



# City of Jurupa Valley

## Staff Report

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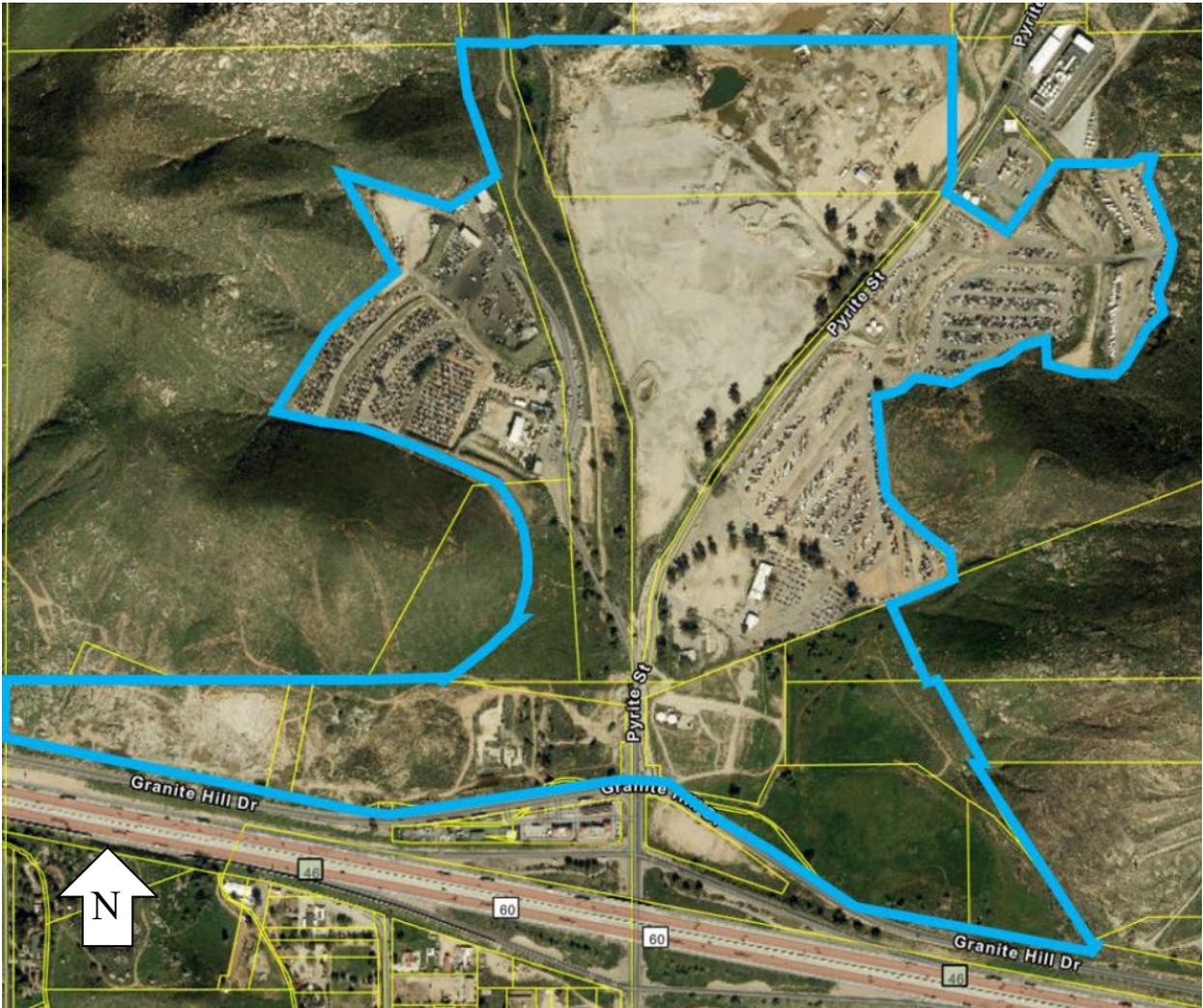
DATE: JANUARY 15, 2026  
TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: ROD BUTLER, CITY MANAGER  
BY: JOE PEREZ, ASSISTANT CITY MANAGER / COMMUNITY  
DEVELOPMENT DIRECTOR  
SUBJECT: AGENDA ITEM NO. A

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, IMPOSING A TEMPORARY MORATORIUM ON THE APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE NORTH PYRITE MASTER PLAN AREA UNTIL COMPLETION OF ENVIRONMENTAL STUDIES IDENTIFYING AND ADDRESSING SAFETY CONCERNS FOR FUTURE DEVELOPMENT**

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### RECOMMENDATION

That the City Council, by a four-fifths (4/5) vote, adopt an Interim Urgency Ordinance entitled:  
AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, IMPOSING A TEMPORARY MORATORIUM PURSUANT TO GOVERNMENT CODE SECTION 65858 ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA INCLUDING ASSESSOR PARCEL NUMBERS 171-030-002, 005, 012, 013, 014, 015, 016 & 035; 171-040-004, 005, 026, 034, 046, 047; 173-180-002, PORTION OF 173-180-011 WITH H-I LAND USE, PORTION OF 173-180-12, & 013 WITH C-T LAND USE, 173-180-024, 028, 029 & 030, PENDING COMPLETION OF ENVIRONMENTAL STUDIES TO DETERMINE PUBLIC HEALTH AND SAFETY CONDITIONS ASSOCIATED WITH THE STRINGFELLOW SUPERFUND SITE AND OTHER LEGACY CONTAMINATION CONCERNS, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA GUIDELINES SECTION 15061(b)(3).



