

Facts, Findings and Statement of Overriding  
Considerations Regarding the Environmental Effects  
from the Environmental Impact Report for the

***Beaumont General Plan 2040***

***State Clearinghouse No. 2018031022***

**Facts, Findings and Statement of Overriding Considerations**  
**Regarding the Environmental Effects from the Approval of the Beaumont**  
**General Plan 2040**

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**1.0 STATEMENT OF FACTS AND FINDINGS**

**1.1 INTRODUCTION**

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant environmental impacts as identified in the Environmental Impact Report (EIR); presents facts supporting the conclusions reached in the analysis; makes one or more of three findings for each impact; and explains the reasoning behind the agency's findings. The EIR was prepared by the City acting as Lead Agency pursuant to CEQA. Hereafter, the Notice of Preparation, Notice of Availability, Draft EIR, Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR, and the Mitigation Monitoring and Report Program will be referred to collectively herein as the "EIR". The following Statement of Facts and Findings has been prepared in accordance with the State CEQA Guidelines (14 California Code of Regulations, Section 15091), and *California Public Resources Code*, Section 21081 (collectively, CEQA). Section 15091 of the State CEQA Guidelines provides that:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.

- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

Section 15093 of the State CEQA Guidelines further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.

- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant environmental impacts, the Lead Agency may still approve a project where its benefits outweigh the adverse impacts. Further, as provided in the Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.

The City of Beaumont (City), serving as the CEQA Lead Agency, finds and declares that the proposed Beaumont General Plan 2040 EIR (State Clearinghouse No. 2018031022) has been completed in compliance with CEQA and the State CEQA Guidelines. The City finds and certifies that the EIR was reviewed and that information contained in the EIR was considered prior to approving the proposed Beaumont General Plan 2040, herein referred to as the “Project”.

Having received, reviewed and considered the EIR for the Project, as well as all other information in the record of proceedings on this matter and the Facts, Findings and Statement of Overriding Considerations included in this document are hereby adopted by the City in its capacity as the CEQA Lead Agency.

Based upon its review of the EIR, the City finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the proposed Project; represents the independent judgment of the City; and sets forth an adequate range of alternatives to this Project.

As further described in the Final EIR document, the Final EIR is composed of the following elements:

- Beaumont General Plan 2040 Draft EIR;
- Comment Letters Received and Responses to Comments;
- Corrections and Changes (Errata) from the Draft EIR to the Final EIR; and
- Mitigation Monitoring and Reporting Program.

## **1.2 CUSTODIAN AND LOCATION OF RECORDS**

The documents and other materials that constitute the administrative record for the City’s approval of the EIR and actions related to the Project are located at the City of Beaumont, Planning Department, 550 E. 6th Street, Beaumont, CA 92223. The City of Beaumont is the custodian of the Project’s Administrative Record. Copies of the documents and other materials that constitute

the record of proceedings are, at all relevant times have been, and will be available upon request directed to the City's Planning Department.

## **2.0 PROJECT SUMMARY**

### **2.1 INTRODUCTION**

The City of Beaumont's (City's) General Plan (proposed Project or Beaumont 2040 Plan) is intended to be a blueprint for the City's future. The Beaumont 2040 Plan has been prepared in accordance with State planning law, as provided in California Government Code Section 65300. The Beaumont 2040 Plan is meant to be a framework for guiding planning and development in the City and City's Sphere of Influence (SOI) for the next approximately 20 years and can be thought of as the blueprint for the City's growth and development. The Beaumont 2040 Plan is comprehensive both in its geography and subject matter. It addresses the entire territory within the City's incorporated boundaries, SOI, and a broad spectrum of issues associated with the future buildout of the City.

According to California Government Code Section 65302, General Plans are required to cover the following elements or topics: land use, circulation, housing, conservation, open space, noise, air quality, safety, and environmental justice. Jurisdictions may include any other topic that is relevant to planning its future. The City has an adopted Housing Element (2013-2021) that is not a part of this General Plan Update process. The Beaumont 2040 Plan will include the rest of the required topics plus economic development, community/urban design, infrastructure and community facilities, resource management, sustainability, and governance.

No Initial Study was prepared for the Project as the City determined that a comprehensive EIR is clearly required for the Project (permissible under State *CEQA Guidelines* Section 15063[a]), and that the Project has the potential to result in significant environmental effects.

### **2.2 PROJECT DESCRIPTION**

The City and City's 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 Beaumont 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) (see Figure 3-1 – Regional Map).

The Planning Area includes land within the existing City limits (approximately 19,381 acres) and within the City's SOI which includes unincorporated areas outside the current City limits

(approximately 7,185 acres) (see Figure 3-2 – Project Vicinity). In preparing the Beaumont 2040 Plan and planning for the future of the City, it will be important to closely coordinate with neighboring jurisdictions and regional agencies in order to plan for sustainable community growth. Land uses within the City’s Planning Area may include a combination of undeveloped, developing, and developed properties. At this time, the City is not seeking annexation of land within the SOI into its current jurisdiction. However, new development within the SOI is being contemplated as a part of the Beaumont 2040 Plan as the SOI represents the City’s ultimate future boundary and service area.

California Government Code Section 65300 et seq. establishes the obligation of cities and counties to adopt and implement General Plans. The General Plan is a comprehensive and general document that describes plans for the physical development of a city or county and of any land outside its boundaries that in the city’s or county’s judgement, bears relation to its planning. The General Plan is required to address the following mandatory elements: land use, circulation, housing, conservation, open space, noise, air quality, safety, and environmental justice. Jurisdictions may include any other topic that is relevant to planning its future. As previously noted, the City has an adopted Housing Element (2013-2021) that is not a part of this General Plan Update (Beaumont 2040 Plan) process. The Beaumont 2040 Plan will include the rest of the required topics plus economic development, community/urban design, infrastructure and community facilities, resource management, sustainability, and governance.

The Beaumont 2040 Plan functions as a guide to the type of community that Beaumont citizens desire, and provides the means by which that desired future can be achieved. The Beaumont 2040 Plan addresses a range of immediate, mid-, and long-term issues with which the community is concerned. The Beaumont 2040 Plan is intended to allow land use and policy determinations to be made within a comprehensive framework that incorporates public health, safety, and "quality of life" considerations in a manner that recognizes resource limitations and the fragility of the community's natural environment. Under State law, the General Plan must serve as the foundation upon which all land use decisions are to be based, and must also be comprehensive, internally consistent, and have a long-term perspective. State law further mandates that the Beaumont 2040 Plan:

- Identify land use, circulation, environmental, economic, and social goals and policies for the City and its surrounding planning area (i.e., the City’s sphere of influence) as they relate to future growth and development;
- Provide a basis for local government decision-making, including decisions on development approvals and exactions;
- Provide citizens the opportunity to participate in the planning and decision-making process of their communities; and
- Inform citizens, developers, decision-makers, and other cities and counties of the ground rules that guide development within a particular community.

