM
To: Carole Kendrick
Subject: Fwd: Zoning

See below. If you have time - if not I'll respond Monday.

CHRISTINA TAYLOR
Community Development Director
City of Beaumont
550 E. 6th Street, Beaumont, Ca 92223
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From: John White <acjohnwhite@gmail.com>
Sent: Thursday, September 24, 2020 5:35:56 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Subject: Zoning

I got a letter about a proposed change of zone for my property it's 893 E. 5th St. is there anyway you can email me what the proposed changes are thank you

Sent from my iPhone

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Response to Comment Letter 13 – John White

Response to Comment 13-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 14 – Mark Sontoski

Comment letter 14 commences on the next page.

Carole Kendrick

From: Christina Taylor
Sent: Friday, September 25, 2020 8:17 AM
To: Carole Kendrick
Subject: Fwd: Zoning change

See below. Same as the other 2. If you have time - if not I'll respond Monday.

CHRISTINA TAYLOR
Community Development Director
City of Beaumont
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Desk (951) 572-3212 | Fax (951) 769-8526
BeaumontCa.gov
Facebook | Twitter | Instagram | YouTube

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From: mark sontoski <markso100@yahoo.com>
Sent: Thursday, September 24, 2020 12:02:11 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Subject: Zoning change

Hi Ms. Taylor. I received the notification about proposed zoning change for my address at 532 Wellwood Ave. Exactly what does this change allow me to do on my property? And what effect will it have as to the value of my property?
Thanks for your help.

Sent from my iPhone

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Response to Comment Letter 14 – Mark Sontoski

Response to Comment 14-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 15 – Mark Sontoski

Comment letter 15 commences on the next page.

From: [mark sontoski](#)
To: [Christina Taylor](#)
Subject: Re: Automatic reply: Zoning change
Date: Monday, September 28, 2020 5:05:38 PM

Good afternoon. I wrote to you last week after receiving your correspondence regarding the zoning change at my address - 532 Wellwood Ave - from CM to CN. Can you tell me what this change will allow me to do on my property? Currently, the property contains a 960 sq. ft. house without garage. Also, one other thing, on page 69 of the GPU Public Draft, Neighborhood Commercial is designated (NC). However, on the correspondence I received it is listed as (CN). Which one is the typo? Thanks for your help, sorry to bother.

15-A

On Thursday, September 24, 2020, 12:02:53 PM PDT, Christina Taylor <ctaylor@beaumontca.gov> wrote:

I will be out of the office Monday, September 21 - Thursday, September 24, 2020. If you need immediate assistance, please call the Planning Department at 951-769-8518 or email Carole Kendrick, Senior Planner at ckendrick@beaumontca.gov.

Response to Comment Letter 15 – Mark Sontoski

Response to Comment 15-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 16 – Mary A. Daniel

Comment letter 16 commences on the next page.

October 19, 2020

City of Beaumont
550 E. 6th Street
Beaumont, CA 92223

RE: City of Beaumont Draft General Plan Comments.

(PG 17) The purpose of the Beaumont General Plan is to serve as the primary legal document that guides long-term growth, development and decision-making in the City. The process is strongly anchored by residents' input and vision for the City. It articulates specific steps to guide land use and planning focused on growth management, community character, circulation, quality of life, economic development, public health, and sustainability over the next 20 to 30 years. The information contained in the individual sections or Elements that comprise this General Plan will shape the physical development of the City. As such, the Beaumont General Plan will serve to inform residents, developers, decision-makers, and other cities of the ground rules for development within the City.

This is a great paragraph -- too bad it means nothing. Since the document can be changed four times a year to comply with what a developer wants to do with his specific property, there is no guarantee that it "will serve to inform residents, developers, decision-makers...of the ground rules for development within the City." As the residents of Cherry Valley discovered in their fight against a warehouse being built in an inappropriate location in their area, the County Supervisors who were supposed to be representing them and guarding the General Plan against encroachment from greedy developers caved in at the first sign of a development plan. I really don't hold out much hope that the councilmembers in charge of Beaumont will act any differently.

The last several decades of the City's growth have been focused on building inexpensive housing options for its residents. Moving forward, the City will have to determine how to continue to finance, support, and enhance City businesses, services, and programs in a manner that is sustainable over the long term. The reality of limited general fund revenues will require the City to think creatively about economic development strategies that are built on principles of equity, sustainability, collaboration, and innovation. **(PG 31)** Promoting strong financial health means balancing existing and future demands for services with available financial resources. Balancing a budget involves strategically considering policy priorities alongside available public resources, while also aligning public programs and services with appropriate criteria to evaluate efficiency. The City must continuously monitor its financial health in order to proactively address emerging financial issues and identify solutions to mitigate negative impacts.

Unfortunately the city has gotten itself into an endless cycle of needing more and more revenue in order to keep up the services for the houses which have already been built. This means that development decisions will not be based on the good of the residents or the quality of life that they desire, but on how much money will be generated from that development. The endless stream of

16-A

Mello-Roos fees has been too tempting to halt and therefore for those citizens who kept repeating in survey after survey that they wanted no more houses and no more warehouses – there will be no relief in sight. Growth is the only mechanism that can keep this city going.

(PG 12) Embracing its small-town feel, the City will continue to enhance and revitalize existing Beaumont commercial areas and residential neighborhoods (see Figure 3.3 in the Land Use and Community Design Element). The City's nascent city center at Sixth Street and Beaumont Avenue will be established as the City's pedestrian-oriented Downtown. Future employment growth will be focused along the major transportation corridors, I-10, 60 Freeway and Highway 79. Two new urban villages, one east of the I-10 and 60 Freeway juncture and the other south of 1st Street and east of SR-79, will provide new opportunities for an urban experience with a mix of residential, retail and employment uses. New neighborhoods will be designed as complete communities with a mix of housing types well-connected with bicycle- and pedestrian-friendly streets to neighborhood retail and community and recreational amenities.

How is it possible to have a "small town feel" when this entire document shows plans for growth. There is no protection for open spaces – I speak specifically of the areas in the SOI south of Beaumont on Hwy 79. Adding the housing density and the traffic which would result from the Urban Village concept is not the way to increase the quality of life for Beaumont's citizens because the traffic on that particular highway is already backed up most of the time.

(PG 19) This document presents the approach to community design and land use, providing clear parameters for future development and change in the City. This element contains the General Plan land use designations, the land use designation map, and goals and policies describing the community's preferences and priorities for the character and appearance of the City.

There was a clear message given by the people who responded to the surveys and were present at the various meetings, that the way the city had grown previously needed to stop. And yet we have this "new and improved" document which shows that the parameters of the future development have not changed at all from the growth that got us into the traffic snarls, poor air quality and lack of adequate water that we are all facing daily. There should have been more emphasis on doing things for the people who are already here so that they could see their quality of life improved. And believe me – more houses is not going to do that.

(PG 24) California Government Code requires that the planning agency "render an annual report to the legislative body (City Council) on the status of the Plan and the progress in its implementation" (Section 65400(b)). State Law also encourages annual reviews of implementation actions and recommends that the entire General Plan be thoroughly reviewed every five years to ensure it is still consistent with the community's goals. General Plan Review. **(PG 83)** Review the General Plan on a four-year cycle, including a review of individual elements and community programs.

Personally I have never seen the General Plan referred to after it has been approved except when a citizen points out that a particular development plan doesn't match what it says in the document. All those pretty words and good intentions are forgotten as soon as they are written as far as I could tell. Therefore it is certainly heartening to see that State law requires an annual evaluation be made and an indication of whether those "implementation" plans have actually been followed. So wouldn't LUD12 be incorrect? And in addition who makes sure this happens?

16-A
Cont.

(PG 23) Development proposals and infrastructure projects must be analyzed and tested for consistency with the goals, policies, and actions in every applicable element of the General Plan, regardless of whether they are initiated by a developer or the City. On an ongoing basis, the City must assure and maintain consistency of the General Plan with adopted Specific Plans and the City Zoning Ordinance.

What I have seen happen is that a development proposal is simply declared “consistent with the General Plan” no matter how off the wall it was or where it was proposed to be built. All the council did was change the zoning to match the proposed project. My question is: How is this “consistency” going to be addressed? Because believe me after a decade or so of following developer’s plans, I have seen that they have no intention of building whatever the current zoning dictates – they have their own ideas which are geared on making the most profit for themselves. The vision of Beaumont is changed to whatever a developer proposes.

(PG 24) Community members, neighborhood groups and local organizations are encouraged to get involved in the on-going planning efforts of the City and to participate in the implementation of the General Plan. By active, thoughtful involvement, residents can be part of the process of shaping and growing Beaumont to make it an even more active, prosperous and welcoming city than it is today.

Citizens elect councilmembers to represent their interests and to make decisions that will benefit the city as a whole. Community members should have the confidence that these elected officials know the General Plan thoroughly and are prepared to follow its guidelines and protect it against greedy developers who are prepared to alter the “vision” of the city to suit their own profits. The last time that citizens got involved with what was happening in Beaumont, they were vilified and even arrested in one particular case. This group of “concerned citizens” gave up a huge amount of time and effort to point out the inconsistencies between the rampant development and the General Plan and yet they were ignored!

(PG 26) The team also distributed a virtual community survey in the weeks leading up to the first community workshop. The survey included various topics: demographics, geography, quality of life, Beaumont’s future, and community engagement. The survey received 564 responses. Based on high response rates to the virtual survey, the community engagement approach shifted from in-person workshops to virtual outreach. Surveys were used at key points in the process to engage community residents in decisions regarding land use priorities and choices, and to also encourage citizens to become more involved in the planning process.

Good idea, of course. However, it was also made clear that the people participating in the surveys and other workshops did not necessarily represent the city as a whole and therefore (implied) their comments would be ignored! That stands to reason since the greatest majority of the survey respondents wanted the housing growth to stop and infrastructure and services to be strengthened. It’s hard to reconcile those two when the emphasis of this document is on growth.

(PG 30) The future of Beaumont will be guided and shaped by the voices of City residents. It is a place that residents will be proud to call home. Beaumont will not only be a place to live and work, but also a destination for educational, recreational, and shopping opportunities. The General Plan will be used as a tool to guide the future development of the City and to ensure decision-making closely aligns with the future vision for Beaumont.

More pretty words with no actual proof that the “future of Beaumont will be guided and shaped by the voices of city residents.” As already stated it is disheartening to question any decision made by the Council members and when citizens actually took the time to respond to a survey, they were told in so many words that their comments weren’t valid.

(PG 31) Transparent government benefits the decision-making process and provides the public an opportunity to make informed decisions. Local government transparency fosters a culture of openness and accountability with City residents. The goal is to improve not only government, but the stability of the community in the long term. Developing tools for public decision-making, using technology to relay information to community members, and embracing strategic planning processes offer innovative approaches to embrace transparent, honest government.

There needs to be a more expedient, timely way for the city to get information to the public – right now the first indication that an item is going to be presented to the council is the Friday before the meeting on Tuesday. I’m sure that the project applicant knows before that and hopefully the city council has been informed so that they are able to adequately review the item in order to make an informed decision. So why can’t the public also be informed early enough for those same reasons? Is it the hope that the citizenry won’t see the item in time to make appropriate comments or change their schedules in order to attend the meeting? This is not “transparent” government when the decisions are made without adequate notification in order that the public be able to “make informed decisions.”

(PG 32) As a gateway to the desert and the mountains, Beaumont offers opportunities for residents and visitors to enjoy recreation and tourism. Protecting the community’s rural mountain setting is an important aspect of balancing urban growth and conservation. The City will protect the rural landscape, including quality access to air and water, open space, and mountain views. In protected open space areas, the City will promote active open space corridors and trails that support natural vegetation, scenic vistas, and sensitive habitats as well as recreational opportunities. The City will also ensure that new development effectively protects sensitive habitats and preserve views to the mountains.

More pretty words but not backed up with any evidence that this will happen. The General Plan endorses growth on every available piece of property – both in the city boundaries and also in the SOI acreage south of town. In another place the SEQA document states that the air quality will only get worse with the proposed plan. No open space is planned (protected or not) and there are specific areas of Downtown Plan where high-rise, high-density apartment living is proposed. Doesn’t exactly protect or preserve the views of the mountains does it? Additionally, almost every picture in this document shows wall-to-wall houses already (see pgs 36, 43, 46, and 200) and there are still several specific plans not at build-out – so more houses are planned, approved, but not yet built. How exactly does that protect the “rural landscape?”