North Pyrite Master Plan Boundary

## BACKGROUND

The proposed North Pyrite Master Plan Area (NPMP Area) is approximately 215 acres with multiple ownerships and is located in the lower portion of North Pyrite Canyon downstream from the Stringfellow Superfund Site (“Stringfellow Site”), as described in Attachment 2, one of

California’s most significant hazardous waste remediation areas. The Stringfellow Site was an industrial disposal site that accepted approximately 35 million gallons of bulk liquid hazardous wastes between 1956 and 1972. The State of California is responsible for the cleanup of the Stringfellow Site.



The U.S. Environmental Protection Agency (“EPA”) provides federal oversight over the California Department of Toxic Substances Control (“DTSC”), which is the agency that performs the necessary remediation and monitoring. The EPA and DTSC have undergone cleanup and long term containment efforts for decades, and uncertainty remains regarding the long-term safety of soils, groundwater, and potential vapor intrusion in lower portions of Pyrite Canyon.

During recent City Council meetings on August 7 and August 23, 2025, Councilmembers expressed serious concerns regarding the absence of comprehensive environmental data for the area and the need to protect future employees and residents from potential exposure risks.

The City Council emphasized that no new land use entitlements or construction approvals should proceed until independent, area-wide environmental assessments identify which portions of the NPMP Area are safe for development and which may require long-term restrictions or mitigation.

EPA correspondence indicates that while significant progress has been made in containment site-wide, the final Record of Decision (ROD) for the Stringfellow Site has not yet been issued. As such, the City does not have definitive confirmation of safe development conditions throughout the NPMP Area.

During the December 4, 2025 City Council meeting, Council Member Barajas requested the preparation of an urgency ordinance implementing a temporary moratorium on new development in the NPMP Area for City Council consideration.

Additionally, the City has received public comments that manufacturing and office uses in the NPMP area might impact the ground water wells that are part of the Stringfellow Site clean-up and long term containment efforts. The City has initiated special studies and an Environmental Impact Report under the California Environmental Quality Act for the NPMP Area.

## **DESCRIPTION OF ISSUES**

### **1. Public Health and Safety Risk:**

Without a completed environmental assessment and risk evaluation, approving new development or expansion of existing uses could expose future occupants, residents, citizens, and visitors to unknown soil vapor or groundwater or other contamination hazards.

### **2. Incomplete Environmental Data:**

The EPA and DTSC have not yet finalized the mapping of “safe” and “restricted” areas within the lower Pyrite Canyon. There are no completed environmental hazard studies for the Pyrite Canyon area at this time.

### **3. Community Confidence and Transparency:**



Residents have urged the City to ensure comprehensive safety verification before allowing new projects, consistent with the City’s Environmental Justice Element and General Plan policies.

## **ANALYSIS**

To safeguard public health and safety and maintain regulatory compliance, the City must pause the acceptance and processing of land use applications and expansion of uses within the NPMP Area boundary while environmental investigations, studies, and assessments proceed.

Under Government Code § 65858, the City Council may adopt an interim urgency ordinance establishing a temporary moratorium on land use approvals that could conflict with future zoning, environmental, or safety regulations.

The moratorium will allow time for completion of the following tasks:

1. EPA Superfund Reuse Study: This study will include the mapping of contamination plumes, engineered controls, and safe reuse areas.
2. Citywide Environmental Impact Review: This review will include a comprehensive hazards analysis and vapor intrusion testing (estimated 18 months).
3. Cost Recovery Program: Developing a program that establishes a fair-share mechanism for property owners and future developers to contribute proportionally to the City’s environmental study expenses.

Pending these deliverables, City staff and consultants will coordinate with the EPA’s Superfund Redevelopment Program (SRP) to obtain technical assistance at no cost to the City.

The scope of the temporary moratorium will:

- Prohibit the acceptance, processing, or approval of any new discretionary or ministerial land use entitlement (e.g., General Plan Amendments, Zone Changes, CUPs, Site Development Permits, Building Permits) and the expansion of any existing uses within the NPMP Area.
- Exempt essential public safety infrastructure and ongoing remediation or monitoring activities by EPA/DTSC.
- However, the City may approve building permits for the maintenance of existing uses in the NPMP Area.
- Remain in effect for an initial 45 days from adoption and may be extended for an additional 10 months and 15 days, and subsequently for one year, if necessary, in accordance with § 65858.



Per Government Code § 65858(d), the City will prepare and submit a written report describing the measures taken to alleviate the conditions that led to the moratorium at least ten (10) days before its expiration or any extension.

## **CONCLUSION**

Adoption of the proposed Interim Urgency Ordinance will ensure that no new projects move forward or existing uses are expanded in the NPMP Area until independent studies confirm the safety of the land for future use.

This moratorium aligns with the City Council's stated commitment to protect public health, ensure environmental justice, and maintain transparency while comprehensive environmental investigations are underway. The General Plan emphasizes the City's responsibility to proceed cautiously in areas affected by known or potential environmental hazards and to base land use decisions on adequate environmental analysis and coordination with responsible regulatory agencies. Given the North Pyrite area's proximity to the Stringfellow Superfund Site, the moratorium is also consistent with the City's Environmental Justice policies, which seek to prevent disproportionate health and environmental impacts on communities with a legacy of contamination. By temporarily pausing new development approvals until area-wide environmental studies are completed and publicly reviewed, the City is acting in a manner that is deliberate, transparent, and protective of long-term community health and safety.

## **ENVIRONMENTAL REVIEW**

The proposed urgency ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines § 15061(b)(3) because it can be seen with certainty that adoption of the ordinance has no possibility of resulting in a significant effect on the environment. By temporarily restricting new development, and expansion of existing uses, the moratorium prevents potential environmental impacts during the study period.

## **NOTICING REQUIREMENTS**

The adoption of the interim urgency ordinance establishing the moratorium does not require published notice or a public hearing.

## **FINANCIAL IMPACT**

City staff time will be funded through the Community Development Department's Advance Planning Budget. Future consultant costs for the environmental safety assessment will be proposed through a cost-sharing or reimbursement program once established.