Beaumont is a community that values its small-town feel, community heritage, and natural setting. The City is committed to encouraging economically sustainable, balanced growth that respects its long history, while meeting infrastructure needs and protecting the environment. Beaumont's community pride and rural mountain setting sets the City apart as a vibrant and healthy community with local access to retail, services, jobs, and recreation. Beaumont 2040 Plan's vision for the future focuses on the following guiding values and priorities:

- **Transparent, honest government:** The citizens of Beaumont desire and value a customer-oriented government that adapts to digital technology, improves effectiveness, embraces innovation, and encourages everyone to participate in City government. Local leaders and public employees are accountable to the citizens.
- **Responsible, measured growth:** Beaumont values a good balance of homes, jobs, and retail with access to local urban amenities. Beaumont promotes expanded and enhanced opportunities for employment in the City, while ensuring that population growth does not outpace existing infrastructure capacity.
- **Fiscal responsibility:** Beaumont encourages fiscal transparency, responsible growth and effective management of fiscal revenues. Beaumont promotes policies that create a strong environment for job creation, build a strong tax base, and improve the fiscal performance of the City.
- **Small-town atmosphere:** Beaumont values its small-town atmosphere with distinct neighborhoods, historic downtown and connection to the natural environment. Beaumont is an inviting place to live and visit, and a desirable place for families. The citizens have a sense of pride and belonging in their City and close ties with their neighbors. Downtown Beaumont is a vibrant, diverse, active and walkable place in the heart of the City with civic, commercial, entertainment and residential opportunities for all residents in with high-quality streetscape design, community gathering spaces, and buildings that support pedestrian comfort and safety.
- **Quality of life provided by efficient infrastructure:** Beaumont has vibrant neighborhoods that provide retail, entertainment and recreational opportunities within close proximity. Beaumont encourages policies that create a multi-modal transportation network that enhances neighborhood connectivity and provides opportunities for active transportation and complete streets. New pedestrian and bicycle connections and programs will make it easier, more comfortable, and safer for residents, workers, and visitors to meet their daily needs and access regional destinations, and adjacent communities. Beaumont supports the improvement of infrastructure systems that keep pace with development.
- **Health and safety:** Beaumont endorses access to a healthy lifestyle for people of all ages by developing a complete city with a wide range of open space and recreation opportunities and walkable environments that are clean, safe, and kid friendly. Beaumont fosters safe neighborhoods through good community and environmental design policies that promote a mix of uses and active streets.

- **Beautiful environment of the Pass Area:**<sup>1</sup> The citizens of Beaumont value the natural environment of the City and its surroundings. Beaumont promotes policies that encourage access to these resources for all citizens, enhances opportunities for tourism, and stewards these natural resources and habitat areas. A diverse and extensive open space network with parks and trails within the City and to the surrounding Pass Area enhances access for residents and visitors alike.

The Beaumont 2040 Plan identifies major strategies and physical improvements for the City over the next approximately 20 years. These strategies include revitalizing Sixth Street into a “downtown” for the City, transforming Beaumont Avenue and Sixth Street into mixed use corridors, diversifying housing choices in the City with new affordable and market-rate single family homes and multi-family housing, expanding the jobs base, including development of an employment district and mixed uses along SR-79 in the southern portion of the City. Strategies will also support neighborhood enhancement, connectivity, and sustainable development practices on lands located immediately to the southwest of the City. Transit-oriented development is also contemplated in the area around the potential location of a Metrolink transit station at Pennsylvania Avenue and First Street. To achieve this direction, the City will also need to ensure balanced growth and preservation of the community’s history and identity, open space, and development of a multimodal transportation system.

## **2.3 PROJECT GOALS AND OBJECTIVES**

Per Section 15124 (b) of the CEQA Guidelines, an EIR needs to include a statement of the objectives of a project which help the City develop a reasonable range of alternatives. The objectives need to outline the general purpose of the Project. The City’s objectives for each of the Project’s major components are described below:

### **Beaumont 2040 Plan**

- Create a vibrant downtown to reduce vacancies and promote mix of active uses and a variety of retail and housing. Develop downtown with human scale design that supports and improves the pedestrian experience, including multi-modal streets.
- Pursue an infill strategy to foster compact development patterns, create walkable communities and preserve the natural environment and critical environmental areas. Within the SOI, limit future development to areas immediately adjacent to existing development and along current and new transportation corridors.

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<sup>1</sup> The Pass Area refers to the area bounded by the San Jacinto Mountains to the south and the San Bernardino Mountains to the north. The unincorporated communities of Beaumont Bench (north of the City of Beaumont), Cherry Valley (north of the City’s SOI), Cabazon, east of the City of Beaumont), the Morongo Indian Reservation, and the incorporated cities of Beaumont, Beaumont, and Calimesa are located within the Pass Area.)



- Improve retail corridors, to enhance development and redevelopment in the City’s retail corridors, diversify housing types, encourage mixed-use centers, and foster opportunities for economic growth.
- Expand housing choices to provide a diverse housing inventory to meet the changing needs of the Planning Area, which includes more affordable housing options.
- Protect the City’s historic resources. to preserve and enhance the City’s rich cultural and historic assets.
- Expand and enhance employment opportunities to diversify the City’s job base, promote future growth and economic development in the SOI, and achieve a better balance between jobs and households in the Planning Area.
- Improve fiscal performance of the City to stabilize the City’s fiscal health.
- Improve infrastructure and keep pace with development, to enhance the quality of life for the City’s residents and the City’s fiscal health by linking land use, transportation, and infrastructure development.
- Improve health outcomes, to improve the health of the community by supporting active transportation, access to healthy food, park, healthcare (including mental healthcare), preventative care and fitness, and economic opportunities.
- Create a diverse and extensive open space network to maintain the views of the mountains and provide connectivity between residential neighborhoods and open space resources that provide opportunities for active and passive recreation.
- Enhance opportunities for tourism to create a unique identity for tourism to transform Beaumont into a regional destination.
- Ensure high level of public safety to protect the personal safety and welfare of people who live, work, and visit Beaumont from crime, pollution, disasters, and other threats and emergencies.

### **Revised Zoning Ordinance and Zoning Map**

- Update Zoning Ordinance text and Zoning map to reflect new land use policies contained in the Beaumont 2040 Plan

## **2.4 REQUIRED DISCRETIONARY ACTIONS AND PERMITS**

The EIR serves as an informational document for use by public agencies, the general public, and decision makers. The EIR discusses the impacts of development pursuant to the proposed Project and related components and analyzes Project alternatives. The EIR will be used by the City of Beaumont and responsible agencies in assessing impacts of the proposed Project.