PG 35) Beaumont will protect existing infrastructure and ensure continued provision of well-maintained and reliable infrastructure and public facilities. The City will continue to strategically phase growth to ensure that quality municipal services can be provided efficiently.

The administration of Beaumont has never been able to “strategically phase growth” in the past – really have a hard time seeing it happening in the future. They are out promoting ways to entice developers in the area, (with various incentive programs) so I’m sure that those developers will come!

16-A
Cont.

Phased growth is hard to achieve when all kinds of growth is pushed. Please explain how this is going to be accomplished (page # in the document would be good.)

(PG 43) In order to protect the natural environment in the southwest portion of the City's Sphere of Influence, the City will focus future development in areas immediately adjacent to existing development and along current and new transportation corridors. Development along SR-79 as it goes south provides an important opportunity to bring in future growth and economic development in the Sphere of Influence, particularly in healthcare, retail, and technology-intensive industries. Additional opportunities to create compact pattern residential neighborhoods in proximity to SR-79 will further enhance access, expand housing choices, and improve health outcomes. **(PG 57)** To take advantage of transportation access provided by SR-79, the City is proposing more intensive development along SR-79. The eastern subarea will be the location for a second Urban Village and additional high-density residential uses.

Since I live on a family ranch (see picture on page 18) in this SOI area designated on the General Plan as "Urban village" (which I note in further reading applies to any idea that comes down the pike) I must strenuously object to infilling this specific area with urban blight. Highway 79 is already congested on a daily basis with only our 80 acres of grazing land keeping it from getting worse with high-density housing and commercial growth that this plan outlines. It is also the first view of Beaumont and the beautiful mountains that surround the city that drivers from the south see. And this is primarily because of the open space that our family is protecting. I will mention that I was glad to read in the document that there would be no attempted annexation "land grab" as there has been in previous years, but as we all know that can change depending on who wants to develop the open area to the south of our property. However, for now, as long as there is a Daniel family member living on this property it will not be developed as per the "plan". And it's always possible that there is a Land Conservancy somewhere looking for "open space."

16-A
Cont.

(PG 150) SB 1000 requires cities to develop an Environmental Justice element, or related environmental justice goals and policies to reduce the unique or compounded health risks in "disadvantaged communities." The goal of SB 1000 is to help identify and reduce risks in communities disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. In doing so, SB 1000 offers an opportunity to address existing community health concerns and mitigate the impacts of future health issues.

Please indicate the exact steps the General Plan is outlining to ensure that this goal has been met. It is certainly not going to be met by meeting air quality or green house emissions standards since those impacts are "significant and unavoidable." What other ways are being planned to make sure that the needs of the most vulnerable section of the population are being met?

(PG 151) The involvement and engagement of Beaumont's community was fundamental to shaping the General Plan. Community-centered planning and design process also elevates the values and priorities of historically-underserved populations, including lower-income residents and people of color, in guiding community development. In supporting and enhancing opportunities for meaningful engagement, the General Plan recognizes the importance of addressing the intersection of health, equity, and environmental justice in creating access and expanding opportunities for all members of the community.

Yes, the meetings were held, the surveys tabulated, but there was no indication that any of the ideas or suggestions were adopted. If they were – please indicate where exactly in the document I can find

that information. I assume that it's the opportunity to participate that counts and the caveat that said that the responses didn't really represent the community should be ignored.

(PG 156) Based on a 2016 Consumer Confidence Report submitted by the Beaumont Cherry Valley District, water supply samples have been found to include deposits of lead, copper, and barium. A study of water samples between 2013-15 by the Environmental Working Group found Chromium-6, a cancer-causing chemical, in Beaumont's tap water at an average rate of 4.3 parts per billion (ppb), while California's Public Health Goal for Chromium-6 is 0.02 ppb.³ On July 1, 2014 the State Water Resources Control Board's adopted a maximum contaminant level (MCL) for Chromium-6 in drinking water at a rate of 10 ppb. In the City of Beaumont, neighborhoods in census tract 438.22 and 438.12 are disproportionately impacted by drinking water contaminants and groundwater pollution.⁴ The adverse effects of drinking or inhaling Chromium-6 include lung cancer, kidney damage, and occupational asthma.

There was nothing that I saw which concerned any solutions to the "drinking water contaminants and groundwater pollution." Please indicate what specific solutions or implementations will be taken to alleviate or mitigate this concern and where they are located in the General Plan.

(PG 156) According to the South Coast Air Quality Management Plan (2016), the distribution of ozone concentrations during the May–October smog season, for the 2012–2014 period, peaks higher in the afternoon hours in areas close to Beaumont. The ozone peaks coincide with times kids and other residents are most often outside. Inhaling ozone, even in small amounts, can irritate the lungs and increase the risk for respiratory infections. Based on data from AskCHIS Neighborhood Edition, 15.1 percent of Beaumont youth, ages 1-17, reported ever having asthma. According to the California Department of Public Health, approximately 272,000 children and adults have been diagnosed with asthma in Riverside County. Respiratory disease may be under-diagnosed and under-reported due to the City's low levels of access to health insurance, educational information, and preventative care in the Downtown and El Barrio neighborhoods.

Already mentioned that this particular problem is not being addressed because the impacts are "significant and unavoidable" and will continue to get worse as the growth indicated in the General Plan is actually implemented.

Adequate Water Supply for New Development: Require a Water Supply Assessment for new developments to ensure adequate water supply.

New development is not the problem with an "adequate water supply." It's the development that has already happened and the specific plans that are approved, still planned but not yet built. Those ancient (at least 20 years old) specific plans depended on "recycled water" that has never been produced – I don't care how many purple pipes are installed. Every ounce of water used for any purpose is drinking water and comes out of our one aquifer, the Beaumont Basin. This has been in overdraft for years and yet it is still the assessment that is used to okay more houses to be built. Development should have been halted years ago, but "will serve" letters continued to be issued. This is what happens when the water district and the city are at odds with each other. Or when greed is the main deciding factor for development decisions.

16-A
Cont.

(PG 193) In 2015, the City of Beaumont developed and approved Sustainable Beaumont, a plan for reducing greenhouse gas emissions. The City committed to providing a more livable, equitable, and economically vibrant community through the incorporation of energy efficient features and the reduction of greenhouse gas (GHG) emissions. By promoting the use of energy more efficiently, the City also aimed to stimulate local economic development, job creation, and an improved quality of life. The Beaumont General Plan incorporates the principles of sustainability and environmental responsibility, ensuring compliance with the goals and policies of Sustainable Beaumont.

Who was responsible to ensure that the “Sustainable Beaumont” plan was actually followed thru and produced some viable results? Or have the principles simply been transferred to the General Plan with no idea whether they work or not?

(PG 201) Overall, residential sources accounted for 64 percent of total GHGs, outpacing GHG commercial sources (36%). In Beaumont, non-residential natural gas consumption is four times greater than for Riverside County. It appears that industrial and commercial use in Beaumont have a greater reliance on natural gas energy than electricity. The Beaumont CAP GHG inventory serves as a baseline for projecting future emissions. It is estimated that GHG emissions from Beaumont’s building energy sector will increase by approximately 46 percent by 2020, driven largely by population growth and a subsequent increase in the City’s housing stock.

(PG 202) Air quality is an increasing concern for Beaumont residents, as the major transportation routes through the City introduce air emissions from trucks, cars, and trains. In recent years, the City has also seen proposals for large-scale logistics facilities, which attract more cars and diesel trucks. The resultant air quality emissions from these land uses are challenging communities across the Inland Empire and Southern California. Beaumont is considered to have poor air quality for ozone, nitrogen dioxide and course (PM10), exceeding the ambient air standards set by the State and Federal governments. Individuals residing and working within the City of Beaumont are exposed to significant inhalation cancer risks. The largest contributors to inhalation cancer risk are diesel engines. As such, sites with the highest cancer risks within the City are generally adjacent to Interstate 10, where truck traffic and diesel particulate matter (DPM) concentrations are likely to be highest. There are also several industrial developments within the City that may be significant sources of Toxic Air Contaminants (TACs).

And this doesn’t even take in all the warehouse facilities that have been built along SR 60 in the recent future. They were mentioned when jobs were being discussed, but totally ignored when air pollution concerns was the topic. Also the above paragraph is a little behind the times since not only has the City seen these proposals but they have approved them lock stock and barrel. I didn’t count the number of the respondents on the survey who said (sometimes in capital letters and with several exclamation marks) No More Warehouses, but there were quite a few. However as already mentioned evidently those respondents didn’t represent the city as a whole and so have been (and I’m sure will continue to be) ignored. And, of course, the impact from air pollution has been designated “significant and unavoidable.”

(PG 266) The Downtown Area Plan has three distinct districts: Downtown Core, Extended 6th Street, and Beaumont Avenue. These districts support a vibrant mix of residential, retail, and commercial uses with connectivity within and to Downtown. The Downtown Area Plan boundaries and its districts are shown on Figure 11-1.

16-A
Cont.

All I can say about the Downtown Area Plan is I guess it can't hurt to make some improvements to that blighted area. It's good to have at least a small vision of how it might look. This downtown "improvement" was tried once before, but there was a great deal of push-back by the current proprietors, so the ideas would have to be carefully outlined to the people who are already there. And since both Beaumont Avenue and Sixth Streets are major conduits of traffic thru the city – not sure how the plans could even be implemented. The Implementation ideas 11.13.1-3 would certainly be a good place to start. As I say, I guess it's good to have a plan.

(PG 296) Although, the General Plan is a living document, State law allows it to be updated and refined over the coming decades. It encourages annual review of implementation actions and recommends that the entire General Plan be thoroughly reviewed every five years to ensure that it is still consistent with the community's goals. The General Plan may be amended up to four times per year to accommodate changing conditions. Property owners, the Planning Commission, City Council, or City staff may propose amendments. Proposed changes must be reviewed by the Planning Commission and the City Council at public hearings and the potential of environmental impacts must be evaluated in accordance with the California Environmental Quality Act.

I was pretty sure I read previously in this document that the State "requires" an annual review and report – maybe that was about something else. After 296 pages I'm becoming a little bleary eyed! The ability to amend the plan up to four times a year is when a General Plan gets many holes punched in its overall vision, so I would hope that this is not taken advantage of as it has been in the past. Make a plan and stick with it would be a good mantra for the city to repeat as many times as necessary.

Thank you for the opportunity to respond to this Draft General Plan. I hope that the comments you receive will actually be taken under consideration and perhaps used to improve the document.

Sincerely yours,



Mary A. Daniel

P O Box 2041

Beaumont, CA 92223

16-A
Cont.

Response to Comment Letter 16 – Mary A. Daniel

Response to Comment 16-A:

Comment noted. Refer to Master Response No. 3

Comment Letter 17 – Megan Johnsen

Comment letter 17 commences on the next page.

From: [Megan Laurie](#)
To: [Christina Taylor](#)
Subject: Zoning letter
Date: Sunday, October 11, 2020 11:22:01 AM

Hi Christina

I currently live at 946 Euclid in Beaumont. I received a letter stating that the city is planning on re-zoning our street, and I would like some more information. I am currently hoping to do an addition onto our house but our contractor said that they aren't issuing permits for certain zoning types (he was not sure if we fell under that category, and hasn't had time to speak to the planning dept yet) . I know we are on the beaumont ave overlay currently, would that mean we cannot permit the addition? If there is a change in zoning and that passes through the city, how long until that goes into effect (rough estimate is fine) and if/when it does, will I be able to permit the work then?

Feel free to email or call me, at 909-289-7780

Thank you.

Megan Johnsen

17-A

Response to Comment Letter 17 – Megan Johnsen

Response to Comment 17-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 18 – Peter Forster

Comment letter 18 commences on the next page.



September 21, 2020

Property Owner

RE: Proposed Change of Zone for your property in the City of Beaumont

To whom it may concern:

Your property is within the Beaumont Avenue Overlay which is being updated as part of the citywide General Plan Update. This update includes a proposal to change the zoning of your property for consistency with the new General Plan. This is a public process and we would like to hear your feedback about this change.