## **PUBLIC COMMENTS**

A letter was received from legal counsel for Riverside Legacy IV, LLC requesting exclusion of the Glen Avon project property from the North Pyrite Master Plan environmental review and any associated moratorium. This letter is provided as Attachment No. 3.



**ALTERNATIVES**

1. **Recommended Action:** Adopt the Interim Urgency Ordinance imposing a moratorium on all new development in the NPMP Area until completion of environmental studies.
2. **Alternative Action:** Provide alternate direction or modify the moratorium scope.
3. **Defer Action:** Take no action, allowing current development applications to proceed under existing conditions.

Prepared by:



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Joe Perez  
Assistant City Manager/Community  
Development Director

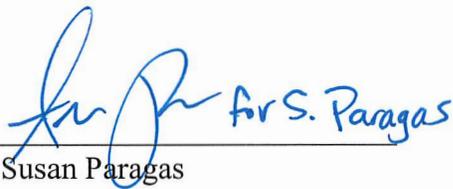
Submitted by:



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Rod B. Butler  
City Manager

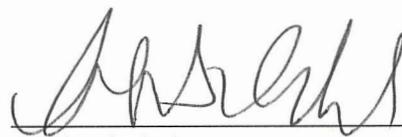
Reviewed by:



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Susan Paragas  
Director of Finance

Reviewed by:



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Michael Flad  
Assistant City Manager

Reviewed by:



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Peter M. Thorson  
City Attorney



## ATTACHMENTS

1. City Council Interim Urgency Ordinance
2. Map of the North Pyrite Master Plan boundary
3. Letter from counsel for Riverside Legacy IV, LLC



# ATTACHMENT 1

## Interim Urgency Ordinance

**ORDINANCE NO. 2026-02**

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY, CALIFORNIA, IMPOSING A TEMPORARY MORATORIUM PURSUANT TO GOVERNMENT CODE SECTION 65858 ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF NEW DEVELOPMENT APPLICATIONS WITHIN THE PROPOSED NORTH PYRITE MASTER PLAN AREA, PENDING COMPLETION OF ENVIRONMENTAL STUDIES TO DETERMINE PUBLIC HEALTH AND SAFETY CONDITIONS ASSOCIATED WITH THE STRINGFELLOW SUPERFUND SITE AND OTHER LEGACY CONTAMINATION CONCERNS, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA GUIDELINES SECTION 15061(b)(3)**

**THE CITY COUNCIL OF THE CITY OF JURUPA VALLEY DOES ORDAIN AS FOLLOWS:**

**Section 1. Purpose and Intent.** The proposed North Pyrite Master Plan Area (“NPMP Area”) is approximately 215 acres with multiple ownerships including Assessor Parcel Numbers 171-030-002, 005, 012, 013, 014, 015, 016 & 035; portion of 173-180-011 with H-I land use, portion of 171-180-012, & 013 with C-T land use, 170-180-024, 028, 029 & 030 and is located in the lower portion of North Pyrite Canyon downstream from the Stringfellow Superfund Site (“Stringfellow Site”), as described in Exhibit “A”, one of California’s most significant hazardous waste remediation areas. The Stringfellow Site was an industrial waste disposal site that accepted approximately 35 million gallons of bulk liquid hazardous wastes between 1956 and 1972. The State of California is responsible for the cleanup of the Stringfellow Site. The U.S. Environmental Protection Agency (“EPA”) provides federal oversight over the California Department of Toxic Substances Control (“DTSC”), which is the agency that performs the necessary remediation and monitoring. The EPA and DTSC have undergone cleanup and long term containment efforts for decades, and uncertainty remains regarding the long-term safety of soils, groundwater, and potential vapor intrusion in lower portions of Pyrite Canyon. EPA correspondence indicates that while significant progress has been made in containment site-wide, the final Record of Decision (“ROD”) for the Stringfellow Site has not been issued. As such, the City does not have definitive confirmation of safe development conditions throughout the NPMP Area. Additionally, the City has received public comments that manufacturing and office uses in the NPMP Area might impact the ground water wells that are part of the Stringfellow clean-up and long term containment efforts. City has initiated development of a request for proposal (RFP) to hire a consultant to prepare special studies and an Environmental Impact Report under the California Environmental Quality Act for the NPMP Area. The City intends to establish a moratorium on the development and operation of new land entitlements and expansion of existing uses in the NPMP Area for the period of time as specified in this Ordinance, so as to permit further study of public health and safety conditions on the NPMP Area associated with the Stringfellow Superfund Site and other legacy contamination concerns.

**Section 2. Legislative Findings.** On January 15, 2026, the City Council considered the adoption of this Interim Ordinance and on the basis of the record thereof makes the following findings in support of the immediate adoption and application of this Interim Ordinance regulating land use within the City.

A. The City is responsible for adopting and implementing land use regulations within its boundaries. The Jurupa Valley Municipal Code generally regulates the entitlement, establishment and the health and safety conditions associated with the NPMP Area.

B. Without proper regulation and environmental study, the development of land and expansion of existing uses in the NPMP Area can create harmful health and safety effects for the residents and citizens near the NPMP Area. It is therefore necessary to update the City's Municipal Code to ensure the NPMP Area may be safely developed without detrimental effect to the residents and citizens of Jurupa Valley.

C. There is a current and immediate threat to the public health, safety and welfare presented by the establishment or operation of any new land entitlement and the expansion of existing uses within the NPMP Area. Furthermore, the approval of additional use permits, building permits or any other applicable entitlement within the NPMP Area could result in a threat to public health, safety or welfare because of the potential hazardous impacts in the Stringfellow Site. If new land entitlements are approved or existing uses are expanded without appropriate review, environmental study, and regulation, they could have potential adverse secondary effects on neighborhoods and result in significant irreversible health and safety impacts to the neighborhood and community.