The following list specifies non-exhaustively and non-exclusively the approvals necessary for the proposed Project. The City Planning Commission and City Council (the City Council is the final

approving authority) will review the Beaumont 2040 Plan and its PEIR and supporting documents to consider whether or not to take the following actions:

- Certification of a PEIR.
- Approval of the EIR Findings,
- Adoption of a Mitigation, Monitoring, and Reporting Program in conjunction with the PEIR,
- Adoption of the General Plan Update (Beaumont 2040 Plan), and
- Adoption of the revised Zoning Ordinance and Zoning Map.

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, as such industrial uses for example, may need air quality operating permits for boilers or other large combustion-based equipment from the Southern California Air Quality Management District (SCAQMD).
- Future development will be required to submit a fugitive dust control plan to the SCAQMD for approval prior to issuance of grading permits (SCAQMD Rule 403).
- 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.
- Future development, such as industrial or medical, for example may need hazardous material handling, use, storage, and/or disposal permit(s) from the appropriate local, regional, state, or federal agency.

- National Pollutant Discharge Elimination System (NPDES) Construction General Permits will be required for grading activities of 1 acre or larger. The developer must file a Notice of Intent with the Regional Water Quality Control Board (RWQCB) and obtain a General Construction Activity Stormwater Permit pursuant to the NPDES regulations established under the CWA. This permit requires preparation and implementation of a Stormwater Pullulation Prevention Plan, which is intended to prevent degradation of surface and groundwaters during the grading and construction process.

### **3.0 INDEPENDENT JUDGMENT AND FINDING**

Albert A. Webb Associates was retained by the City to prepare the EIR. Albert A. Webb Associates prepared the EIR under the supervision, direction and review of the City planning staff.

**Finding:** The EIR for the Project reflects the City’s independent judgment. The City has exercised independent judgment in accordance with Public Resources Code Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

### **3.1 GENERAL FINDING ON MITIGATION MEASURES**

In preparing the Approvals for this Project as defined in this document in Section 2.4 – Required Discretionary Actions and Permits, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

**Finding:** Unless specifically stated to the contrary in these findings, it is this City Council’s intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

## **4.0 ENVIRONMENTAL IMPACTS AND FINDINGS**

As discussed in more detail below, these Facts, Findings and Statement of Overriding Considerations are intended to meet the requirements of CEQA Guidelines Sections 15091 and 15093. City staff reports, the EIR, written and oral testimony at public meetings or hearings, these Facts, Findings and Statement of Overriding Considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

Detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 5.0 of the Draft EIR.

The EIR evaluated the following 20 major environmental categories for potential impacts:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Energy
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Both Project-specific and cumulative impacts were evaluated. After considering the 20 major environmental categories, this City Council concurs with the conclusions in the EIR that the issues and sub issues discussed below can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section 5.0, overriding considerations exist which make these potential impacts acceptable to this City Council.

### **4.1 POTENTIALLY SIGNIFICANT IMPACTS WHICH CAN BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE WITH MITIGATION MEASURES**

The EIR identifies the significant impacts associated with the Project that can be reduced to a less-than-significant level by mitigation measures identified in the EIR. The City's findings with

respect to each of the Project's significant impacts and mitigation measures are set forth in the attached Exhibit 1<sup>2</sup> which is attached to these findings and is incorporated herein by this reference.

Public Resources Code Section 21081 and CEQA Guidelines Section 15091(a)(1) states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes the following finding:

This City Council hereby finds pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091(a)(1) that all potentially significant impacts listed in Exhibit 1 can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the Mitigation Monitoring and Reporting Program adopted by this City Council.

The City hereby adopts and/or readopts these mitigation measures, for the reasons set forth in these findings, in the Draft EIR with respect to the particular impact in question, and summarized in the attached Exhibit 1, and incorporates them into the Project. To the extent that these mitigation measures will not mitigate or avoid all significant effects on the environment, however, it is hereby determined that any remaining significant and unavoidable adverse impacts are acceptable for the reasons specified in Section 5.2, below.

## **5.2 ENVIRONMENTAL IMPACTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS**

In accordance with CEQA Guidelines Section 15092(b)(2), this City Council cannot approve the Project unless it first finds (1) the Project as approved will not have a significant effect on the environment, *or* (2) the significant effects on the environment have been eliminated or substantially lessened where feasible and any remaining significant effects on the environment found to be unavoidable are acceptable due to overriding concerns described in Section 15903.

This City Council finds that the following environmental impacts identified in the EIR remain significant even after all feasible mitigation measures: Air Quality – Sensitive Receptor Exposure,

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<sup>2</sup> The attached Exhibit 1 provides a summary description of each significant impact of the Project, all of which are evaluated in full in the EIR; describes the applicable mitigation measures identified in the EIR and adopted or readopted by the City; and states the City's findings on the significance of each impact after adoption and incorporation into the Project of these mitigation measures. Full explanations of these environmental findings and conclusions can be found in the EIR. These findings hereby incorporate by reference the discussion and analysis in those documents supporting the EIR's determinations regarding mitigation measures and the Project's impacts and mitigation measures designed to address those impacts, including but not limited to the EIR in its entirety. In making these findings, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation in the EIR and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

Cumulative Impacts; Greenhouse Gas – GHG Impacts; Noise – Permanent Increase in Ambient Noise Levels; and Transportation – Conflict with CEQA Guidelines section 15064.3, subdivision (b). A statement of overriding considerations is included herein.

### 5.2.1 Air Quality

**Significant Unavoidable Impact (Threshold B):** The EIR concluded that the Project could result in significant air quality impacts from long-term operations both from the project and cumulatively. This Threshold was used to analyze if the Project’s actions would violate air quality standards for long term operational impacts. The analysis included running CalEEMod to predict the emissions from the Project’s long term operations, and then comparing these results to the acceptable regional (RST) and local (LST) air quality standards. These air quality standards include significance thresholds for emissions including: VOC (regional only), NO<sub>x</sub>, CO, SO<sub>2</sub> (regional only), PM-10 and PM-2.5. The analysis concluded that adoption and implementation of the Beaumont 2040 Plan would generate air contaminant emissions from long-term operation of planned land uses. These emissions may result in adverse impacts to local air quality, and potential impacts to sensitive receptors. Even with implementation of one Mitigation Measure, MM AQ 1, the impacts related to long-term operations under Threshold B are significant and unavoidable.

**Finding:** The Project will result in significant impacts due to Toxic Air Contaminants (TACs). Project Mitigation Measure MM AQ 1 is incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the significant impacts, but not below a level of less than significant. Mitigation measure MM AQ 1 would contribute to reduced criteria air pollutant emissions and TACs associated with buildout of the Beaumont 2040 Plan. However, implementation of the Beaumont 2040 Plan at buildout would generate long-term emissions that exceed the daily SCAQMD thresholds for all criteria pollutants, except SO<sub>2</sub>. Therefore, the Project would contribute to the cumulative contribution of criteria pollutants for which the Basin is in nonattainment, and no further mitigation measures are available that would reduce impacts to below applicable SCAQMD significance thresholds. Therefore, air quality impacts remain significant and unavoidable and would therefore be cumulatively considerable.