If a zone change is adopted, legally established uses, like a home or business, can continue. A zone change does not require you to change how you use your property, but it may affect how you can develop your property in the future.

Proposed Change

Current zoning: Manufacturing (M)

Proposed zoning: Residential Single Family (RSF)

A summary of the current zoning can be found on the City's website at:

[https://library.municode.com/ca/beaumont/codes/code of ordinances?nodeId=TIT17ZO CH17.03ZOMAZODI 17.03.120PEUSBAZODI](https://library.municode.com/ca/beaumont/codes/code%20of%20ordinances?nodeId=TIT17ZO_CH17.03ZOMAZODI_17.03.120PEUSBAZODI)

A summary of the proposed zoning can be found on the City's website at:

<https://www.beaumontca.gov/121/General-Plan>

If you have any questions or would like more information, please contact the City of Beaumont Planning Department at 951.769.8518 or via email at ctaylor@beaumontca.gov.

Sincerely,

Christina Taylor
Community Development Director

Christina Taylor: 9-23-2020

I think if you change the zoning from M to RSF you should also lower my property taxes since I have been paying them for 35 years (Please Respond)
"My Opinion" Peter H. Forster

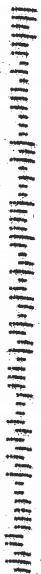
18-A



SN BERNARDINO CA 923

25 SEP 2020 PM 6 L

City of Beaumont
Planning Department
550 E. 6th Street
Beaumont, California 92223



92223-225399

(Att. Christina Taylor)

Pete Forster
350 Elm Avenue,
Beaumont, California
92223-2633

Response to Comment Letter 18 – Peter Forster

Response to Comment 18-A:

Commentor expresses an opinion regarding taxes and does not raise an environmental issue. The comment is noted, and no further action is required.

Comment Letter 19 – Robert Guilford

Comment letter 19 commences on the next page.

From: [Robert Guilford](#)
To: [Christina Taylor](#)
Subject: 414-120-006
Date: Thursday, October 01, 2020 2:30:50 PM
Attachments: [image001.png](#)
[Sale Brochure - Beaumont Commercial Land 4.6 AC.pdf](#)

Ms. Taylor,

Good afternoon.

I represent the owner of the above referenced property along Western Knolls Avenue.

I was hoping that I could talk with you for a few minutes regarding this property in reference to the letter below:

T
19-A
|



September 21, 2020

Property Owner

RE: Proposed Change of Zone for your property in the City of Beaumont

To whom it may concern:

Your property is within the Beaumont Avenue Overlay which is being updated as part of the citywide General Plan Update. This update includes a proposal to change the zoning of your property for consistency with the new General Plan. This is a public process and we would like to hear your feedback about this change.

If a zone change is adopted, legally established uses, like a home or business, can continue. A zone change does not require you to change how you use your property, but it may affect how you can develop your property in the future.

Proposed Change

Current zoning: Commercial General (CG)

Proposed zoning: Urban Village (UV)

A summary of the current zoning can be found on the City's website at:

https://library.municode.com/ca/beaumont/codes/code_of_ordinances?nodeId=TIT17ZO_CH17.03ZOMAZODI_17.03.120PEUSBAZODI

A summary of the proposed zoning can be found on the City's website at:

<https://www.beaumontca.gov/121/General-Plan>

If you have any questions or would like more information, please contact the City of Beaumont Planning Department at 951.769.8518 or via email at ctaylor@beaumontca.gov.

Sincerely,

Christina Taylor

Community Development Director

City of Beaumont | 550 E. 6th Street, Beaumont, CA 92223 | (951) 769-8520 | BeaumontCA.gov

19-A
Cont.

Please let me know a good time to call you?

Thank you,

Robert Guilford

Ironwood Partners

Lic. #01363074

523 Main Street

El Segundo, CA 90245

M: 310.895.1510

D: 213.929.5047

E: Rguilford@IWpartners.com

Response to Comment Letter 19 – Robert Guilford

Response to Comment 19-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 20 – Ryan Marston

Comment letter 20 commences on the next page.

From: [Ryan Marston](#)
To: [Christina Taylor](#)
Subject: Proposed Change of Zoning
Date: Tuesday, October 06, 2020 1:10:38 PM
Attachments: [NOTICE CITYOFBEAUMONT RE Proposed Change of Zone 092120.pdf](#)

Christina.

I received the attached notice regarding a change of zoning for one of our properties within the City of Beaumont. The page that came to me does not reference an address nor APN needed to identify the property or properties in question. If possible, please verify which of the following of our parcels are affected, if any:

418-093-004
418-093-007
415-031-002
415-031-032
415-031-033
415-031-034
415-241-004

Thank you.

RYAN MARSTON
Neal T. Baker Enterprises
rmarston@ntbent.com

520 Newport Center Drive, Suite 630
Newport Beach, CA 92660
949-945-0722 O
949-375-0087 M
949-335-6481 F

20-A

Response to Comment Letter 20 – Ryan Marston

Response to Comment 20-A:

Comment noted. Refer to Master Response No. 2.

**Comment Letter 21 – Leaping Pegasus LLC and Pegasus Constellation LLC
(Shervin Shoushtary)**

Comment letter 21 commences on the next page.

From: [Christina Taylor](#)
To: [Carole Kendrick](#)
Subject: FW: Proposed Change of Zone in the City of Beaumont
Date: Tuesday, October 20, 2020 1:04:16 PM
Attachments: [B_Beaumont proposed Change of zoning 2020.pdf](#)
[image001.png](#)

Comment Letter 21

CHRISTINA TAYLOR
Community Development Director

City of Beaumont
550 E. 6th Street, Beaumont, Ca 92223
Desk (951) 572-3212 | Fax (951) 769-8526
[BeaumontCa.gov](#)
[Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Haven Properties Inc. <havenproperties@mac.com>
Sent: Tuesday, October 20, 2020 12:29 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Cc: 'Haven Properties Inc.' <havenproperties@mac.com>; 'Shervin Shoushtary' <4shervin@gmail.com>
Subject: Proposed Change of Zone in the City of Beaumont
Hello Christina,

Hope you and your family are safe and well.

Thank you for sending us the attached letter dated 09/21/2020.

Our two entities LEAPING PEGASUS LLC and LEAPING Constellation LLC own the land of approx. 22.15 acres located at Xenia Avenue & 1501 E 6th Street, Beaumont, CA 92223 with the Parcel #s: 419-180-002-9, 419-180-003-0, 419-180-023-8, 419-180-024-9, and 419-180-027-2.

We do have some questions regarding the proposed zoning of Local Commercial. I appreciate if you could provide a time so I can call you back. If you want to call me, please try it on my mobile (415) 747-9129.

Thanks & Regards,
Shervin Shoushtary
LEAPING PEGASUS LLC &
PEGASUS Constellation LLC
One Harbor Drive, #205
Sausalito, CA 94965
415.331.3030 - Office
415.331.3060 - Fax
415-747-9129 - Mobile
4shervin@gmail.com
havenproperties@mac.com

21-A

Response to Comment Letter 21 – Leaping Pegasus LLC and Pegasus Constellation LLC (Shervin Shoushtary)

Response to Comment 21-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 22 – Tanya Valdez

Comment letter 22 commences on the next page.

From: Tanya Valdez <tanyavrealtor@gmail.com>
Sent: Tuesday, September 29, 2020 11:16 AM
To: Shane Scissons <SScissons@beaumontca.gov>
Subject: Downtown Mixed Use (DMU)

Hi Shane,

Hope you are doing well.

Can you send to me or direct me where I can get details on DMU zoning? And how it may affect how a property owner can develop their property (SFR)?

Let me know please.

Thank you,



Tanya Valdez

REALTOR / Sales Associate

tanyavrealtor@gmail.com / 909-917-5999

Briggs Team at Coldwell Banker Tri-Counties Realty

22-A

Response to Comment Letter 22 – Tanya Valdez

Response to Comment 22-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 23 – Beaumont Towne Centre (Thomas Daniel)

Comment letter 23 commences on the next page.

From: [Thomas Daniel](#)
To: [Christina Taylor](#); [Carole Kendrick](#); [Kyle Warsinski](#)
Subject: Proposed Zoning Changes
Date: Friday, October 09, 2020 11:21:45 AM

Christina, Carole, Kyle

I would like to keep the Beaumont Avenue Overlay zoning along Beaumont Avenue south of Tenth Street. I am planning development of our property along Eighth Street between Beaumont Avenue and Euclid. This property should stay in the overlay zone or be changed to commercial zoning.

Property between Magnolia and Beaumont Avenue should stay in the overlay zone so we can expand our commercial property. The demand for additional outdoor dining area and additional parking make it necessary to acquire additional property for these uses. Expanding commercial uses in your "Town Center" area will benefit the City. Changing these areas to Single Family Residential will prevent commercial expansion.

I will try to attend the Planning Commission hearing on October 27. Please send time, location and protocol for this meeting. Please relay my concerns regarding the proposed General Plan Update to all Planning Commission and City Council Members.

Thank you for your help.

Thomas Daniel
Owner, Beaumont Towne Centre
President, Beaumont Concrete Company
951-316-7019

23-A

Response to Comment Letter 23 – Beaumont Towne Centre (Thomas Daniel)

Response to Comment 23-A:

Comment noted. Refer to Master Response No. 4

Comment Letter 24 – Beaumont Towne Centre (Thomas Daniel)

Comment letter 24 commences on the next page.

From: [Thomas Daniel](#)
To: [Christina Taylor](#); [Kyle Warsinski](#); [Carole Kendrick](#)
Subject: RE: Proposed Zoning Changes
Date: Monday, October 19, 2020 8:11:40 AM
Attachments: [image001.png](#)

Christina

Thank you for your response. As Kyle pointed out we own six lots from Euclid Avenue to Beaumont Avenue north of 8th Street. (415-333-007, 008, 009, 010, 011 and 012). It is our intention to develop all of these lots into a commercial complex. We started in 2006 and had to abandon our plans due to the economic downturn and prospective tenants pulling out.

Our current plans are on hold due to the virus restrictions that have caused several of our current Tenants to close. The three lots along Euclid (007, 008, 009) have always been part of our development. Leaving these lots in the overlay zone will allow us to develop without having to apply for a General Plan amendment.

Regarding our property east of Beaumont Avenue: We acquired one lot along Magnolia Avenue (418-072-013) and turned it into a much needed parking lot. We hope to acquire additional lots along Magnolia from Eighth Street South (418-072-012, 011, 010, 009, 008). These lots will allow us to provide additional parking and expand our outdoor dining areas on the east side of our Towne Centre building. Once again leaving these lots in the overlay zone will allow us to develop without having to amend the General Plan.

Thank you for your help and consideration. I will call you later this week to discuss this further.
All the best
Tom Daniel

24-A

From: [Christina Taylor](#)
Sent: Wednesday, October 14, 2020 10:16 AM
To: [Kyle Warsinski](#); [Thomas Daniel](#); [Carole Kendrick](#)
Subject: RE: Proposed Zoning Changes

Kyle,

Thanks for the parcel numbers.

Mr. Daniel,

Here is a breakdown of your parcels by zone with a description of the intent of the zone. I think the expansion of the commercial properties in the mixed use zones can be accomplished.

Response to Comment Letter 24 – Beaumont Towne Centre (Thomas Daniel)

Response to Comment 24-A:

Comment noted. Refer to Master Response No. 4

Comment Letter 25 – Beaumont Do It Best (Tom Kantzalis)

Comment letter 25 commences on the next page.

From: [BEAUMONT ACE](#)
To: [Christina Taylor](#)
Subject: question
Date: Monday, September 28, 2020 3:35:55 PM

Hello Christina,
This is Tom Kantzalis at Beaumont Do it Best,
I just recieved your notice regarding a proposed zoning change for our property located at 1538 E Sixth St.
Can you tell me what this change means for us,
right now it is zoned CG
and you are proposing it to be change to SSMU
What exactly are the differences in these two types of zoning ?
Thank you, Tom

25-A

Response to Comment Letter 25 – Beaumont Do It Best (Tom Kantzalis)

Response to Comment 25-A:

Comment noted. Refer to Master Response No. 2.