D. The City Council finds that additional planning and research are necessary before the City adopts any regulations governing land entitlements in the NPMP Area. The City requires a sufficient and reasonably limited time to consider and study legally appropriate and reasonable policies regulating the land entitlements in the NPMP Area in order to prevent negative impacts on City residents, businesses and visitors. The City initiated the development of a request for proposal (RFP) to hire a consultant to complete such a study and intends to undertake further studies within a reasonable time. Given the time required to undertake the study and planning, the City Council finds that it is necessary that this urgency Interim Ordinance be declared to ensure that no establishment or operation of any new land entitlement or expansion of existing uses that may be in conflict with the contemplated new policies or regulations are permitted in the interim.

E. Absent the passage of this Interim Ordinance, continued approval of land use entitlements in the NPMP Area poses a current and immediate threat to the public health, safety or general welfare. If this Interim Ordinance does not become effective immediately, but instead becomes effective thirty (30) days after a second reading, there is a risk that further harm will be done to prevent the health and safety risks. There is, therefore, an urgent necessity for the City to adopt a moratorium on the establishment or operation of any new land entitlement and the expansion of existing uses in the NPMP Area to take effect immediately. This moratorium is intended to provide the City with an

opportunity to strengthen its zoning provisions to promote the appropriate development in the NPMP Area.

F. For the reasons specified above, and based on all the evidence in the record, the City Council finds that there is a current and immediate threat to the public health, safety and welfare presented by the development or operation of land entitlements and the expansion of uses in the NPMP Area that would be inconsistent with the City's land use goals. In the absence of immediate effectiveness, the approval of building permits or any other applicable entitlements for such development or use will frustrate the City's ability to adopt and enforce appropriate regulations designed to protect surrounding development, uses, and the public health, safety, and welfare from the potentially adverse effects of land entitlements in the NPMP Area. Due to the foregoing circumstances, the City Council finds and determines that the immediate preservation of the public health, safety, and welfare requires that this Interim Ordinance be enacted as an urgency ordinance pursuant to Government Code section 36934, 36937 and 65858 that it take effect immediately upon adoption, and that its urgency is hereby declared.

**Section 3. CEQA Finding.** The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption of this Interim Ordinance will have a significant effect on the environment because the adoption of this Interim Ordinance will maintain the current environmental conditions and will serve to reduce potential significant adverse environmental impacts caused by the establishment of any new land entitlements or expansion of any existing uses in the NPMP Area. The City Council therefore determines that the adoption of this Interim Ordinance and the effects derivative from its adoption are exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061(b)(3) of the California Code of Regulations.

**Section 4. Moratorium Established.** Based upon the findings contained in Sections 1 through 3, the City of Jurupa Valley hereby establishes a moratorium on the development or operation of new land entitlements and the expansion of existing uses in the NPMP Area as defined in Section 1. Notwithstanding any other ordinance or provision of the Jurupa Valley Municipal Code:

A. The establishment or operation of any new land entitlement, or the expansion of any existing uses in the NPMP Area, is prohibited during the term of the moratorium established in Section 5 below.

B. The City shall not approve any new or pending application for any permit, license or other entitlement for the establishment, operation or expansion of any land entitlement in the NPMP Area during the term of the moratorium established in Section 5 below.

C. The expansion of a use includes an extension of the hours of operation, increase in the size of the building where the land owner operates, or any other increase in the intensity or use of the property.

D. The City may approve building permits for the maintenance of existing uses in the NPMP Area.

**Section 5.** Moratorium Term. This Interim Ordinance shall expire, and the moratorium established hereby, shall terminate forty-five (45) days after the date of adoption of this Interim Ordinance, unless extended by the City Council, at a regularly noticed public hearing, pursuant to California Government Code Section 65858.

**Section 6.** Exceptions. This Interim Ordinance and the moratorium enacted hereby shall not affect any existing land use, previously approved pursuant to the Jurupa Valley Municipal Code that does not seek an expansion in use. All existing land uses in the NPMP Area shall comply with the requirements of the Jurupa Valley Municipal Code and the terms and conditions of any permit issued pursuant thereto.

**Section 7.** Immediate Effect. This Interim Ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety within the meaning of Government Code sections 36934, 36937 and 65858 and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption, by a minimum four-fifths (4/5) vote of the City Council.

**Section 8.** Penalty. A violation of any provision of this Interim Ordinance shall constitute a misdemeanor and shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Interim Ordinance. In addition to the foregoing, any violation of this Interim Ordinance shall constitute a public nuisance and shall be subject to abatement as provided by all applicable provisions of law.

**Section 9.** Planning Studies and Written Report. City staff shall promptly commence the studies they may deem necessary and appropriate to make recommendations to the City Council regarding the development, use and expansion of land entitlements in the NPMP Area and the criteria for regulating these uses. Pursuant to Government Code Section 65858(d), City staff shall prepare and submit for City Council adoption, at least ten (10) days prior to the expiration of this Interim Ordinance, or any extension hereof, a written report describing the measures taken to alleviate the conditions that led to the adoption of this Interim Ordinance.

**Section 10.** Extension of Time. The Community Development Director and the City Clerk shall undertake all actions legally necessary to extend this Interim Ordinance in the event the studies desired by this City Council will not be concluded on or before the forty-fifth (45<sup>th</sup>) day subsequent to the adoption of this Interim Ordinance.

**Section 11.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Interim Ordinance or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this Interim Ordinance or any part hereof. The City Council of the City of Jurupa Valley hereby declares that it would have passed each section, subsection, subdivision, paragraph,

sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

**Section 12.** Publication and Posting. The City Clerk shall certify to the passage and adoption of this Interim Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Jurupa Valley  
this 15th day of January, 2026.