Accordingly, air quality impacts from long term operations will remain significant and unavoidable. The following Mitigation Measure will mitigate impacts to air quality emissions to the extent feasible, but the impacts will remain significant and unavoidable:

**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 SCAQMD methodology for assessing air quality impacts and TACs. Feasible mitigation measures for each future project shall be incorporated, if applicable.*

**Facts in Support of the Finding:** The EIR recommends Mitigation Measure MM AQ 1 be implemented to reduce criteria air pollutant emissions and TACs associated with buildout of the Beaumont 2040 Plan. However, the air quality impacts from operations (Project and Cumulative) will be significant and unavoidable.

**Significant Unavoidable Impact (Threshold C):** The EIR concluded that localized criteria pollutant and TAC impacts associated with implementation of the Beaumont 2040 Plan are significant and unavoidable. The primary source of TACs within the City of Beaumont is diesel-fueled trucks and other vehicles traveling the freeways and major roadways. The EIR determined that it can be assumed that various sizes and types of projects will be developed and, because of the increased density seen for the land uses and desired proximity of residential land uses to both transit and commercial centers, it can be assumed that both construction and operation of commercial and potentially industrial sources would be developed relatively close to sensitive receptors such as residences or schools. The issuance of SCAQMD air quality permits and compliance with all SCAQMD, state, and federal regulations regarding stationary TACs reduce potential stationary sources of TAC emissions such that sensitive receptors would not be exposed to substantial air pollutant concentrations. The SCAQMD limits public exposure to TACs through a number of programs. The SCAQMD reviews the potential for TAC emissions from new and modified stationary sources through the SCAQMD permitting process for stationary sources. Adoption and implementation of the Beaumont 2040 Plan and enforcement of SCAQMD Rules and Regulations would minimize exposure of sensitive receptors to substantial criteria pollutant and TAC emissions. However, localized criteria pollutant and TAC impacts associated with implementation of the Beaumont 2040 Plan are considered significant and unavoidable.

**Finding:** The Project could result in significant impacts due to localized criteria pollutant and TAC impacts. Project Mitigation Measure MM AQ 1 is incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the significant impacts, but not below a level of less than significant. Mitigation measure MM AQ 1 would contribute to reduced criteria air pollutant emissions and TACs associated with buildout of the Beaumont 2040 Plan. However, implementation of the Beaumont 2040 Plan at buildout could expose sensitive receptors to criteria pollutants and TACs. Therefore, air quality impacts remain significant and unavoidable.

Accordingly, air quality impacts will remain significant and unavoidable. The following Mitigation Measure will mitigate impacts to air quality emissions to the extent feasible, but the impacts will remain significant and unavoidable:

**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 SCAQMD methodology for assessing air quality impacts and TACs. Feasible mitigation measures for each future project shall be incorporated, if applicable.*

**Facts in Support of the Finding:** The EIR recommends Mitigation Measure MM AQ 1 be implemented to reduce criteria air pollutant emissions and TACs associated with buildout of the Beaumont 2040 Plan. However, the air quality impacts from operations will be significant and unavoidable.

### **5.2.1 Greenhouse Gases**

**Significant Unavoidable Impact (Threshold A):** The EIR concluded that the Project could result in significant greenhouse gas emissions impacts from the Project. This Threshold was used to analyze if the Project's actions would violate greenhouse gas standards in the Subregional Climate Action Plan (CAP) for long term operational impacts. The analysis included running CalEEMod to predict the emissions from the Project's long term and cumulative operations, and then comparing these results to the goals of the CAP, which specifically includes a reduction of GHG emissions of 15 percent by the year 2020. This analysis concluded that long term and cumulative operations did violate the CAP standards; with implementation of Mitigation Measure GHG 1 to reduce GHG emissions from Project operations, the impacts under Threshold A for long-term operations are significant and unavoidable.

**Finding:** This Threshold was used to analyze GHG reduction levels for long term and cumulative operations. This impact to GHG emissions reduction levels is potentially significant and Mitigation Measure MM GHG 1 is incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the potentially significant impacts related to emissions, but not below a level of less than significant. Compliance with Project-specific design considerations not included in the emissions estimates, specifically those aimed at reducing mobile source emissions, would aide in the reduction of GHG emissions beyond what is presented in this analysis. Although implementation of Mitigation Measure MM GHG 1 would reduce Project-related long-term GHG emissions, greenhouse gas emissions impacts will remain significant and unavoidable.



*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.*

**Facts in Support of the Finding:** Using all the emissions quantified above, the total GHG emissions generated from the Project is approximately 709,218 MTCO<sub>2</sub>e which translates to 4.3 MTCO<sub>2</sub>e per service population, including the sphere of Influence (SOI). Although implementation of Mitigation Measure MM GHG 1 would reduce Project-related long-term GHG emissions impact will be significant and unavoidable.

### **5.2.2 Noise**

**Significant Unavoidable Impact (Threshold A):** The EIR concluded that the Project could result in a permanent increase in ambient noise levels. Because implementation of the Beaumont 2040 Plan could result in new vehicular traffic which could exceed the Federal Highway Administration (FHWA) thresholds, proposed Project noise impacts could exceed applicable standards and could substantially increase the ambient noise levels in the Planning Area. Although Beaumont 2040 Plan policies and implementation actions contained in the Noise Element would reduce these impacts to the furthest extent feasible, impacts, at a program level remain significant and unavoidable.

**Finding:** The Project will result in significant impacts due to ambient noise increase, largely as a result of vehicular traffic. Because implementation of the Beaumont 2040 Plan could result in new vehicular traffic which could exceed the Federal Highway Administration (FHWA) thresholds, proposed Project noise impacts could exceed applicable standards and could substantially increase the ambient noise levels in the Planning Area. Although Beaumont 2040 Plan policies and implementation actions contained in the Noise Element would reduce these impacts to the furthest extent feasible, impacts, at a program level remain significant and unavoidable. At a program level, there are no feasible mitigation measures that have not been incorporated as policies or implementation actions in the Beaumont 2040 Plan. Therefore, noise impacts remain significant and unavoidable.

**Facts in Support of the Finding:** At a program level, there are no feasible mitigation measures that have not been incorporated as policies or implementation actions in the Beaumont 2040 Plan. Thus, the noise impacts associated with the Project will be significant and unavoidable.