Comment Letter 26 – Lansing Companies (Casey Malone)

Comment letter 26 commences on the next page.

To: Casey Malone <cmalone@lansingcompanies.com>
Cc: Michael Lansing <mlansing@lansingcompanies.com>
Subject: RE: Elevate Beaumont 2040

Good morning,

It appears that property is in the unincorporated area of the County of Riverside and just in the sphere of influence of the City of Beaumont. If you have parcel numbers I can double check for you.

CHRISTINA TAYLOR
Community Development Director

City of Beaumont
550 E. 6th Street, Beaumont, Ca 92223
Desk (951) 572-3212 | Fax (951) 769-8526
BeaumontCa.gov
[Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#)



From: Casey Malone <cmalone@lansingcompanies.com>
Sent: Friday, September 11, 2020 3:35 PM
To: Christina Taylor <Ctaylor@beaumontca.gov>
Cc: Michael Lansing <mlansing@lansingcompanies.com>
Subject: Elevate Beaumont 2040

Hello Ms. Taylor,

My company is looking at purchasing the property shown on the attached map. I was going through the General Plan website and noticed that the City is in the process of updating its GP and it looks like the northern portion of the property is being changed from industrial to residential.

When will the City approve the new plan?

Will the City support changing this property to be entirely industrial?

Thank you for your help on this matter.

Casey Malone



12671 High Bluff Drive, Suite 150
San Diego, CA 92130
P: 858-523-0719
F: 858-523-0826
cmalone@lansingcompanies.com
www.lansingcompanies.com

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 Please consider the environment before printing this e-mail.

26-A
Cont.

Response to Comment Letter 26 – Lansing Companies (Casey Malone)

Response to Comment 26-A:

This comment is a query from a potential property owner regarding the General Plan and process and does not raise any environmental issue. Comment noted.

Comment Letter 27 – Soboba Band of Luiseño Indians

Comment letter 27 commences on the next page.



October 27, 2020

Attn: Christina Taylor, Community Development Director
City of Beaumont
Community Development Department
550 East 6th Street
Beaumont, CA 92223

RE: SB 18 Consultation; Beaumont General Plan Update (Beaumont 2040 Plan) SCH # 2018031022

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in proximity to known sites, is a shared use area that was used in ongoing trade between the tribes, and is considered to be culturally sensitive by the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseño Indians regarding the progress of this project should be done as soon as new developments occur.
2. Soboba Band of Luiseño Indians continue to be a consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.
4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

Sincerely,

A handwritten signature in black ink, appearing to read "JOE", followed by a long horizontal line.

Joseph Ontiveros, Tribal Historic Preservation Officer
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

27-A

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains

- A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.
- B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.
- C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.
- D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.
- E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the City of Beaumont. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.

Response to Comment Letter 27 – Soboba Band of Luiseño Indians

Response to Comment 27-A:

This comment is requesting consultation in accordance with SB 18, that the Soboba Band of Luiseno Indians continue to be a tribal consulting tribal entity, Native American Monitoring, and following certain procedures. Regarding SB 189 consultation, as discussed in the Draft PEIR, the City sent AB 52 and SB 18 notification letters to 41 Native American Tribal Governments or designated tribal representatives and received responses from four tribes, four tribes responded, Agua Caliente Band of Cahuilla Indians (ACBMI), Morongo Band of Mission Indians (MBMI), Pauma Band of Luiseño Indians, and the San Manuel Band of Mission Indians (SMBMI). (Draft PEIR, pp. 5.17-6, 5.17-9.) The time frame during which a Native American Tribe or Band can request consultation has passed; therefore, the City will not be reopening consultation for the proposed Project.

As discussed on Draft PEIR page 5.17-9, future development within the Planning Area will be subject to the AB 52 and SB 18 consultation process through compliance with General Plan Policy 8.11.4, which states:

Policy 8.11.2 Comply with notification of California Native American tribes and organizations of proposed projects that have the potential to adversely impact cultural resources, per the requirements of AB52 and SB18.

The Soboba Band of Mission Indians will have the opportunity for consultation as required by AB52 and SB18.

The comment letter includes an attachment that identifies the requests of the Soboba Band regarding cultural items (Artifacts), treatment and disposition of remains, coordination with County Coroner's offices, and non-disclosure of location reburials. Regarding the Soboba Band's request for a project Developer to return all Native American ceremonial items and items of cultural patrimony, specific details of any artifacts would be determined at the time of such a discovery is made.

Regarding the treatment and disposition of remains and coordination with the County Coroner's office, page 5.5-31 of the Draft PEIR states:

Health and Safety Code § 7050.5, CEQA Guidelines § 15064.5(e), and PRC § 5097.98 mandate the process to be followed in the unlikely event of an accidental discovery of any human remains in a location other than a dedicated cemetery. Specifically, the process is as follows (Æ(a), p. 40):

The Riverside County Coroner must be notified within 24 hours of the discovery of potentially human remains. The Coroner must then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she must contact the NAHC by phone within 24 hours. The NAHC then designates a Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification. The MLD will then have the opportunity to recommend to the Project proponent means for treating or disposing, with appropriate dignity, the human remains and associated grave goods within 24 hours of notification.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony

(Section 7052). In the event that the project proponent and the MLD disagree regarding the disposition of the remains, State law will apply, and the mediation process will occur with the NAHC (see PRC Section 5097.94(k)). Either the MLD or the landowner may request mediation from the NAHC, and both parties must agree to mediate. If an MLD cannot be identified, or mediation fails, then the landowner shall be bound by the reinternment process outlined in PRC Section 5097.98(e) (see Section 5.5.2 Existing Regulations).

Through compliance with existing regulations to properly handle the inadvertent discovery of human remains, impacts from the Beaumont 2040 Plan will be less than significant and no mitigation is necessary.

The City will comply with existing regulations and work with whatever Native American tribe or Bands is identified as the MLD.

Regarding the non-disclosure of location reburials, the applicable provisions of the California Government Codes are discussed in the Draft PEIR on pages 5.17-3–5.17-4 under the subheading “California Government Codes (Related to Native American Heritage),” which states:

Section 6254(r) of the Government Codes (GC) exempts from disclosure public records of Native American graves, cemeteries and sacred places maintained by the NAHC. Pursuant to Senate Bill 18, GC Section 65351 specifies how local planning agencies should provide opportunities for involvement of California Native American tribes to consult on the preparation or amendment of general plans. In particular, GC Section 65352 requires local planning agencies to refer proposed actions of general plan adoption or amendment to California Native American tribes on the contact list maintained by the NAHC, and others, with a 45-day opportunity for comments. In regards to historical properties, GC Section 25373, and 37361 allows city and county legislative bodies to acquire property for the preservation or development of a historical landmark. It also allows local legislative bodies to enact ordinances to provide special conditions or regulations for the protection or enhancement of places or objects of special, historical or aesthetic interest or values. Lastly, GC Sections 50280-50290 implement the Mills Act which allows the negotiation of historical property contracts between a private property owner of a “qualified historical property” and provides additional guidelines for such contracts

Through compliance with the applicable provisions of the California Government Codes, the Soboba Band’s request for non-disclosure will be achieved.

No new environmental issues were raised with this comment. The City appreciates the Soboba Band’s participation in the CEQA process.

Comment Letter 28 – Channel Law Group, LLP (McDonald’s)

Comment letter 28 commences on the next page.

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*ALSO Admitted in Texas

October 27, 2020

VIA ELECTRONIC MAIL

Planning Commission
City of Beaumont
550 E. 6th Street
Beaumont, CA 92223
NicoleW@BeaumontCA.gov

Re: General Plan Update; McDonalds Restaurant Located at 501 Beaumont Avenue

Dear Honorable Planning Commissioners:

This firm represents McDonald's Corporation with regard to the citywide General Plan Update that will be considered by the City of Beaumont ("City") Planning Commission on October 27, 2020. On or about September 21, 2020 my client received a letter announcing that the McDonald's restaurant located at 501 Beaumont Avenue is proposed to be rezoned from Commercial General (GC) to Downtown Mixed Use (DMU). The main consequence of this change will be that drive-through will be *prohibited* (although existing uses will be allowed to continue and regulated as "non-conforming" uses under Chapter 17.08 of the Zoning Ordinance.)

The drive-through components of a restaurant such as McDonald's are extremely important. In fact, over 70 percent of McDonald's customers use the drive through – which has become even more popular in 2020 as a safe and reliable means to obtain food during the COVID-19 pandemic. McDonalds is concerned that the City's existing regulatory framework with regard to non-conforming uses could potentially make it impossible to make necessary improvements in years to come. Therefore, my client suggests that language be included in the General Plan Update to provide staff flexibility to allow existing drive-throughs to be improved, reoriented and/or modified notwithstanding the proposed zone changes. Certainly, the City does not want to inhibit the ability of longstanding businesses to make necessary improvements that improve public safety.

28-A

Thank you in advance for your thoughtful consideration and support of the local business community. I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

28-A
Cont.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being more prominent than the last name "Hall".

Jamie T. Hall

Response to Comment Letter 28 – Channel Law Group, LLP (McDonald’s)

Response to Comment 28-A:

This comment is requesting a change to the proposed Zoning Ordinance. This request will be considered by the Planning Commission and City Council. This is not an environmental issue; therefore, not additional response is required.

Comment Letter 29 – Beaumont-Cherry Valley Water District

Comment letter 29 commences on the next page.



Beaumont-Cherry Valley Water District

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Comment Letter 29

<http://www.bcvwd.org>

October 29, 2020

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Ms. Christina Taylor
Community Development Director
City Beaumont
560 East Sixth Street
Beaumont, CA 92223

Via: Ctaylor@beaumontca.gov

Re: COMMENTS – City of Beaumont General Plan Update 2020 -- Draft

Dear Ms. Taylor:

The Beaumont Cherry Valley Water District (BCVWD or “District”) appreciates the opportunity to review the General Plan Update and provide our comments. As the water purveyor in the City of Beaumont, we have a mutual interest in ensuring the water needs of the City are met. The timing of the City’s General Plan Update is excellent as the District is just starting our 2020 Urban Water Management Plan Update which will forecast our demands and supplies for the next 20 to 25 years. District staff has reviewed the City’s Draft General Plan Update and offers the following comments, along with a PDF copy of the Draft General Plan Update with redline markups:

Page 39, Existing Land Use. Suggest the wording of the second sentence be “The City’s Sphere of Influence extends an additional 11 square miles beyond the current City boundary.”

Page 40, Table 3.1. It might be appropriate, for those that do not have a long history with the City, to provide the current names of these projects (e.g. for Heartland say “[Olivewood]” etc.).

Page 40, Table 3.1. There is no mention of Legacy Highlands or Jack Rabbit Trail, and perhaps others, which are within the City’s Sphere of Influence and will have a significant impact on the City’s infrastructure and community services. BCVWD recognizes these projects may not have specific plans, but they are on the City’s major project status list and should be described somewhere in this Chapter.

Page 44, top. It states “the City is not currently planning annexation within the Sphere of Influence.” This would seem to include Legacy Highlands and Jack Rabbit Trail.

29-A
Cont.



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Both projects approached BCVWD for water service. While it is recognized that this is under the Riverside County General Plan, ultimately the City and BCVWD will be responsible for the infrastructure requirements for these project and very likely others.

Page 44, second paragraph. It states the “General Plan projects a growth of roughly 27,500 residential units and ...” It would be most useful if there were a base year given, e.g. from year 2000 or whenever. As a supplier BCVWD knows the number of current connections (residential equivalent dwelling units [EDUs]) and approximately how many have been through the District’s development and “Will Serve” process. But with a statement that another 27,500 residential units are still to be accommodated has the District very concerned. This is a near doubling of the current number of EDUs.

Page 45, Table 3.2. This table is very useful to BCVWD as it provides data to estimate the ultimate build-out water demand for the City including the Sphere of Influence. Unfortunately, it is not very clear what assumptions for development were assumed in the “Sphere of Influence” areas not covered by a Specific Plan (e.g. the Legacy Highlands, Jack Rabbit Trail, and perhaps other areas). The zoning map which accompanies the General Plan, is not reflective on this issue. If it is not included, BCVWD would like to have that noted in Table 3.2.