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Brian Berkson, Mayor

ATTEST:

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Maria Morris, City Clerk

STATE OF CALIFORNIA        )  
COUNTY OF RIVERSIDE       ) ss  
CITY OF JURUPA VALLEY     )

I, Maria Morris, CMC, City Clerk of the City of Jurupa Valley, do hereby certify that the foregoing Ordinance No. 2026-02 was duly adopted by the City Council of the City of Jurupa Valley on the 15th day of January, 2026, by the following vote:

AYES:                    COUNCIL MEMBERS:

NOES:                    COUNCIL MEMBERS:

ABSTAIN:                COUNCIL MEMBERS:

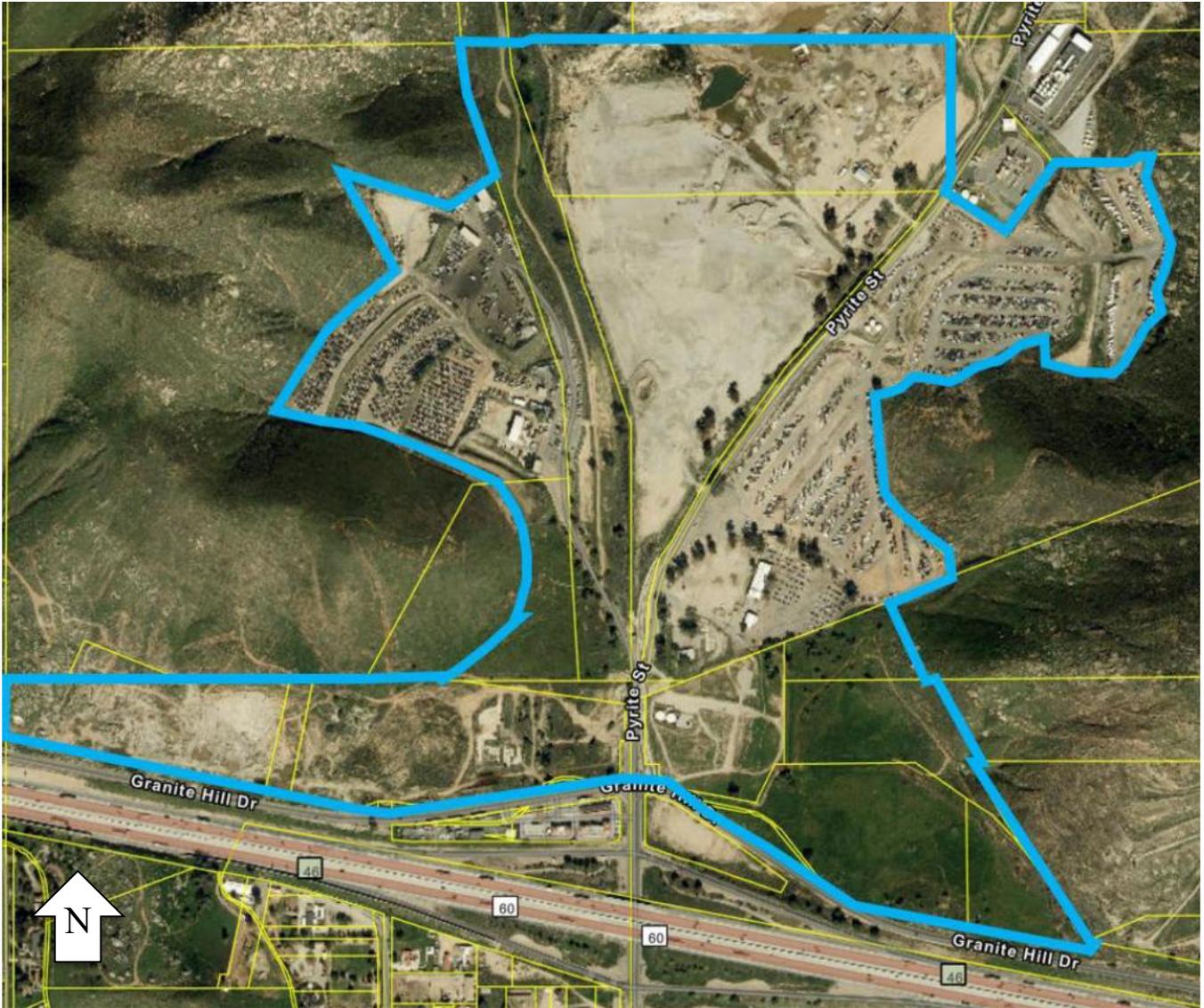
ABSENT:                 COUNCIL MEMBERS:

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Maria Morris, City Clerk

EXHIBIT A

North Pyrite Master Plan Area



# ATTACHMENT 2

## Map of the North Pyrite Master Plan area

# North Pyrite Master Plan area



# ATTACHMENT 3

Letter from Riverside Legacy  
IV, LLC



**MITCHELL  
CHADWICK**

G. Braiden Chadwick  
bchadwick@mitchellchadwick.com  
916-462-8886  
916-788-0290 Fax

December 11, 2025

**VIA U.S. MAIL AND ELECTRONIC MAIL**

Honorable Brian Berkson  
Mayor  
City of Jurupa Valley,  
8930 Limonite Avenue,  
Jurupa Valley, CA 92509

**Re: Exclusion of the Glen Avon Project from the Supplemental Environmental  
Impact Report for the Proposed North Pyrite Master Plan**

Dear Honorable Mayor Berkson:

I represent Riverside Legacy, IV LLC (“Riverside Legacy”), owner of Riverside County Assessor Parcel Numbers 171-030-005, 171-030-013, 171-030-015, 171-030-016, and 171-180-030 (the “Property”) in the City of Jurupa Valley, CA (the “City”). At this time, the City’s North Pyrite Master Plan (“Plan”) comprises the North Pyrite area but still includes the Property, sitting just outside North Pyrite Canyon. To fully implement this Plan, the City has decided to prepare a Supplemental Environmental Impact Report (“SEIR”) to analyze the environmental impacts of the Plan’s “proposed land uses.” Despite the fact that there are no environmental hazards preventing development on the Property, the City has decided to include the Property in the SEIR, effectively placing an indefinite moratorium on any development on the Property. Riverside Legacy respectfully requests that you and the City reconsider the inclusion of the Property in the SEIR, so that development can proceed in a timely manner. There is no Stringfellow contamination affecting the Property, and only 1.35 acres of the 22.26-acre Property is included within the Stringfellow study area.