### **5.2.3 Transportation**

**Significant Unavoidable Impact (Threshold B):** The EIR concluded that impacts related to inconsistency with CEQA Guidelines section 15064.3 are significant and unavoidable. The California Air Pollution Control Officers Association (CAPCOA) documentation identifies the maximum achievable Vehicle Miles Travelled (VMT) reduction with Transportation Demand Management (TDM) measures to be 10 percent in a suburban setting. Given that the Beaumont 2040 Plan is estimated to generate VMT per service population that is approximately 25 percent higher than the threshold of significance, TDM measures (and the Beaumont 2040 Plan policies) would likely not reduce VMT per service population to a level below the City’s threshold of significance. Additionally, besides the policies and TDM measures there are no other features or mitigation measures that could be implemented on a General Plan level to reduce VMT to less than significant levels. Future projects consistent with the General Plan would be required to implement the policies identified above, and those would be the means to reduce impacts from their projects.

**Finding:** The Project will result in significant impacts due to its potential to cause an increase in VMT. Given that the Beaumont 2040 Plan is estimated to generate VMT per service population that is approximately 25 percent higher than the threshold of significance, TDM measures (and the Beaumont 2040 Plan policies) would likely not reduce VMT per service population to a level below the City’s threshold of significance. Additionally, besides the policies and TDM measures there are no other features or mitigation measures that could be implemented on a General Plan level to reduce VMT to less than significant levels. Therefore, transportation impacts related to VMT remain significant and unavoidable. The significance of transportation impacts from specific future development and public improvement projects will be evaluated on a project-by-project basis and Beaumont 2040 Plan policies as well as City standards and practices will be applied, individually or jointly, as necessary and appropriate. If project-level impacts are identified at that time, specific mitigation measures may be required by CEQA.

**Facts in Support of the Finding:** At a program level, there are no feasible mitigation measures that have not been incorporated as policies or implementation actions in the Beaumont 2040 Plan. Thus, transportation impacts related to VMT will be significant and unavoidable.

### 5.3 ALTERNATIVES TO THE PROPOSED PROJECT

CEQA requires projects to evaluate a reasonable range of alternatives to a project which will limit or reduce the significant impacts of a project. Specifically, Section 15126.6 (a) says that “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives”. Thus,

in order to develop a range of reasonable alternatives, the Project objectives must be considered when this City Council is evaluating the alternatives.

### **5.3.1 Alternative Location**

The CEQA Guidelines Section 15126.6(f)(2) requires that an alternate location to the project that will lessen or avoid significant impacts of a project. Since the project is the consideration of a General Plan, which is not inherently linked to a specific project location, and rather constitutes a policy document laying out land use implications within the project, an alternative location to the Project was considered but rejected for infeasibility.

### **5.3.2 Alternative 1: No Project/ No Build Alternative**

CEQA mandates that an EIR analyses the No Project Alternative. Specifically, Section 15126.6(e)(3)(A) says, “when the project is a revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future.” Therefore, for this analysis, the No Project Alternative will be the continued land uses and implementation of the City of Beaumont’s March 2007 General Plan.

Under Alternative 1 the existing 2007 General Plan guides the future development of the City. The land uses in the 2007 General Plan are not much different than is being proposed by the Project, but there would be less industrial land uses and less higher density residential units under the existing 2007 General Plan compared to the proposed Project.

**Table 1 – Comparison of Alternative 1 to Proposed Project Land Uses**

<b>2007 General Plan Land Use Designation</b>	<b>Alternative 1 -No Project/Existing 2007 General Plan<sup>1</sup> (acres)</b>	<b>Proposed General Plan Land Use Designation<sup>2</sup></b>	<b>Proposed Project<sup>3</sup> (acres)</b>
		Rural Residential (1 DU per acre)	547
		Rural Residential (1 DU per 10 acres)	850
		Rural Residential (1 DU per 40 acres)	3,420
Rural Residential	10,946	Total Rural Residential	4,817
Single Family Residential	6,765	Single Family Residential	5,076
Multi-Family Residential	142	Traditional Neighborhood	574
		High Density Residential	323
Mixed Use	240	Downtown Mixed Use	386

2007 General Plan Land Use Designation	Alternative 1 -No Project/Existing 2007 General Plan <sup>1</sup> (acres)	Proposed General Plan Land Use Designation <sup>2</sup>	Proposed Project <sup>3</sup> (acres)
6 <sup>th</sup> Street Overlay	211	TOD Overlay	173
Community Commercial	471	Neighborhood Commercial	46
General Commercial	84	General Commercial	321
Industrial	1,254	Industrial	1,336
Public Facilities	234	Public Facilities	350
Recreation/Conservation	9,849	Open Space	10,253
Beaumont Avenue Overlay	80		
Urban Village Overlay	684	Urban Village	408
		Urban Village South	237
		Employment District	179

1 = Table 2-1, Distribution of Land Uses within the Beaumont Planning Area (2007 General Plan)

2= Table 3-2 Potential Development in the City and its Sphere of Influence (2020 Public Draft General Plan)

3 = does not include 2,088 acres of streets

DU – dwelling unit

**Finding:** Alternative 1, the Existing 2007 General Plan/No Project Alternative would have the same and somewhat more impacts because it does not include the density concentrations near commercial/office land uses, nor the alternative transportation method policies that the Project has. Under the Existing 2007 General Plan, VMT and the associated air quality and GHG emissions would be higher. Additionally, as shown below in Table 2, none of the Project Objectives are met by Alternative 1. Accordingly, this City Council finds the No Project Alternative less desirable than the Project and rejects this Alternative 1.

### 5.3.3 Alternative 2: Increased Recreation

Under this Alternative, there would be a new Land Use Designation for “Recreation” which would include: “Low-impact development, including camping and ATV uses. Caretaker residential units. Residential uses that meet the Rural Residential 40 designation are permitted”. The area where this Recreational land use designation would occur is in the very western edge of the Planning Area and south of SR 60. Under Alternative 2, there would be approximately 547 acres of a Recreation designation, which would replace approximately 547 acres of Rural Residential as proposed by the Project. The area affected by this Land Use designation change is within the County of Riverside and located within the City’s Sphere of Influence. The underlying County of Riverside Land Use Designation is Rural Residential. Under this Alternative, the County Land Use Designation would be inconsistent with the City’s proposed Project Land Use Designation of Recreation.

Alternative 2 has one main distinct difference from the proposed Project; it keeps approximately 547 acres at the western edge of the Planning Area that is within the County of Riverside jurisdiction and in the City’s Sphere of Influence, and makes it Recreation. This use would allow for the construction/operation of recreational focused land uses such as an off-road vehicle park, campsites and other active recreational uses. Under this Alternative, there would be a reduction in the amount of Rural Residential land uses from what is in the proposed Project.

**Finding:** Although Alternative 2 would meet almost all of the Project Objectives, the land use change of making approximately 550 acres Recreation instead of Rural Residential, would decrease the daily trips in this traffic analysis zone; however, there would be still be trips generated for recreational purposes. The alternative would also increase active recreation uses such as off-road vehicles that could also create air quality emissions that would be worse than regular passenger cars. Accordingly, this City Council finds the Increased Recreation Alternative less desirable than the Project and rejects this Alternative 2.