Page 53, Subarea Strategies, Bullet 6. Suggest the first sentence be reworded to be more clear: “Encourage developers to build proposed retail and services in a specific plan no later than *when* 75% of the residential development *has occurred*.” This statement occurs in several of the other subareas also.

Page 58 Mountains and Jack Rabbit Subareas. Jack Rabbit has been proposed as large building industrial; the developer has approached BCVWD for water service and a Water Supply Assessment has been prepared. The Mountains subarea is stated to be essentially undeveloped. A major portion of the area is included within the Legacy Highlands development for which a Water Supply Assessment has been developed by BCVWD. The General Plan should clarify how these areas are to be accommodated.

Page 94, Figure 4.1 Roadway Connections. Portions of Potrero Blvd, shown as potential, have been constructed. The figure should be updated.

Page 150, second paragraph under Statutory Requirements. The State Office of Research and Planning should be State Office of Planning and Research (OPR). The acronym is correct, but the agency title is incorrect.

Page 156, Groundwater Pollution. Reference is made to the 2016 Consumer Confidence Report (CCR); BCVWD has the 2019 CCR posted on its website and the narrative should be updated.

29-A
Cont.



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The California Maximum Contaminant Level (MCL) for Chromium-6 has been rescinded by court order and all references to the MCL of 4.3 µg/L should be removed. This is recognized in the footnote; but BCVWD would like all references to Chromium-6 removed. Never did BCVWD provide any water to its customers that was not in compliance with the California Division of Drinking Water Requirements. When the original MCL was imposed, BCVWD immediately took all of its wells containing Chromium-6 above the MCL offline and stopped using them for potable water.

A statement is made that the *“water supply samples have been found to include deposits of lead, copper, and barium.”* First, there are no “deposits.” To be in the water supply they must be present as dissolved substance.

To state there is lead in the water is mis-representing the Consumer Confidence Report (CCR). The sampling for lead (and copper) is done at the homeowner’s tap, not in BCVWD’s system. It is done this way because many residences and businesses have older plumbing fixtures (faucets etc.) which contain lead which do not meet current plumbing fixture lead standards. This is particularly true in the older homes where this section seems to be “aimed at.” BCVWD has no control over this water once it is past the “meter”. But even so, the lead sampling shows little, if any, lead in the water used by the residents of the sampled residences as discussed in the following paragraph.

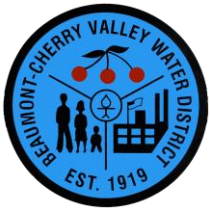
The 2016 CCR report for lead indicated the results were in ppb (µg/L). However, the data is presented in ppm or mg/L. The 90th percentile value was less than 0.005 ppm or 5 µg/L. Compliance with California Drinking Water Laws for lead (and copper) is based on the 90th percentile. The “90th” percentile means that 90 percent of the thirty samples¹ are less than 5 µg/L. The 5 µg/L is the detection level for purposes of reporting to the California Division of Drinking Water (DDW). That means the actual concentration of lead in the water is much less than 5 µg/L perhaps half as much or even less. The DDW Action Level (AL) for lead is 15 µg/L, the concentration at which the water supplier is required to add corrosion inhibitors to the water. The Public Health Goal² (PHG) is not an enforceable standard; it is a goal. BCVWD’s 90 percentile lead level is less than 1/3 of the AL and well within compliance. The PHG is 0.2 µg/L, an unenforceable standard and well below the current detection level for reporting purposes. BCVWD’s water is not contaminated with lead. The references to lead contamination must be removed.

To state there is copper in the water is also mis-representing the CCR. As with lead, copper is sampled at the resident’s tap. Copper can leach from copper water pipes used in

¹ The number of samples that the water supplier must collect is determined by the regulations and depends on the number of people served by the water supplier.

² A PHG is the level of contaminant in drinking water that does not pose a health risk. PHGs are goals that California’s water systems should strive to achieve if it is feasible to do so, but water systems are not required to reduce contaminants to the PHG level (as defined by OEHHA).

29-A
Cont.



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interior plumbing and plumbing fixtures such as faucets. BCVWD only used copper on service lines leading from the mainline in the street to the house. All materials comply with National Sanitary Foundation (NSF). The compliance requirement for copper is that the 90th percentile value must be less than the AL. The AL for copper is 1.3 mg/L. The 2016 CCR clearly states the 90th percentile value of the sampled sites was 0.37 mg/L. The Action Level (AL) for copper is 1.3 mg/L or about four times greater. BCVWD's water is not contaminated with copper. This statement must be removed.

For barium, there is a typo in the data submitted on the form. This is a standard form prepared by the California Department of Public Health (now Division of Drinking Water). The CCR for 2016 states the value is "ppm." It is really "ppb" or µg/L. This is verified by the MCL being stated as 1,000 ppm. The MCL is 1,000 **ppb or µg/L**. The average of the barium samples in BCVWD's water was 4.8 µg/L with the sample range from 0 to 29 µg/L. This is well below the MCL. A report by the California Office of Environmental Health Hazard Assessment (OEHHA)³ states that there is no known carcinogenic (cancer causing) effect from barium in humans. OEHHA set a PHG or 2 mg/L based on absence of cardiovascular effects. Note that this is greater than the MCL.

The OEHHA Report also stated the average concentration of barium in U. S. drinking water was 28.9 µg/L. So BCVWD's drinking water is not unusual. The reference to barium in the water should be removed. BCVWD's water is not polluted and request this narrative be removed.

The General Plan Update 2020 Report states that "In the City of Beaumont, neighborhoods in census tracts 438.22 and 438.12 are disproportionately impacted by drinking water contaminants and groundwater pollution." This statement was based on data from or results of OEHHA's "CalEnviroScreen". Census tract 438.22 straddles Highway 79 south of Beaumont and generally south of the City limits and extends westerly to the Badlands. Census tract 438.12 is the "Potrero Area" way south of the current BCVWD boundary. The residents of these census tracts are on private wells not served by BCVWD. BCVWD reviewed the data for Beaumont in CalEnviroScreen 3.0 and found that Beaumont's drinking water was in the 34th percentile and the groundwater threats at the 31st percentile for census tract 440.00, downtown Beaumont – highlighted red on Figure 6.1. This means that over 66% of the state of California has worse drinking water quality and 69% has greater groundwater threat.

A statement is also made: "*The adverse effects of drinking or inhaling Chromium-6 include lung cancer, kidney damage, and occupational asthma.*" When the final PHG and

³ OEHHA (2003). Public Health Goals for Chemicals in Drinking Water, Barium, Secretary for Environmental Protection, Office of Environmental Health Hazard Assessment, Sacramento, CA, September.

29-A
Cont.



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MCL are developed by the State for drinking water, these will be protective of public health. BCVWD staff did an analysis of the inhalation of air saturated with Chromium-6 in 2015 to determine the impact of using well water in the non-potable water system. The following is summary. The National Institute for Occupational Safety and Health (NIOSH) recommends the airborne exposure to Chromium-6 be less than **0.2 µg Chromium-6 /m³ air**. This is to ensure any worker is not exposed to excessive concentration of Chromium-6 over a 45 year work life. Air at a temperature of 64.9 °F and 85% relative humidity, (annual averages for Beaumont), contains 13.9 g water/m³. That amount of water, with 10 µg/L of Chromium-6, the previous MCL, contains only **0.14 µg Chromium-6 /m³ air**. The greatest opportunity for inhalation of moist air is in the shower which is only a few minutes per day; nowhere near the exposure in an 8-hour work environment. The statement about the adverse effects inhaling Chromium-6 from potable water is not substantiated with facts and should be removed from the General Plan report.

BCVWD also suggests that this section be re-written and entitled "Groundwater Quality" not "Groundwater Pollution." Just the mere heading indicates a problem. BCVWD's groundwater is of excellent quality and the statements made in this section are inaccurate.

Page 159, Table 6.2, Drinking Water. There are several census tracts listed for "drinking water" that have relatively high percentiles (poorer quality water). These areas are on private wells, not served by BCVWD. Census tracts 438.07, 438.18, 438.2 and 438.21 are all served by BCVWD and should be the same as census tracts 439 and 440. The differences are the result of inaccuracies in CalEnviroScreen. Perhaps a footnote(s) to the table would be appropriate.

Census tract 440 has a groundwater threat of 32%. BCVWD has no wells in this area. It is likely that the score, developed by CalEnviroScreen, was based on the fact that there are some "open", un-remediated gas station leaks.

Page 170, Goal 6.7.7. BCVWD would also suggest that the SGPWA and the Beaumont Basin Water Master be partners in the information program on best management practices to protect groundwater quality on a regional basis.

Page 176, Urban Water Management Plan (UWMP). BCVWD has initiated the process for the 2020 update to the UWMP and looks forward to working the City staff on quantifying the impacts of the General Plan 2020 update on water supplies.

Page 177, Utilities. The first sentence states "potable and recycled water". BCVWD's system is really a non-potable water system since it includes, (or has included), non-potable well water), and in the future very likely will contain screened, but otherwise untreated, imported State Project Water.

29-A
Cont.



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Page 178, Potable Water, 2nd paragraph. BCVWD is no longer exploring obtaining recycled water from Yucaipa Valley Water District (YVWD). YVWD's recycled water "change permit" from the State Division of Water Rights limits YVWD's recycled water use to their own service area.

Page 178, Potable Water, 3rd paragraph. BCVWD would also encourage cooperation on stormwater capture and recharge from new subdivisions.

Page 179, Recycled Water + Groundwater Recharge, 1st paragraph. The words "to compensate for water losses" should be restated "to reduce the need for imported water" or "to reduce the water demand from additional development" or something similar.

Also in same paragraph, BCVWD does not have an imported water pipeline in the City of Beaumont. It is in Cherry Valley from Orchard to Cherry Valley Blvd. along Noble Creek. The reference may be to the SGPWA pipeline which is Beaumont Ave. that serves their recharge facility.

Page 179, Recycled Water + Groundwater Recharge, 2nd paragraph. The SGPWA facility is completed.

Page 180, Picture caption for Oak Valley Golf Course. The golf course does not use recycled water. They have their own well and are currently using it. BCVWD has turnout on BCVWD's non-potable water pipeline to serve the golf course.

Page 180, 1st paragraph under the picture. There really is only one non-potable water system. BCVWD suggest the description in here which is correct, be integrated into the paragraph just ahead of the picture on the previous page. The project with Yucaipa is no longer being pursued and should be deleted.

Page 188, Goal 7.2.5. BCVWD would like the GIS map with land use designated as well as the land use and development projections for the areas that are not yet developed, e.g., Legacy Highlands, Jack Rabbit Trail and others.

Page 188, Goals 7.2.6 and 7.2.10. For the most part this is satisfied by the current Water Supply Assessment process required by state law, Water Sufficiency Studies required by LAFCO for annexations to BCVWD, and the Plan of Service/Will Serve process of BCVWD. The City of Beaumont's Fire Department should continue to dictate fire flow requirements.

Page 188, Goals 7.2.7 and 7.2.8. To get the maximum benefit from stormwater capture and recharge, BCVWD would like to work with the City to meter the water captured and work with Watermaster to determine how much of it is "new water" so appropriate credit can be obtained as "banked water."

29-A
Cont.



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Page 188, Goal 7.2.9. Coordinate with Watermaster also for ground and surface water quality as they collect the data for their annual and 5-year reports.

Page 188, Goals 7.3.1 and 7.3.6. Graywater use (shower and laundry wastewater) is acceptable, but can lead to problems adjacent to areas irrigated with recycled water. If any runoff occurs, identifying the source may be difficult. BCVWD would discourage graywater use as it reduces the amount of high-quality recycled water available. It is allowed by plumbing code, but let's not encourage it.

Page 188, Goal 7.3.7. The latest requirements from the State limit turf areas which are irrigated even with recycled water to be only for essential areas, e.g., playfields. No irrigation of turf on street medians with potable or recycled water beyond 2025. Medians with turf installed prior to January 1, 2018 can continue to be irrigated with recycled water. The City should plan on converting existing street medians and decorative entrance areas, such as at 3-Rings Ranch, with low water using materials.