**I. Glen Avon Project Background**

The Property consists of undeveloped land located south of the Stringfellow site and immediately north of Granite Hill Drive running parallel to California State Route 60. Due to the Property's proximity to the Stringfellow site, Riverside Legacy has conducted thorough due diligence for the entire site which includes commissioning multiple environmental investigations over the past five years. Throughout this period, Riverside Legacy has coordinated with City Staff to assess the Property's conditions and explore permissible development. After an extensive site investigation, Riverside Legacy submitted applications to the City for a General Plan Amendment, Zone Change,

and proposed development of three buildings designated for light industrial and light manufacturing purposes on the Property (the “Project”).

As you know, the Stringfellow site has undergone environmental remediation in the past, and historic waste disposal has left at least some level of contamination on much of the surrounding land. As mentioned above, implementation of the Plan includes preparing a SEIR to analyze the environmental impacts of the “proposed land uses” in the context of the Stringfellow plume.<sup>1</sup> The SEIR plans include a review of the current conditions of the properties covered by the Plan and the Stringfellow waste disposal site’s impacts on the ability to develop the properties. Members of the City Council publicly stated at the September 4 and December 4, 2025 Council meetings, and via social media, that no project application in the Plan area will be processed or approved until the SEIR is complete, creating a de facto moratorium on development with no public notice, no public comment and no property-owner input.

As discussed further below, the Property is not contaminated by the Stringfellow plume, and contains no concerning environmental conditions preventing immediate development. In fact, the Property has almost the same environmental conditions as The Shops at Jurupa Valley had when the City analyzed and approved that retail project. Inclusion of the Property in the moratorium (whether formally adopted or not) or an SEIR, whose purpose is to review and disclose the impacts of site cleanup and preparation for development, would amount to an unconstitutional taking under the 5th Amendment of the Federal Constitution and Article I, Section 19 of the California Constitution. Thus, the Property must be excluded from both the moratorium and the SEIR. Further, the City is constitutionally obligated to duly process the Project application.

## **II. A Site-Specific Investigation shows no Environmental Hazards Preventing Development on the Property.**

Riverside Legacy commissioned a Phase I Environmental Site Assessment and a Soil Vapor Investigation, conducted by EnviroApplications Inc. to evaluate the current conditions of the Property. To gain a deeper understanding of the environmental conditions, Riverside Legacy also contracted Ramboll Americas Engineering Solutions, Inc. (“Ramboll”), to perform a peer review of these documents. Ramboll has extensive familiarity with the area, as it is the chosen technical advisor to the Center for Community Action and Environmental Justice, founded by Penny Newman, on issues related to the Stringfellow site. The reports are included within the package accompanying this letter, prepared by EPD Solutions, Inc.

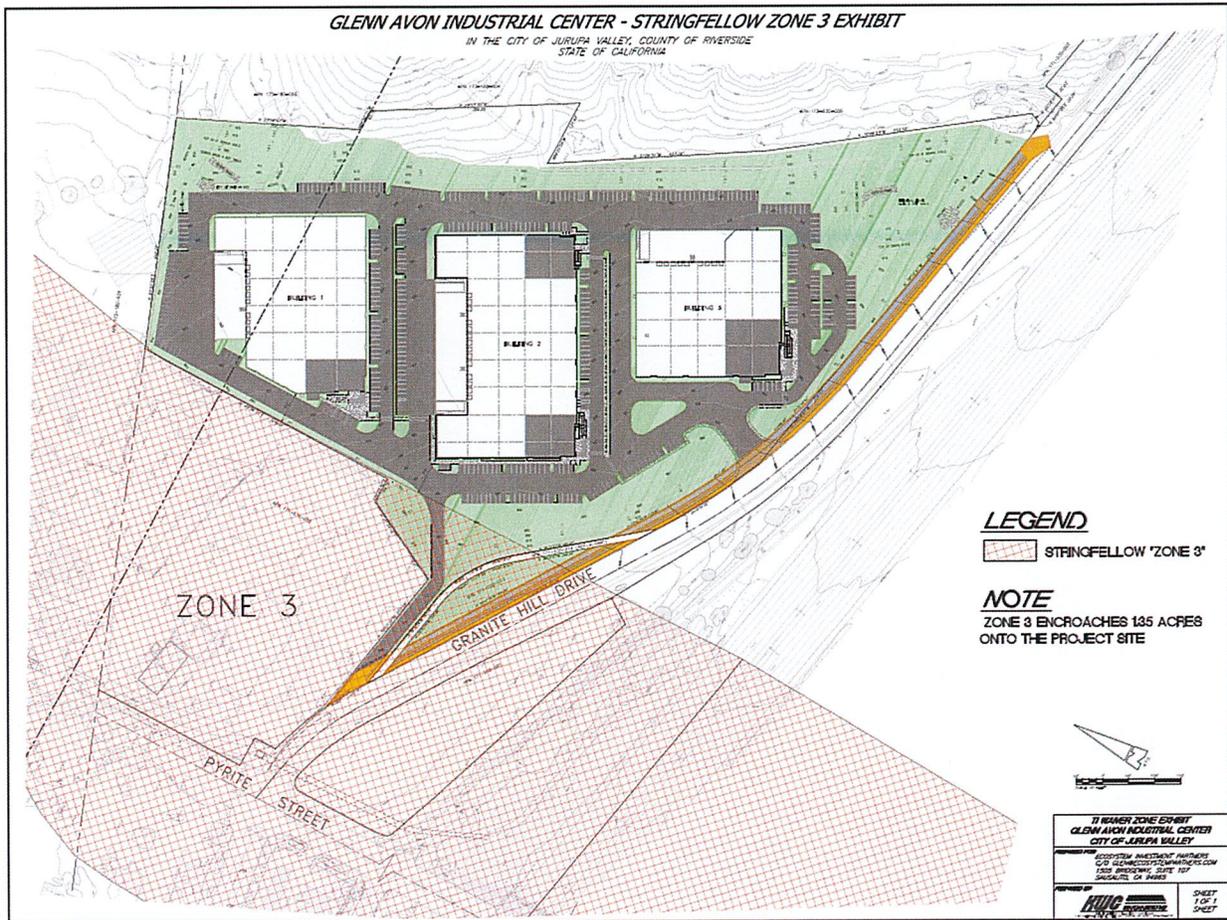
The Stringfellow study area is divided into four zones by the federal Environmental Protection Agency based on the downhill movement of water from the Stringfellow site south through Pyrite