**Table 2 – Comparison of Alternatives Matrix**

Environmental Issue – Project Significance	Proposed Project	Alternative 1 No Project/Existing 2007 General Plan	Alternative 2 Increased Recreation
Air Quality – Significant and Unavoidable	The Project would violate air quality standards or contribute substantially to an existing or projected air quality violation; would result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors); and potentially expose sensitive receptors to substantial pollutant concentrations;	<b>Greater</b> – Although potentially less development than the Project, under the Existing General Plan, there would still be land use to generate air quality impacts related to increased traffic and the potential for TACs to be generated from non-residential projects in proximity to residential projects. Additionally, vehicle miles traveled (VMT) per service population from the 2007 General Plan would increase by 22.4 miles (see <b>Table 5.16-B</b> ) compared to the Project which increases air emissions. Therefore, impacts would be greater than the Project.	<b>Slightly Greater</b> – Air quality impacts would be slightly less than that of the proposed Project due to the change in land use and associated reductions in daily vehicle trips from Rural Residential to Recreation. However, the Recreational uses under this Alternative would also create vehicle trips that would generate air quality emissions from people traveling to use the area and from the off road vehicles that would be using the site. The off road vehicles that could use the Recreational areas could potentially have worse air quality impacts than regular vehicles associated with a residential land use because they typically have less air quality emission prevention technologies and pollute more emissions than regular cars. Under this Alternative, the impacts associated from future uses and TAC exposure would most likely be the same as those encountered by the Project. Under this

**Table 2 – Comparison of Alternatives Matrix**

Environmental Issue – Project Significance	Proposed Project	Alternative 1 No Project/Existing 2007 General Plan	Alternative 2 Increased Recreation
			Alternative, impacts are significant and unavoidable.
Greenhouse Gas (GHG) Emissions- Significant and Unavoidable	The Project would generate GHG emissions, either directly or indirectly, that significant impact on the environment; because GHG standards will be exceeded by future growth.	<b>Greater</b> –GHG emissions would increase but under the 2007 General Plan there would be less intensity and units than proposed by the Project, thereby resulting in less GHG emissions from new residential and nonresidential uses. However, VMT per service population from the 2007 General Plan would increase by 22.4 miles (see <b>Table 5.16-B</b> ) compared to the Project, which would result in increased GHG emissions in comparison to the Project. Therefore, impacts would be greater than the Project.	<b>Same</b> – This Alternative would result in about the same GHG emissions since it would eliminate about 550 acres of Rural residential land uses, however, with this area being designated for Recreation, it would generate trips from both inside the City and from other communities. Therefore, the overall GHG emissions most likely would not be much different from the proposed Project. Under this Alternative, impacts remain significant and unavoidable.
Noise – Significant and Unavoidable	The Project would contribute to permanent increased noise levels from roadways due to increased traffic and exceed threshold for noise levels resulting in significant and unavoidable impacts after mitigation.	<b>Same</b> – Most area roadways are already exceeding noise standards in close proximity to the roadway. Under the current 2007 General Plan, these noise levels would be expected to result in the same conditions. Impacts would remain significant and unavoidable.	<b>Same</b> – Most area roadways are already exceeding noise standards in close proximity to the roadway. Even with changing the approximately 550 acres from Rural Residential to Recreation under this Alternative, these noise levels would be expected to result in the same conditions as the Project and would remain significant and unavoidable.
Transportation – Significant and Unavoidable	The Project would generate 29.7 VMT per service population in the Planning Area. There are no feasible mitigations available to mitigate impacts to less than significant levels. Therefore Project-related Impacts would be significant and unavoidable.	<b>Greater</b> – The TIA prepared for the PEIR included a VMT per service population calculation for the 2007 General Plan (see <b>Table 5.16-B</b> ) and determined that the 2007 General Plan would generate 52.1 VMT per service population in the Planning Area. This is more than the Beaumont 2040 Plan, which would generate 29.7 VMT per service population in the Planning Area. Impacts would be greater and significant and unavoidable.	<b>Same</b> – This Alternative would reduce residential units in the Planning Area, hence reducing service population. The recreational uses proposed under this alternative would decrease the daily trips in this traffic analysis zone; however, because there are a number of off-road vehicle (ORV) parks that operate within unincorporated Riverside County, it is assumed that this Alternative would not substantially change VMT within the WRCOG area (see <b>Table 5.16-D</b> ). Therefore, the VMT impacts would be expected

**Table 2 – Comparison of Alternatives Matrix**

<b>Environmental Issue – Project Significance</b>	<b>Proposed Project</b>	<b>Alternative 1 No Project/Existing 2007 General Plan</b>	<b>Alternative 2 Increased Recreation</b>
			to result in similar conditions as the Project and remain significant and unavoidable.
Environmentally Superior to Proposed Project?	<i>Not applicable</i>	<b>No</b> –Alternative 1 would have the same impacts as the Project related to noise. It would create more VMT and the resulting increases in air quality and GHG impacts than the proposed Project because the current 2007 General Plan does not include policies related to non-vehicular transportation priorities and has less dense land uses in the areas near commercial and office land uses. For this reason, the increase in VMT, this Alternative would not be environmentally superior to the Project.	<b>No</b> – Alternative 2 would not be considered Environmentally Superior to the Project because it will result in the same GHG, noise and transportation impacts as the Project. The reason why it is not environmentally superior is that it does slightly increase air quality impacts from the Project because it would introduce active recreational activities such as off-road vehicles which typically have less air quality emission prevention technologies and pollute more emissions than regular cars. .
Meets Project Objectives?	<b>Yes</b>	<b>No</b> – This Alternative would not meet the project objectives as it is an outdated vision for the City on the types of development patterns and goals for the future planning.	<b>Yes</b> – Changing the approximately 500-acre area from Rural Residential still result in most of the objectives for the rest of the General Plan to be met. This Alternative would solidly meet the Objective of providing a diverse network of open space.

## **5.0 CERTIFICATION OF FINAL EIR**

The City Council declares that no new significant information as defined by the CEQA Guidelines, Section 15088.5 has been received by the City Council after circulation of the EIR that would require recirculation. The City Council certifies the EIR based on the findings and conclusions discussed below.