Page 188, Goal 7.3.8. The goal states to require irrigation of golf courses. There is not enough recycled water available from the City to irrigate golf courses in the summer time. The goal should state "... and golf courses when recycled water is available."

Page 189, Goal 7.4.3. Requiring developments to reuse stormwater on-site for the maximum extent possible is supported, but any systems installed shall not interfere with existing or proposed recycled/non-potable water systems. Rain barrels on residential properties would be supported.

Page 189, Goal 7.5.5. It seems this goal is already covered by the requirement to address runoff and water quality in the CEQA process.

Page 189, Goal 7.5.7. This goal of seeking grants and other funding for stormwater capture projects should include working together with BCVWD, Riverside County Flood and Water Conservation District, the Santa Ana Watershed Project Authority, and SGPWA. Generally regional projects and applications have a better chance of success.

Page 190, Goal 7.7.1. The City may want to consider composting of the biosolids from the wastewater treatment plant and reuse the compost on parks and golf courses etc. The City could further consider co-composting green waste with municipal biosolids to reduce green waste going to landfills.

Page 194, CFI9. Recommend BCVWD be included to best capture stormwater for recharge.

Page 223, Beaumont Drainage Management Plan, 1st paragraph. This paragraph is not quite correct. BCVWD's UWMP adopted in 2015 are requirements set forth by the Water Code and implemented through the Department of Water Resources. The purpose of the

29-A
Cont.



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plan is to see there is adequate water supply for existing and projected developments for the next twenty years. It is not to analyze drainage problems in Beaumont. BCVWD would like to work with the City on this endeavor to maximize the capture and recharge of stormwater.

Page 227, Emergency Preparedness. BCVWD believes it would be beneficial to work with the City's Community Emergency Response Team.

Page 238, Climate Change + Extreme Weather. The Metropolitan Water District of Southern California is not the major importer in the region. Their Colorado River Aqueduct does run under the mountains to the southeast of Beaumont but that water is not delivered to the San Geronio Pass Area. The importer is the SGPWA. The major imported water facility which does provide water to the region is the California Aqueduct East Branch Extension (EBX) which runs through Cherry Valley on Orchard St. The Cherry Valley Pump Station on the EBX is located on Orchard St. extended, west of Taylor Dr. It is pretty obvious this was copied from the "Gateway Cities" General Plan.

Page 246, Goal 9.10.3. BCVWD would discourage graywater systems in recycled water areas as was mentioned previously.

Page 250, S16. Adequate pressure for fire protection is currently accomplished by a working relationship between BCVWD and the Fire Department. The Fire Department establishes the flow and pressure requirements and BCVWD's engineering department determines if that flow and pressure can be achieved and what facilities need to be installed by the developer. There is a sign-off on the final plans for the project by BCVWD, the City and the Fire Department

29-A
Cont.

Chapter 11 Downtown Plan. On first glance BCVWD believes the water demand for the downtown area, including the Beaumont Avenue and the Sixth St. easterly extension will increase from the existing demand principally with the inclusion of mixed use development areas and conversion of older, single family residential to multi-family residential. BCVWD would like to obtain the GIS data for the various land use areas from the City to be able to make a water demand assessment. This should be done before the General Plan 2020 is adopted and BCVWD's UWMP 2020 is prepared.

City of Beaumont Zoning Map dated 9/1/2020. The map shows a "single family residential" area for the Potrero Specific Plan (yellow area within the "green" open space area to the south). This area, though within the City of Beaumont is not within the Sphere of Influence of BCVWD and not within the boundaries of the San Geronio Pass Water Agency. It is within Eastern Municipal Water District and within the boundaries of the Metropolitan Water District of Southern California. This may pose a problem for water supply in that area. There are property tax and water supply implications that should be recognized by the City of Beaumont.



Beaumont-Cherry Valley Water District

Phone: (909) 845-9581 Fax: (951) 845-0159

Email: info@bcvwd.org

<http://www.bcvwd.org>

BCVWD would like a copy of the GIS data that identifies each parcel on the zoning map to be able to use to forecast potable and non-potable water demands.

Build-out Population. The previous General Plan had an estimate of the build-out population based on the zoning; BCVWD did not see a build-out population in General Plan 2020. This would be useful to the District to forecast an estimate of the build-out water demand and recycled water available. BCVWD recommends the City develop this population estimate.

BCVWD appreciates the opportunity to review and comment on the General Plan 2020; it does affect the water supply planning the District is undertaking in the update of the District's UWMP which is due to the State in July. The District also provides imported water demands to the SGPWA for their UWMP, so the City's work is very timely.

BCVWD staff is available to meet with the City and the City's consultant to discuss the comments. Please contact Dan Jagers, General Manager, if you have any further questions.

Sincerely yours,

Daniel K. Jagers
BCVWD
General Manager
DKJ//

Attachments:

1. PDF of Beaumont GPU Public Draft with BCVWD Redline Comments

29-A
Cont.

Board of Directors

David Hoffman
Division 5

John Covington
Division 4

Daniel Slawson
Division 3

Lona Williams
Division 2

Andy Ramirez
Division 1

Response to Comment Letter 29 – Beaumont-Cherry Valley Water District

Response to Comment 29-A:

Comment noted. Refer to Master Response 3.

Section 3 – Errata to Draft PEIR

3.1 Introduction

This Final PEIR contains corrections, errata, and additions to the information contained in the Draft PEIR. These changes do not constitute “significant new information” pursuant to State *CEQA Guidelines* Section 15088.5 because they do not change the Project impacts and/or mitigation measures such that new or more severe environmental impacts result from the Project. Such items are sometimes added as a result of comments received from responsible agencies or other commenters, changes in the existing conditions at the site, revised public policies since the DEIR was written, and/or minor corrections or clarifications.

3.2 Corrections, Errata, and Changes from Draft PEIR to Final PEIR

As provided in State *CEQA Guidelines* Section 15088(d), responses to comments may take the form of a revision to a Draft PEIR or may be a separate section in the Final PEIR. This section complies with the latter and provides changes to the Draft PEIR in revision-mode text, i.e., deletions are shown with strikethrough text (~~example text~~) and additions are shown with double underline text (example text). These notations are meant to provide clarification, corrections, or minor revisions as needed as a result of public comments or because of changes in the Project since the release of the Draft PEIR as required by State *CEQA Guidelines* Section 15132. None of the corrections and additions constitute significant new information or substantial Project changes requiring recirculation, as defined by State *CEQA Guidelines* Section 15088.5.

The following summary will present the location and types of additions and changes or corrections made within each section of the Final PEIR since the Draft PEIR was published.

Section 1 – Executive Summary

Portions of **Table 1-A – Draft PEIR Impact Summary Matrix**, will be modified to conform to revised mitigation revisions in the Draft PEIR Sections 5.1 through 5.20 as shown below:

Impact	Mitigation Measure	Level of Significance After Mitigation
5.4 Biological Resources		
Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	MM BIO-2: <u>To ensure compliance with Fish and Game Code sections 3503, 3503.5, and 3513 no direct impacts shall occur to any nesting birds, their eggs, chicks, or nests.</u> If future implementing project activities are planned during the bird nesting (February 15 to august 31) season <u>and there are trees or vegetation on or adjacent site</u> , nesting bird survey(s) consisting of up to three (3) site visits within <u>7 3</u> days prior to ground	Less Than Significant Impact

Impact	Mitigation Measure	Level of Significance After Mitigation
	<p>disturbance, clearing and/or demolition activities shall be conducted to ensure birds protected under the Migratory Bird Treaty Act (MBTA) <u>and Fish and Game Code sections 3503, 3503.5, and 3513</u> are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional measures are required.</p> <p>If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume.</p>	
<p>Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</p>	<p><u>MM BIO-3</u> <i>See above</i></p> <p><u>MM BIO-4:</u> During the CEQA process, the City shall evaluate all proposed road projects within the MSHCP Criteria Area to ensure compliance with the MSHCP and the Implementing Agreement.</p>	<p>Less Than Significant Impact</p>

Section 2 – Introduction

There are no revisions to this section of the Draft PEIR.

Section 3 – Project Description

There are no revisions to this section of the Draft PEIR.

Section 4 – Environmental Setting

There are no revisions to this section of the Draft PEIR.

Section 5 – Environmental Impact Analysis

There are no revisions to this section of the Draft PEIR.

Section 5.1 – Aesthetics

There are no revisions to this section of the Draft PEIR.

Section 5.2 – Agriculture and Forestry Resources

There are no revisions to this section of the Draft PEIR.

Section 5.3 – Air Quality

There are no revisions to this section of the Draft PEIR.

Section 5.4 – Biological Resources

In response to comments from the California Department of Fish and Wildlife (CDFW) to clarify the analysis of the Draft PEIR, **Table 5.4-B – Special-Status Wildlife Species Known to Occur within Regional Vicinity of the Planning Area**, commencing on Draft PEIR page 5.4-19, will be updated to include the Mountain Lion as follows:

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
Invertebrates			
<i>Bombus crotchii</i> Crotch bumble bee	SSA	Not covered	Coastal California east to the Sierra-Cascade Crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.
Amphibians			
<i>Rana mucosa</i> Southern mountain yellow-legged frog ¹	FE/SE	Covered Amphibian Species Survey Area	Federal listing refers to populations in the San Gabriel, San Jacinto and San Bernardino Mountains. Found at elevations of 1,370-3,650 m (4,500–12,000 ft). Always encountered within a few feet of water. Tadpoles may require 2–4 yrs to complete their aquatic development.

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
<i>Spea hammondi</i> western spadefoot	SSC	Covered	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.
Reptiles			
<i>Anniella stebbinsi</i> southern California legless lizard	SSC	Not covered	Generally south of the Transverse Range, extending to northwestern Baja California. Occurs in moist sandy or loose loamy soils under sparse vegetation. Disjunct populations in the Tehachapi and Piute Mountains in Kern County. Variety of habitats. Prefers soils with a high moisture content.
<i>Arizona elegans occidentalis</i> California glossy snake	SSC	Not covered	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular Ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose soils.
<i>Aspidoscelis hyperythra</i> orange-throated whiptail	WL	Covered	Inhabits low-elevation coastal scrub, chaparral, and valley-foothill hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its major food: termites.
<i>Aspidoscelis tigris stejnegeri</i> coastal whiptail	SSC	Covered	Found in deserts & semiarid areas with sparse vegetation and open areas. Also found in woodland & riparian areas. Ground may be firm soil, sandy, or rocky.
<i>Crotalus ruber</i> red-diamond rattlesnake	SSC	Covered	Chaparral, woodland, grassland, & desert areas from coastal San Diego County to the eastern slopes of the mountains. Occurs in rocky areas & dense vegetation. Needs rodent burrows, cracks in rocks or surface cover objects.