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<sup>1</sup> See Staff Report, p. 4. (Sept. 4, 2025).

Canyon.<sup>2</sup> Zone 1 represents the original contamination source, while Zone 4 represents the least contaminated area, furthest south of the original Stringfellow site.<sup>3</sup>

To be clear, only the westernmost portion of the Property is located within the Stringfellow study area.<sup>4</sup> This area only comprises 1.35 acres of the Property, and as shown below, all buildings constructed as part of the Project will be wholly located outside this sliver of the Property incidentally lying within the Stringfellow study area.



<sup>2</sup> United States Environmental Protection Agency, "Superfund Site Profile – Cleanup Activities, Site ID No. 0902680," U.S. Environmental Protection Agency, available at <https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.Cleanup&id=0902680#bkground> [as of Dec. 5, 2025]

<sup>3</sup> See Staff Report, p. 3. (Aug. 7, 2025).

<sup>4</sup> Ramboll, "SUMMARY OF ENVIRONMENTAL CONDITIONS APNs 171-030-005, -013, -015, -016, AND 173-180-030 JURUPA VALLEY, CALIFORNIA," p. 3 ("Ramboll Report").

The small portion of the Property included within the Stringfellow study area is located within Zone 3.<sup>5</sup> Zone 3 represents the southern Pyrite Canyon where “contamination is less concentrated,” and where the EPA does “not anticipate vapor intrusion to be a barrier to development.”<sup>6</sup> The Property is so well known and the investigation so exhaustive, that groundwater on this portion of the Property has been consistently sampled for over 15 years.<sup>7</sup> The most recent data available (from April 2024), indicates that no concentrations of chlorinated volatile organic compounds, which were monitored in connection with the Stringfellow site, exceeded reporting limits.<sup>8</sup> Similar results were noted at a nearby off-site well located immediately adjacent to the Property.<sup>9</sup>

As outlined in great detail by the Phase I, the Property contains no contamination that would pose a risk to human health or future development. Specifically: 1) the Property is not listed on any local, state, or federal hazardous waste registries;<sup>10</sup> and 2) there is no evidence of recognized or historical environmental conditions on the Property.<sup>11</sup>

The Phase II Soil Vapor Investigation was conducted out of an abundance of caution based on two recognized past uses and conditions on the Property – its former agricultural use and any potential impacts from the Stringfellow waste disposal site, to determine if any remediation was required.<sup>12</sup> The Soil Vapor Investigation analyzed a total of 24 soil vapor samples.<sup>13</sup> Precisely None of the samples exceeded the applicable screening values, including residential screening levels.<sup>14</sup> In fact, as discussed by the Soil Vapor Investigation, development-related earthwork and grading would actually “enhance natural degradation of VOCs [volatile organic compounds] in site soil.”<sup>15</sup> The investigation concluded that no “further investigation related to soil vapor appears to be warranted at this time.”<sup>16</sup> In other words, there is no site contamination and the Property can be safely developed without issue.

Ramboll independently reviewed the investigatory environmental documents prepared for the Property and concluded the Stringfellow site would not impair development due to the complete lack of chemical detections in groundwater samples.<sup>17</sup> Furthermore, Ramboll concluded that on-

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<sup>5</sup> Ramboll Report, p. 3.

<sup>6</sup> See Staff Report, p. 3. (Aug. 7, 2025).

<sup>7</sup> Ramboll Report, p. 4.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> See EnviroApplications Inc., Phase I Environmental Site Assessment, pp. 19-21.

<sup>11</sup> *Id.* at p. 32.

<sup>12</sup> *Id.* at p. 5.

<sup>13</sup> See EnviroApplications Inc., Limited Soil Vapor Investigation, p. 2.

<sup>14</sup> *Id.* at p. 3, 4.

<sup>15</sup> *Id.* at p. 4.

<sup>16</sup> *Id.* at p. 4.

<sup>17</sup> Ramboll Report, at p. 4.

site conditions did not pose any concern for redevelopment of the site for commercial or industrial land use.<sup>18</sup>

The reports included in this package also examined the properties being developed as part of The Shops at Jurupa Valley project, which is located directly south of the Property, adjoining State Route 60, and fully within Zone 4. As you may know, these reports were part of the CEQA review documents for The Shops at Jurupa Valley, which assessed the project site in question and contained the same conclusions that there were no significant impacts related to the Stringfellow site.<sup>19</sup> Additionally, despite this project being situated entirely in Zone 4, the City approved it.<sup>20</sup> The project complex features retail shopping, a grocery store, restaurants, a car wash, a gas station, a gym, and a department store, all of which invite the public on-site.<sup>21</sup> There is no evidence that The Shops at Jurupa Valley somehow exhibit different conditions than the Property and should somehow be treated differently.