### **5.1 FINDINGS**

As required by CEQA Statutes, Section 21081 (a)(3) and (b), and CEQA Guidelines Section 15903, the City of Beaumont City Council makes the following findings:

- 1) The City of Beaumont City Council has considered the impacts of the proposed Beaumont General Plan 2040 as identified and analyzed in the Final EIR. Although there are mitigation measures, Conditions of Approval, and Project Design Features that assist in mitigation of the significant unavoidable adverse impacts, as discussed in the Findings, certain impacts cannot be avoided or reduced to below a level of significance. The City Council finds that all feasible changes and alterations, in the form of mitigation measures, Conditions of Approval and Project Design Features, have been incorporated into, or imposed upon, the proposed Beaumont General Plan 2040.
- 2) The City of Beaumont City Council has considered the two (2) Project alternatives to the proposed Beaumont General Plan 2040, and the additional one (1) Alternative Location which was rejected from further consideration, as described and analyzed in the Final EIR. Per the criteria under State CEQA Guidelines Section 15126.6, which provides specific guidance with regard to the discussion of alternatives in an EIR, the City Council considers this a reasonable range of alternatives to the Project. Based upon this examination, the City of Beaumont City Council finds that while the alternatives have the potential to avoid some of the environmental impacts caused by the Project, none of the alternatives would achieve the City's goals and objectives to the same extent as the proposed Project; and
- 3) Based upon the foregoing, the City of Beaumont City Council finds that the thirteen (13) areas of Public Benefit related to the proposed Beaumont Distribution Center Project outweigh the four (4) areas of significant unavoidable adverse impacts. Therefore, the City of Beaumont City Council finds the significant unavoidable adverse impacts acceptable.



## **5.2 CONCLUSIONS**

1. Except as to those impacts stated above relating to air quality, greenhouse gas emissions, noise, and transportation, all other significant environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of the mitigation measures identified, where necessary, are considered less than significant.
2. Alternatives to the proposed Project, including an Alternative Location, No Project and Increased Recreation, have been considered and rejected in favor of the proposed Project.
3. Environmental, economic, social, and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

## **6.0 STATEMENT OF OVERRIDING CONSIDERATIONS**

The following Statement of Overriding Considerations is made in connection with the proposed approval of the Beaumont General Plan 2040 (the “Project”).

CEQA requires the decision-making agency to balance the economic, legal, social, and technological or other benefits of a project against its unavoidable environmental risks when determining whether to approve a project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered acceptable. CEQA requires the agency to provide written findings supporting the specific reasons for considering a project acceptable when significant impacts are unavoidable. Such reasons must be based on substantial evidence in the EIR or elsewhere in the administrative record. The reasons for proceeding with this Project despite the adverse environmental impacts that may result are provided in this Statement of Overriding Considerations.

The City Council finds that the economic, social and other benefits of the Project outweigh the significant and unavoidable air quality, greenhouse gas emissions, noise, and transportation and traffic related effects identified in the EIR and the record of proceedings. In making this finding, pursuant to Public Resources Code section 21081(b) and Guidelines section 15093, the City Council has balanced the benefits of the Project against its unavoidable impacts and has indicated its willingness to accept those adverse impacts. The City Council finds that each one of the following benefits of the Project, taken singly or in conjunction with the benefits as a whole, would warrant approval of the Project notwithstanding the unavoidable environmental impacts of the Project as identified in the EIR. The City Council finds and declares that it has adopted all feasible

mitigation measures to reduce impacts involving air quality, cultural resources, greenhouse gas emissions, and transportation and traffic as much as possible.

The City Council has also examined alternatives to the proposed Project, none of which both meet the project objectives and is environmentally preferable to the proposed Project. The City Council finds that these alternatives are infeasible because although some alternatives have similar or less environmental impacts, they do not provide the benefits of the project, or are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings and supported by the DEIR, FEIR and the remainder of the Record of Proceedings. The City Council, after balancing the specific economic, legal, social, technological, and other benefits of the proposed project, has determined that the unavoidable adverse environmental impacts identified above may be considered “acceptable” due to the following specific considerations, which outweigh the unavoidable, adverse environmental impacts of the proposed Project. Each of the separate benefits of the proposed Project, as stated herein, is determined to be, unto it and independent of the other Project benefits or in conjunction with the benefits as a whole, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings. The City has independently verified the existence of all facts stated below to justify the Statement of Overriding Considerations. These benefits include:

- Creating a vibrant downtown to reduce vacancies and promote mix of active uses and a variety of retail and housing. Developing downtown with human scale design that supports and improves the pedestrian experience, including multi-modal streets.
- Pursuing an infill strategy to foster compact development patterns, create walkable communities and preserve the natural environment and critical environmental areas. Within the SOI, limiting future development to areas immediately adjacent to existing development and along current and new transportation corridors.
- Improving retail corridors, to enhance development and redevelopment in the City’s retail corridors, diversify housing types, encourage mixed-use centers, and foster opportunities for economic growth.
- Expanding housing choices to provide a diverse housing inventory to meet the changing needs of the Planning Area, which includes more affordable housing options.
- Protecting the City’s historic resources. to preserve and enhance the City’s rich cultural and historic assets.
- Expanding and enhance employment opportunities to diversify the City’s job base, promote future growth and economic development in the SOI, and achieve a better balance between jobs and households in the Planning Area.
- Improving fiscal performance of the City to stabilize the City’s fiscal health.
- Improving infrastructure and keep pace with development, to enhance the quality of life for the City’s residents and the City’s fiscal health by linking land use, transportation, and infrastructure development.

- Improving health outcomes, to improve the health of the community by supporting active transportation, access to healthy food, park, healthcare (including mental healthcare), preventative care and fitness, and economic opportunities.
- Creating a diverse and extensive open space network to maintain the views of the mountains and provide connectivity between residential neighborhoods and open space resources that provide opportunities for active and passive recreation.
- Enhancing opportunities for tourism to create a unique identity for tourism to transform Beaumont into a regional destination.
- Ensuring high level of public safety to protect the personal safety and welfare of people who live, work, and visit Beaumont from crime, pollution, disasters, and other threats and emergencies.

The City Council finds that the foregoing benefits outweigh the identified significant adverse environmental impacts. The City Council further finds that each of the individual Project benefits discussed above outweighs the unavoidable adverse environmental effects identified in the Final EIR and therefore finds those impacts to be acceptable. The City Council further finds that each of the benefits listed above, standing alone, is sufficient justification for the City Council to override these unavoidable environmental impacts.

## EXHIBIT 1

**TABLE OF IMPACTS, MITIGATION MEASURES AND CEQA FINDINGS OF FACT**

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
<b>5.1 Aesthetics</b>			
Have a substantial adverse effect on a scenic vista?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.2 Agriculture and Forestry Resources</b>			
Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<b>MM AG-1:</b> 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	Less Than Significant Impact	Implementation of the identified mitigation measures will reduce this impact to a less than significant level. The City of Beaumont hereby adopts these mitigation measures.  The City of Beaumont, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effects identified in the Final EIR. (CEQA Guidelines §15091(a)(1))

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
	<p>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 condition of project approval and evidence of mitigation shall be provided to the Beaumont Planning Department prior to the issuance of a grading permit.</p>		
<p>Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<p><b>MM AG-2:</b> 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</p>	<p>Less Than Significant Impact</p>	<p>Implementation of the identified mitigation measures will reduce this impact to a less than significant level. The City of Beaumont hereby adopts these mitigation measures.</p> <p>The City of Beaumont, therefore, finds that changes or alterations have been</p>

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
	permitted use in the Manufacturing (M) Zone.		required in, or incorporated into, the Project that avoid the significant environmental effects identified in the Final EIR. (CEQA Guidelines §15091(a)(1))
Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No mitigation required	No Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Result in the loss of forest land or conversion of forest land to non-forest use?	No mitigation required	No Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.3 Air Quality</b>			
Conflict with or obstruct implementation of the applicable air quality plan?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<b>MM AQ 1:</b> 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)	Significant and Unavoidable Impacts	Implementation of the identified mitigation measures will reduce this impact, but not to a less than significant level. While the City of Beaumont hereby adopts these mitigation measures, impacts will remain significant and unavoidable. The City of Beaumont hereby concludes that the impact is acceptable in light of the Project's benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines §15091(a)(3)).