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
<i>Emys marmorata</i> western pond turtle	SSC	Covered	A thoroughly aquatic turtle of ponds, marshes, rivers, streams & irrigation ditches, usually with aquatic vegetation, below 6,000 feet elevation. Need basking sites and suitable upland habitat (sandy banks or grassy open fields) up to 0.5 km from water for estivating.
<i>Phrynosoma blainvillii</i> coast horned lizard	SSC	Covered	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, & abundant supply of ants & other insects.
<i>Salvadora hexalepis virgulata</i> coast patch-nosed snake	SSC	Not covered	Brushy or shrubby vegetation in coastal Southern California. Require small mammal burrows for refuge and overwintering sites.
Birds			
<i>Accipiter cooperii</i> Cooper's hawk	WL	Covered	Chiefly of open, interrupted or marginal type woodland. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains, also live oaks.
<i>Agelaius tricolor</i> tricolored blackbird	FC SSC	Covered	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California. Requires open water, protected nesting substrate, & foraging area with insect prey within a few km of the colony.
<i>Aimophila ruficeps</i> <i>canescens</i> southern California rufous-crowned sparrow	WL	Covered	Resident in southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.
<i>Aquila chrysaetos</i> golden eagle	FP, WL	Covered	Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range; also,

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
			large trees in open areas.
<i>Artemisiospiza belli</i> Bell's sage sparrow	WL	Covered	Nests in chaparral dominated by dense stands of chamise. Found in coastal sage scrub in south of range.
<i>Athene cunicularia</i> burrowing owl	SSC	Covered Burrowing Owl Survey Areas	Open, dry annual or perennial grasslands, deserts & scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.
<i>Buteo regalis</i> ferruginous hawk	WL	Covered	Open grasslands, sagebrush flats, desert scrub, low foothills and fringes of pinyon and juniper habitats. Eats mostly Lagomorphs, ground squirrels, and mice. Population trends may follow Lagomorph population cycles.
<i>Buteo swainsoni</i> Swainson's hawk	ST	Covered	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, & agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodents.
<i>Campylorhynchus brunneicapillus sandiegensis</i> coastal cactus wren	SSC	Covered	Southern California coastal sage scrub. Wrens require tall opuntia cactus for nesting and roosting.
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	FT/SE	Covered	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower understory of blackberry, nettles, or wild grape.
<i>Elanus leucurus</i> white-tailed kite	FP	Covered	Rolling foothills and valley margins with scattered oaks & river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated,

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
			dense-topped trees for nesting and perching.
<i>Empidonax traillii extimus</i> southwestern willow flycatcher	FE/SE	Covered	Breeds in relatively dense riparian tree and shrub communities associated with rivers, swamps, and other wetlands including lakes and reservoirs. Habitat patches must be at least 0.25 acre in size and at least 30 feet wide.
<i>Eremophila alpestris actia</i> California horned lark	WL	Covered	Short-grass prairie, “bald” hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.
<i>Icteria virens</i> yellow-breasted chat	SCC	Covered	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 feet of ground.
<i>Lanius ludovicianus</i> loggerhead shrike	SSC	Covered	Broken woodlands, savannah, pinyon-juniper, Joshua tree, & riparian woodlands, desert oases, scrub & washes. Prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting.
<i>Plegadus chihi</i> white-faced ibis	WL	Covered	Shallow freshwater marsh. Dense tule thickets for nesting, interspersed with areas of shallow water for foraging.
<i>Poliophtila californica</i> coastal California gnatcatcher	FT SSC	Covered	Obligate, permanent resident of coastal sage scrub below 2,500 feet in Southern California. Low, coastal sage scrub in arid washes, on mesas & slopes. Not all areas classified as coastal sage scrub are occupied.
<i>Progne subis</i> purple martin	SSC	Covered	Inhabits woodlands, low elevation coniferous forest of Douglas-fir, ponderosa pine, & Monterey pine. Nests in old woodpecker cavities mostly, also in human-made

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
			structures. Nest often located in tall, isolated tree/snag.
<i>Setophaga petechia</i> yellow warbler	SSC	Covered	Riparian plant associations in close proximity to water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada. Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants.
<i>Vireo bellii pusillus</i> least Bell's vireo	FE/SE	Covered	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.
<i>Xanthocephalus</i> yellow-headed blackbird	SSC	Not covered	Nests in freshwater emergent wetlands with dense vegetation & deep water. Often along borders of lakes or ponds. Nests only where large insects such as Odonata are abundant, nesting timed with maximum emergence of aquatic insects.
Mammals			
<i>Antrozous pallidus</i> pallid bat	SSC	Not covered	Deserts, grasslands, shrublands, woodlands and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.
<i>Chaetodipus californicus femoralis</i> Dulzura pocket mouse	SSC	Not covered	Variety of habitats including coastal scrub, chaparral & grassland. Attracted to grass-chaparral edges.
<i>Chaetodipus fallax</i> northwestern San Diego pocket mouse	SSC	Covered	Coastal scrub, chaparral, grasslands, sagebrush, etc. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
<i>Chaetodipus fallax pallidus</i> pallid San Diego pocket mouse	SSC	Not covered	Desert border areas in desert wash, desert scrub, desert succulent scrub, pinyon-juniper, etc. Sandy herbaceous areas, usually in association with rocks or coarse gravel.
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	SSC	Not covered	Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls & ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.
<i>Dipodomys merriami parvus</i> San Bernardino kangaroo rat	FE SSC	Covered Mammal Species Survey Area	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Needs early to intermediate seral stages.
<i>Dipodomys stephensi</i> Stephens' kangaroo rat	FE/ST	Covered	Primarily annual & perennial grasslands, but also occurs in coastal scrub & sagebrush with sparse canopy cover. Prefers buckwheat, chamise, brome grass & filaree. Will burrow into firm soil.
<i>Lasiurus xanthinus</i> western yellow bat	SSC	Not covered	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees.
<i>Leptonycteris yerbabuenae</i> lesser long-nosed bat	FE	Not covered	Arid regions such as desert grasslands and shrub land. Suitable day roosts (caves & mines) and suitable concentrations of food plants (columnar cacti & agaves) are critical resources. No maternity roosts known from California; may only be vagrant.
<i>Lepus californicus bennettii</i> San Diego black-tailed jackrabbit	SSC	Covered	Intermediate canopy stages of shrub habitats & open shrub / herbaceous & tree / herbaceous edges. Coastal sage scrub habitats in Southern California.

**Table 5.4-B –Special-Status Wildlife Species Known to Occur
within Regional Vicinity of the Planning Area**

Scientific Name Common Name	Special Status	MSHCP Status	Habitat Requirements
<i>Neotoma lepida intermedia</i> San Diego desert woodrat	SSC	Covered	Coastal scrub of Southern California from San Diego County to San Luis Obispo County. Moderate to dense canopies preferred. They are particularly abundant in rock outcrops & rocky cliffs & slopes.
<i>Onychomys torridus ramona</i> southern grasshopper mouse	SSC	Not covered	Desert areas, especially scrub habitats with friable soils for digging. Prefers low to moderate shrub cover. Feeds almost exclusively on arthropods, especially scorpions & orthopteran insects.
<i>Perognathus longimembris brevinasus</i> Los Angeles pocket mouse	SSC	Covered Mammal Species Survey Area	Lower elevation grasslands & coastal sage communities in and around the Los Angeles Basin. Open ground with fine sandy soils. May not dig extensive burrows, hiding under weeds & dead leaves instead.
<u><i>Puma concolor</i></u> <u>mountain lion</u>	<u>None</u>	<u>Covered</u>	<u>Rocky areas, cliffs, and ledges that provide cover in chaparral, coastal sage scrub, desert scrub, Riversidean alluvial fan sage scrub, pinyon juniper woodlands and scrub, riparian, coniferous forests, and oak woodlands and forests. Diet includes mule deer and other ungulates, rabbits and larger rodents.</u>
<i>Taxidea taxus</i> American badger	SSC	Not covered	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Needs sufficient food, friable soils & open, uncultivated ground. Preys on burrowing rodents. Digs burrows.

In response to comments from CDFW in order to provide additional protection to special status species or other wildlife of low or limited mobility, page 5.4-44 of the Draft PERI will be revised to include the following new General Plan Policy:

Policy 8.10.5: City shall require project proponents to hire a CDFW-qualified biologist to monitor for special status species or other wildlife of low or limited mobility, if

present, 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.

In response to comments from CDFW, mitigation measure **MM BIO-2** commencing on Draft PEIR page 5.4-63 will be revised as follows:

MM Bio 2: To ensure compliance with Fish and Game Code sections 3503, 3503.5 and 3515 no direct impacts shall occur to any nesting birds, their eggs, chicks, or nests. If future implementing project activities are planned during the bird nesting ~~(February 15 to August 31)~~ season ~~and there are trees or vegetation on or adjacent site,~~ nesting bird survey(s) consisting of up to three (3) site visits within ~~7~~ **3** days prior to ground disturbance, clearing and/or demolition activities shall be conducted to ensure birds protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code sections 3503, 3503.5, and 3513 are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional measures are required.

If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume.

In response to CDFW's request regarding road and trail projects, a new mitigation measure, **MM BIO-4**, will be added to Section 5.4.6 of the Draft PEIR.

MM BIO 4: During the CEQA process, the City shall evaluate all proposed road and trail projects within the MSHCP Criteria Area to ensure compliance with the MSHCP and the Implementing Agreement.

Section 5.5 – Cultural Resources.

There are no revisions to this section of the Draft PEIR.

Section 5.6 – Geology and Soils

There are no revisions to this section of the Draft PEIR.

Section 5.7 – Greenhouse Gas Emissions

There are no revisions to this section of the Draft PEIR.

Section 5.8 – Hazards and Hazardous Materials

To clarify that defensible spaces are created and maintained in the development footprint for projects, and not within any open space or conservation areas of the MSHCP, Policy 9.6.8 on Draft PEIR page 5.8.-20, will be revised as follows:

Policy 9.6.8: Require that developments located in wildland interface areas incorporate and enforce standards for construction, including a fuel modification program (i.e

brush clearance, planting of fire-retardant vegetation) to reduce the threat of wildfires. Fuel modification areas shall be located within the project site and shall be clearly delineated on grading plans.

Section 5.9 – Hydrology and Water Quality

There are no revisions to this section of the Draft PEIR.

Section 5.10 – Land Use and Planning

There are no revisions to this section of the Draft PEIR.

Section 5.11 – Mineral Resources

There are no revisions to this section of the Draft PEIR.

Section 5.12 – Noise

To clarify the requirements of the Beaumont Municipal Code (BMC), the paragraph regarding BMC Section 9.02.050 on Draft PEIR page 5.12-18 has been revised as follows:

BMC Section 9.02.050 establishes base ambient noise levels (BANL) for outdoor noise in residential zones of 55 dBA from 7:00 a.m. to 10:00 p.m., and 45 dBA from 10:00 p.m. to 7:00 a.m. ~~The standard used for maximum outdoor noise levels in residential areas in California is a CNEL of 65 dBA.~~ This section of the BMC also establishes a BANL of 75 dBA from 7:00 a.m. to 10:00 p.m., and 50 dBA from 10:00 p.m. to 7:00 a.m. in industrial and commercial zones.¹

To correct a typographical error, the paragraph preceding **Table 5.12-F – Beaumont Municipal Code Maximum Interior Noise Levels for Residences, Schools, and Hospitals** on Draft PEIR page 5.12-17 has been revised as follows:

Section 5 ~~9~~.02.080B of the BMC states that no person shall operate or cause to be operated any source of sound which causes the noise level, when measured in another dwelling unit, school, or hospital to exceed the levels set forth below in **Table 5.12-F**.

To amplify and clarify the discussion regarding permanent noise impacts the first paragraph on Draft PEIR, page 5.12-33 will be revised as follows:

In addition to noise from mobile sources (i.e. traffic and rail), development consistent with the revised Zoning Ordinance and Zoning Map will generate noise from the activities and operations associated with new residential, commercial, industrial, and public land uses. Noise levels at new noise-sensitive receptors in the Planning Area would be compared to the City's compatibility standards set forth in the Beaumont 2040 Plan Table 10.1 and Table 10.2 to determine if additional noise reduction features are necessary. In general, it is easier to ensure proper noise attenuation for new uses, which can be required to incorporate noise-attenuating features into their design before they are built, than it is to ensure proper noise attenuation for existing uses. Noise impacts from new development will be mitigated on a project-level basis through the use of appropriate location-specific design and engineering techniques, including

¹ Actual decibel measurements exceeding the levels set forth above at the times and within the shall be used as the "base ambient noise level" for purposes of Title BMC Chapter 9.02. referred to in this Chapter. Otherwise, no ambient noise shall be deemed to be less than the above specified levels.

building setbacks, appropriate building siting, sound barriers, and sound attenuating construction techniques. Therefore, the use of such techniques in new development in Beaumont would maintain an acceptable noise environment.

Section 5.13 – Population and Housing

There are no revisions to this section of the Draft PEIR.

Section 5.14 – Public Services

There are no revisions to this section of the Draft PEIR.

Section 5.15 – Recreation

There are no revisions to this section of the Draft PEIR.

Section 5.16 – Transportation/Traffic

There are no revisions to this section of the Draft PEIR.