Accordingly, there are no environmental conditions constraining Property development. Because there is nothing that would justify its inclusion in the SEIR and the City's treatment of projects with similar conditions (i.e. The Shops at Jurupa Valley), subjecting the Property to the moratorium would be unconstitutional and a deprivation of fundamental property rights, and forcing the Property into the SEIR would serve no practical purpose and be worthless for all parties involved, including the City.

### **III. The Property's Inclusion in the Moratorium and the SEIR would be a Waste of Resources, Unlawfully Delay Development, and is Unconstitutional.**

As an early stakeholder in the Plan area who has consistently engaged with the City since 2021, it is disappointing that the City's proposed actions would prohibit all new projects in the general vicinity until the SEIR is certified. Given the utter lack of any documented contamination, it is shocking that the City includes the Property in its de facto moratorium and is legally problematic that the City is even considering requiring *unaffected property owners outside the Stringfellow plume* to pay for it. Inclusion of the Property within the moratorium and the SEIR would work an unconstitutional taking of private property and only serve to impede economic progress and development in an otherwise fully developable area.

Including the Property in the moratorium and SEIR, despite knowing that it carries no environmental issues and is therefore unrelated to the moratorium and SEIR's purpose, is an

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<sup>18</sup> *Id.*

<sup>19</sup> City of Jurupa Valley, The Shops at Jurupa Valley Project Draft Environmental Impact Report, p. 4.6-10 (February 22, 2021.)

<sup>20</sup> City of Jurupa Valley, "The Shops at Jurupa Valley" (community development project description), online at <https://www.jurupavalley.org/484/The-Shops-at-Jurupa-Valley> (as of Dec. 9, 2025).

<sup>21</sup> *Id.*

unconstitutional exaction with no nexus to the Property and is not roughly proportional to any Project impact. To be blunt, there is no way to avoid characterizing the City's actions as anything other than illegal: the moratorium is an unconstitutional taking; refusing to process Riverside Legacy's application is a denial of due process; and forced participation in the SEIR is an unwarranted exaction. In response to Riverside Legacy's submittal of a development application, the City is demanding participation in an SEIR which has no utility or relation to the Property, and has no nexus to any impact posed by the Project. The City has now publicly stated that all development is prohibited until all property owners in the area, *including those unaffected by the Stringfellow plume*, pay for an SEIR that only benefits contaminated properties. As noted above, this was not a requirement for other projects within the Stringfellow plume, such as The Shops at Jurupa Valley, which featured exactly the same conditions as the Property.

Moratoria and property-specific exactions must have a nexus to the legitimate state interest supposedly advanced.<sup>22</sup> Meaning, the conditions or withholding of approval imposed on Riverside Legacy's Property and Project cannot be unrelated to the City's "land-use interests" vis-à-vis the Property and the Project.<sup>23</sup> Otherwise, if no nexus exists, both the moratorium and SEIR amount to "an out-and-out plan of extortion."<sup>24</sup> If a property-specific nexus can be established which, given the purpose and scope of the moratorium and the SEIR (and the complete lack of site contamination on the Property), it cannot; the City's actions must still be roughly proportional to the impacts caused by the project or activity.<sup>25</sup> **In other words, the City must make an "individualized determination" that the exaction is "related both in nature and extent to the impact."**<sup>26</sup> The City's demand to include the Property in the moratorium and SEIR does not satisfy either California or federal constitutional requirements.

#### IV. The Property Must be Excluded from the SEIR and Moratorium

There is no Stringfellow contamination affecting the Property, and only a small portion of the Property is included within the Stringfellow study area. Furthermore, the extensive site due diligence for the Property and the Project concluded that the Stringfellow site is not a restraint on the Property's future use and that there are no environmental conditions prohibiting any kind of development.

In sum, there is no need to include the Property in an overbroad moratorium nor analyze the Stringfellow impacts on the Property—because none exist. The City's forced moratorium and demand to participate in, *and fund* the SEIR coerces Riverside Legacy to help underwrite a broad, area-wide environmental analysis completely unrelated to its Property. Accordingly, the City has

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<sup>22</sup> *Dolan v. City of Tigard* (1994) 512 U.S. 374, 386.

<sup>23</sup> *Sheetz v. County of El Dorado, California* (2024) 601 U.S. 267, 275.

<sup>24</sup> See *Sheetz*, supra, 601 U.S. at 275 [internal quotations omitted.]

<sup>25</sup> See *Dolan*, supra, 512 U.S. at 391.

<sup>26</sup> *Id.*

no legitimate land-use or safety interest in the Property related to the Stringfellow contamination. Therefore, the requirement that the Property be subject to the SEIR as a precondition to moving Riverside Legacy's application forward has no essential nexus to the Project or the Property. The City cannot leverage its police power nor "its permitting monopoly" to delay development and extract funds from Riverside Legacy, which will be used for purposes unrelated to the Property or the Project.<sup>27</sup>

The Project proposes development that aligns with the City's objectives, attracting business and investment to an otherwise undeveloped and unattractive area. The City's proposed actions are facially illegal and would only serve to delay beneficial development of the Property. Riverside Legacy respectfully requests that the Property be excluded from both the moratorium and the SEIR.

Sincerely,

MITCHELL CHADWICK LLP



G. Braiden Chadwick

Cc: Chris Barajas, Mayor Pro Tern  
Armando Carmona, Council Member  
Veronica Sanchez, Council Member  
Guillermo Silva, Council Member  
Peter Thorson, City Attorney  
Marcela Marroquín, City Attorney  
Roberto Gonzalez, Principal Planner  
Joe Perez, Assistant City Manager and Director of Community Development

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<sup>27</sup> See Sheetz, *supra*, 601 U.S. at 275.