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
	methodology for assessing air quality impacts and TACs. Feasible mitigation measures for each future project shall be incorporated, if applicable.		
Expose sensitive receptors to substantial pollutant concentrations?	<b>MM AQ-1</b> <i>See Above</i>	Significant and Unavoidable Impacts	Implementation of the identified mitigation measures will reduce this impact, but not to a less than significant level. While the City of Beaumont hereby adopts these mitigation measures, impacts will remain significant and unavoidable. The City of Beaumont hereby concludes that the impact is acceptable in light of the Project's benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines §15091(a)(3)).
Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.4 Biological Resources</b>			
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?	<b>MM BIO-1:</b> 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 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: <ul style="list-style-type: none"><li>If the findings of the habitat assessment show no suitable habitat or sensitive species Not Covered by</li></ul>	Less Than Significant Impact	Implementation of the identified mitigation measures will reduce this impact to a less than significant level. The City of Beaumont hereby adopts these mitigation measures.  The City of Beaumont, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effects identified in the Final EIR. (CEQA Guidelines §15091(a)(1))

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
	<p>the MSHCP occur on site, then no additional surveys or mitigation measures are required.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• If no sensitive species are identified through focused surveys, then no additional surveys or mitigation measures are required.</li> <li>• 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 prior to any ground disturbing activities.</li> </ul> <p><b>MM BIO-2:</b> 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) are not disturbed by</p>		



Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
	<p>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>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>	<p><b>MM BIO-3:</b> The City shall require the following for all future implementing projects in order to mitigate for impacts to riparian/riverine or sensitive habitats associated with waters of the US and State:</p> <ul style="list-style-type: none"> <li>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</li> </ul>	<p>Less Than Significant Impact</p>	<p>Implementation of the identified mitigation measures will reduce this impact to a less than significant level. The City of Beaumont hereby adopts these mitigation measures.</p> <p>The City of Beaumont, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effects identified in the Final EIR. (CEQA Guidelines §15091(a)(1))</p>

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
	<p>resources and ensure no net loss of wetlands.</p> <ul style="list-style-type: none"> <li>• 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 <i>et seq.</i> 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.</li> <li>• 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 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.</li> </ul>		
<p>Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<p><b>MM BIO-3</b> See Above</p>	<p>Less Than Significant Impact</p>	<p>Implementation of the identified mitigation measures will reduce this impact to a less than significant level. The City of Beaumont hereby adopts these mitigation measures.</p> <p>The City of Beaumont, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effects identified in the</p>

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
			Final EIR. (CEQA Guidelines §15091(a)(1))
Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<b>MM BIO-2</b> <i>See Above</i>	Less Than Significant Impact	Implementation of the identified mitigation measures will reduce this impact to a less than significant level. The City of Beaumont hereby adopts these mitigation measures.  The City of Beaumont, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effects identified in the Final EIR. (CEQA Guidelines §15091(a)(1))
Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<b>MM BIO-3</b> <i>See Above</i> <b>MM BIO-4:</b> 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.	Less Than Significant Impact	Implementation of the identified mitigation measures will reduce this impact to a less than significant level. The City of Beaumont hereby adopts these mitigation measures.  The City of Beaumont, therefore, finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effects identified in the Final EIR. (CEQA Guidelines §15091(a)(1))
<b>5.5 Cultural Resources</b>			
Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Disturb any human remains, including those interred outside of formal cemeteries?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.6 Geology and Soils</b>			
Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Strong seismic ground shaking?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Seismic-related ground failure, including liquefaction?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Landslides?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Result in substantial soil erosion or the loss of topsoil?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.7 Greenhouse Gas Emissions</b>			
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<b>MM GHG 1:</b> 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.	Significant and Unavoidable Impacts	Implementation of the identified mitigation measures will reduce this impact, but not to a less than significant level. While the City of Beaumont hereby adopts these mitigation measures, impacts will remain significant and unavoidable. The City of Beaumont hereby concludes that the impact is acceptable in light of the Project's benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines §15091(a)(3)).
Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No mitigation required	No Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.8 Hazards and Hazardous Materials</b>			
Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
waste within one-quarter mile of an existing or proposed school?			
Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.9 Hydrology and Water Quality</b>			
Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			
Result in substantial erosion or siltation on- or off-site;	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Impede or redirect flood flows?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.10 Land Use and Planning</b>			
Physically divide an established community?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.11 Mineral Resources</b>			

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.12 Noise</b>			
Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	No feasible mitigation at a programmatic level.	Significant and Unavoidable Impacts	For these impacts, there are no feasible mitigation measures. Thus, impacts will remain significant and unavoidable. The City of Beaumont hereby concludes that the impact is acceptable in light of the Project's benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines §15091(a)(3)).
Generation of excessive groundborne vibration or groundborne noise levels?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.13 Population and Housing</b>			
Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)



Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.14 Public Services</b>			
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:			
Fire protection	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Police protection	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Schools	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Parks	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Other Public Facilities	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.15 Recreation</b>			
Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
<b>5.16 Transportation</b>			
Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	No feasible mitigation at a programmatic level.	Significant and Unavoidable Impacts	For these impacts, there are no feasible mitigation measures. Thus, impacts will remain significant and unavoidable. The City of Beaumont hereby concludes that the impact is acceptable in light of the Project's benefits as set forth in the Statement of Overriding Considerations. (CEQA Guidelines §15091(a)(3)).
Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Result in inadequate emergency access?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.17 Tribal Cultural Resources</b>			
Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
resource to a California Native American tribe?			
<b>5.18 Utilities and Service Systems</b>			
Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.19 Energy</b>			
Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)

Impact	Mitigation Measure	Level of Significant After Mitigation	Findings of Fact
resources, during project construction or operation?			
Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No mitigation required	No Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
<b>5.20 Wildfire</b>			
Substantially impair an adopted emergency response plan or emergency evacuation plan?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)
Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No mitigation required	Less Than Significant Impact	Under CEQA, no mitigation is required for impacts that are less than significant (Public Resources Code §21002; CEQA Guidelines §§15126.4(a)(3), 15091)