Section 5.17 – Tribal Cultural Resources

To correct typographical errors, the first two paragraph on Draft PEIR page 5.17-9 will be revised as follows:

AB 52 requires that lead agencies evaluate a project's potential impact on “tribal cultural resources” (TCRs). Such resources include “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources.” AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a TCR. ~~As discussed in Section 5.5-2,~~ AB 52 notification letters were sent to 41 Native American tribal governments or designated tribal representatives for the proposed Beaumont 2040 Plan on April 18, 2018. Of the 41 tribes notified, four tribes responded, Agua Caliente Band of Cahuilla Indians (ACBMI), Morongo Band of Mission Indians (MBMI), Pauma Band of Luiseño Indians, and the San Manuel Band of Mission Indians (SMBMI).

The Pauma Band stated the Planning Area is outside of their traditional territory and deferred to Cahuilla and Serrano Bands in the area. The MBMI and ACBMI requested additional information and consultation with the City. The SMBMI also requested information and provided a map showing where the Planning Area overlaps with Serrano Ancestral Territory. On June 27, 2018 ACBMI and SMBI were contacted by the City to indicate the requested information would be provided. On November 20, 2019, the Beaumont 2 040 Land Use Map, the Cultural Resource Assessment for the City of Beaumont General Plan Update, City of Beaumont, Riverside County, California, and a draft of the Conservation and Open Space Element addressing tribal resources were provided to SMBMI, ACMBI, and MBMI. On November 25, 2019, MBMI indicated that the area is located within their aboriginal territory and stated they have no more information to provide at this time and retain the rights to participate in the CEQA process. City staff and the ACBMI representative consulted on April 8, 2020 and ACBMI provided edits to the Open Space and Conservation Easement to the City on May 13, 2020. ACBMI’s proposed edits to the Open Space and Conservation Element have been incorporated in the Beaumont 2040 Plan. Specifically, ~~SMBMI~~ ACBMI requested clarification of what constitutes a tribal cultural

resources, and language in the General Plan policies indicating that tribal cultural resources will be protected to the extent feasible.

Section 5.18 – Utilities and Service Systems

There are no revisions to this section of the Draft PEIR.

Section 5.19 – Energy

There are no revisions to this section of the Draft PEIR.

Section 5.20 – Wildfire

In response to comment from CDFW, to clarify that defensible spaces are created and maintained in the development footprint for projects, and not within any open space or conservation areas of the MSHCP, Policy 9.6.8 on Draft PEIR page 5.20-14, will be updated as follows:

Policy 9.6.8: Require that developments located in wildland interface areas incorporate and enforce standards for construction, including a fuel modification program (i.e brush clearance, planting of fire-retardant vegetation) to reduce the threat of wildfires. Fuel modification areas shall be located within the project site and shall be clearly delineated on grading plans.

Section 6 – Consistency with Regional Plans

There are no revisions to this section of the Draft PEIR.

Section 7 – Other CEQA Topics

There are no revisions to this section of the Draft PEIR.

Section 8 – Alternatives to the Proposed Project

There are no revisions to this section of the Draft PEIR.

Section 9 – References

There are no revisions to this section of the Draft PEIR.

Appendices to the PEIR

There are no revisions to the Appendices of the Draft PEIR.

Remainder of page intentionally blank.

Section 4 – Mitigation Monitoring and Reporting Program

CEQA requires the adoption of feasible mitigation measures to reduce the severity and magnitude of significant environmental impacts associated with project development. The Project's Draft Environmental Impact Report (DEIR) includes mitigation measures to reduce the potential environmental effects of the Project. CEQA also requires reporting on, and monitoring of, mitigation measures adopted as part of the environmental review process (Public Resources Code Section 21081.6). This mitigation monitoring and reporting program (MMRP) is designed to aid the City in its implementation and monitoring of measures adopted from the Project.

Pursuant to State CEQA Guidelines Section 15097, a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of Project oversight provided by the "Responsible Party" listed in the following table. "Reporting" refers to written compliance review that will be presented to the decision-making body or authorized staff person identified in the table below. A report can be required at various stages throughout the Project implementation or upon completion of the mitigation measure. The following table provides the required information which includes identification of the potential impact, various mitigation measures, applicable implementation timing, agencies responsible for implementation, and the monitoring/reporting method for each mitigation measure identified.

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/ Reporting Method
Agriculture	<p>MM AG-1: Because the State reevaluates and changes Farmland designations approximately every two years, to determine the specific impacts to designated Farmland sites shown on Figure 5.2-1 – Designated Farmland as having Prime Farmland or Unique Farmland, as part of any entitlement process for any future development proposal, the project applicant shall use the most current FMMP data available to determine the number of acres of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance that would be permanently converted to a non-agricultural use by the proposed future development. This number shall be referred to as the “Acres of Converted Farmland.”</p> <p>If the Acres of Converted Farmland for any future development project is greater than zero, the City shall require the project proponent to provide mitigation in the amount equivalent to the Acres of Converted Farmland. This mitigation may be provided by one or more of the following methods: (i) placement of an agricultural easement on property containing soils that meet the physical and chemical criteria for Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, (ii) cancellation of a Notice of Non-renewal or an agreement not to file a Notice of Non-renewal for Williamson Act contracts on property (or properties), (iii) placement of a new Williamson Act contract on property or properties, or (iv) any combination of (i), (ii), or (iii). Other feasible measures to protect the soils and lands designated by the State FMMP program not listed here can be implemented as determined by the City. This mitigation shall be made a</p>	Prior to the issuance of a grading permit for any future development project on property designated a Farmland on Draft PEIR Figure 5.2-1.	Project Applicant Beaumont Planning Department	Evidence of mitigation shall be provided

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/ Reporting Method
	condition of project approval and evidence of mitigation shall be provided to the Beaumont Planning Department prior to the issuance of a grading permit.			
Agriculture	MM AG-2: In order to allow the operation of produce stands in the Industrial Zoning District as part of the revisions to the Beaumont Zoning Ordinance, Section 17.03.100 and Table 17.03-3 shall be revised to include Produce Stands as a permitted use in the Manufacturing (M) Zone.	As part of the approval of the revisions to the Beaumont Zoning Ordinance.	Beaumont Planning Department	Adoption of Zoning Ordinance Section 17.03.100 and Table 17.03-3 to include Produce Stands as Permitted use.
Air Quality	MM AQ 1: In order to reduce future impacts related to exceedance of air quality standards from criteria pollutants and from TACs impacting sensitive receptors, prior to discretionary approval for development projects subject to CEQA review, project applicants shall prepare and submit a technical analysis evaluating potential air quality impacts, including TAC's where appropriate, to the City of Beaumont for review and approval. The analysis shall be prepared in conformance with current South Coast Air Quality Management District (SCAQMD) methodology for assessing air quality impacts and TACs. Feasible mitigation measures for each future project shall be incorporated, if applicable.	As part of the development application process.	Project Applicant Beaumont Planning Department	Submittal of technical analysis evaluating potential air quality impacts in conformance with SCAQMD methodology. Feasible mitigation measures incorporated, if applicable.
Biological Resources	MM BIO-1: For impacts identified to Species Not Covered by the MSHCP, potential direct and indirect impacts to Federal Species of Concern, California Species of Special Concern, California Species Animals or plants on lists one through four of the California Native Plant	As part of the development application process.	Qualified Biologist Project Applicant Beaumont Planning Department	Submittal of Habitat Assessment If applicable, record of focused survey results and actions

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/ Reporting Method
	<p>Society (CNPS) Inventory will require habitat assessments prepared by a qualified biologist for future implementing projects. The habitat assessment report identifying potential impacts to the Not Covered MSHCP species shall be provided in a report and submitted to the City Planning Department prior to issuance of grading permits. The following determinations shall be made by the City based on the habitat assessment:</p> <ul style="list-style-type: none"> • If the findings of the habitat assessment show no suitable habitat or sensitive species Not Covered by the MSHCP occur on site, then no additional surveys or mitigation measures are required. • If the potential for sensitive species exist or suitable habitat exists on site, focused surveys shall be completed within one year of the submittal to the City for review. Focused surveys conducted in the appropriate season for each species, as identified in the habitat assessment report, shall be conducted to determine presence/absence status. • If no sensitive species are identified through focused surveys, then no additional surveys or mitigation measures are required. • If sensitive species Not Covered by the MSHCP are found on site and are not avoided by project design, coordination with the appropriate regulatory agencies (i.e. USFWS and/or CDFW) would be required to obtain necessary take permits and implement project-specific mitigation 			taken.

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/ Reporting Method
	prior to any ground disturbing activities.			
Biological Resources	<p>MM BIO-2: To ensure compliance with Fish and Game Code sections 3503, 3503.5, and 3513 no direct impacts shall occur to any nesting birds, their eggs, chicks, or nests. If future implementing project activities are planned during the bird nesting season, nesting bird survey(s) consisting of up to three (3) site visits within 3 days prior to ground disturbance, clearing and/or demolition activities shall be conducted to ensure birds protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code sections 3503, 3503.5, and 3513 are not disturbed by on-site activities. Any such survey(s) shall be conducted by a qualified biologist. If no active nests are found, no additional measures are required.</p> <p>If active nests are found, the nest locations shall be mapped by the biologist. The nesting bird species shall be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging) determined. Based on the species present and surrounding habitat, a no-disturbance buffer shall be established around each active nest. The buffer shall be identified by a qualified biologist and confirmed by the City. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the City and construction supervisor that activities may resume.</p>	During bird nesting season and within 3 days prior to ground disturbance activities in areas where trees or vegetation are present on-site.	Qualified Biologist Beaumont Planning Department	Evidence of nesting bird survey(s) and actions taken.
Biological	MM BIO-3: The City shall require the following for all future implementing projects in order to mitigate for	As part of the development	Qualified Biologist	Evidence of Jurisdictional

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/ Reporting Method
Resources	<p>impacts to riparian/riverine or sensitive habitats associated with waters of the US and State:</p> <ul style="list-style-type: none"> • Preparation of a Jurisdictional Delineation of Waters of the U.S. and wetlands pursuant to the RCA as well as CWA and ACOE protocol where drainages are located on site. If avoidance of the drainages is infeasible, then applicants must obtain a CWA Section 404 permit from the ACOE prior to project grading. These permits must include measures or other equivalent requirements necessary to reduce impacts to riparian and wetlands resources and ensure no net loss of wetlands. • Preparation of a Jurisdictional Delineation of streams and vegetation within drainages and native vegetation of use to wildlife pursuant to CDFW and California Fish and Game Code Sect 1600 et seq. Where necessary, applicants are required to obtain a Section 1601 or 1603 permit and a Streambed Alteration Agreement from CDFW. These permits must include measures or other equivalent requirements that reduce impacts to riparian and wetlands resources ensure no net loss of wetlands. • Riparian/Riverine evaluation pursuant to Section 6.1.2 of the MSHCP. Applicants must avoid impacts to riparian areas to preserve the function and value of such habitats. Avoided areas shall be protected in perpetuity through a legal instrument such as a conservation easement or deed 	application process.	Beaumont Planning Department	Delineation and/or DBESP and associated permits, as required.

Impact Category	Mitigation Measure	Implementation Timing	Responsible Monitoring Party	Monitoring/ Reporting Method
	restriction. Where avoidance is infeasible, a DBESP will be required to be reviewed and approved by the RCA and/or US Fish and Wildlife Services and California Department of Fish and Game.			
Biological Resources	MM BIO 4: During the CEQA process, the City shall evaluate all proposed road and trail projects within the MSHCP Criteria Area to ensure compliance with the MSHCP and the Implementing Agreement.	During the CEQA process or prior to final design, whichever occurs first.	Beaumont Planning Department.	Evidence of MSHCP consistency and compliance
Greenhouse Gas	MM GHG 1: In order to address effects of GHG emissions from future development, the City of Beaumont shall evaluate the feasibility of the potential GHG reduction strategies in Table 5.7-F and update the Sustainable Beaumont Plan or similar document every five years to ensure the City is monitoring the plan's progress toward achieving the City's greenhouse gas (GHG) reduction targets and to require amendment if the plan is not achieving the specified level. The updates shall identify targets for years 2030, 2040, and 2050 and subsequent applicable statewide legislative targets that may be in effect at the time of the update.	Every five years, starting in 2025.	Beaumont Planning Department	Update the Sustainability Plan or similar document to achieve 2030, 2040, and 2050 GHG targets