SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA 401B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 30, 2006

SUBJECT: Resolution No. 2006-266 Certifying Environmental Impact Report No. 451 for Tentative Tract Map No. 29835 and Change of Zone No. 7104

BACKGROUND: Public hearings concerning Tentative Tract Map No. 29835, Change of Zone No. 7104 and Environmental Impact Report No. 451 were held by the Board of Supervisors and tentatively approved on August 29, 2006.

RECOMMENDED MOTION:

ADOPTION of Resolution No. 2006-266, Certifying Environmental Impact Report No. 451.

REVIEWED BY EXECUTIVE OFFICE
DATE 9/11/06
Departmental Concurrence

David Mares for
Robert C. Johnson
Planning Director

RCJ:aa

Dep't Recomm.: ☒ Consent ☐ Policy
Per Exec. Ofc.: ☒ Consent ☐ Policy

Prev. Agn. Ref. | **District:** Third | **Agenda Number:** 3.62

RESOLUTION NO. 2006-266
CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 451
FOR TRACT MAP NO. 29835 AND CHANGE OF ZONE NO. 7104
(MENIFEE WEST/UNDERWOOD ESTATES)

WHEREAS, pursuant to the provisions of Government Code Section 65450 et seq., a public hearing was held before the Riverside County Board of Supervisors in Riverside, California on August 1, 2006 and before the Riverside County Planning Commission in Riverside, California on February 22, 2006, March 1, 2006, May 3, 2006, and June 14, 2006 to consider Tract No. 29835 and Change of Zone No. 7104; and,

WHEREAS, all the procedures of the California Environmental Quality Act ("CEQA") and the Riverside County CEQA implementing procedures have been satisfied, and Environmental Impact Report (EIR) No. 451, prepared in connection with Tract No. 29835 and Change of Zone No. 7104 (referred to alternatively herein as "the project"), is sufficiently detailed so that all the potentially significant effects of the project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above-referenced Act and Rules; and,

WHEREAS, the matter was discussed fully with testimony and documentation presented by the public and affected government agencies; and,

WHEREAS, Public Resources Code Section 21081 requires that "no public agency shall approve or carry out a project for which an environmental impact has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

FORM APPROVED
COUNTY COUNSEL
JUL 17 2006
BY

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of the County of Riverside, in regular session assembled on August 1, 2006, that:

A. Tract No. 29835 is a 235-acre residential subdivision located north of Chambers Avenue, east of Antelope Road, and west of Palomar Road. It proposes the construction of 543 dwelling units on 154 acres, with the remaining area to be devoted to the following uses: 9.4 acres for parks and 71.6 acres for permanent open space.

B. Tract No. 29835 is associated with Change of Zone No. 7104, which was considered concurrently at the public hearing before the Planning Commission. Change of Zone Case No. 7104 proposes to change the existing zoning classification on the site from R-1, One-Family Dwelling to R-4, Planned Residential, for the proposed residential areas on the site and to R-5, Open Area Combining Zone-Residential Developments, for the hillside open space and park areas on the site.

BE IT FURTHER RESOLVED by the Board of Supervisors that the following environmental impacts associated with Tract No. 29835 and Change of Zone No. 7104 are

potentially significant unless otherwise indicated, but each of these impacts will be avoided or substantially lessened by the identified mitigation measures, and that for each of the following impacts, the Board of Supervisors finds in accordance with Public Resources Code Section 21081(a)(1) that "changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment," as follows:

A. Land Use and Planning

1. Impacts:

The project would lead to the development of a 543-lot residential subdivision on an existing agricultural field. The proposed development complies with the County General Plan, the Sun City/Menifee Valley Area Plan, and other applicable regional plans and policies. A Change of Zone would be needed to comply with the County Zoning Ordinance. No significant adverse impact is expected.

2. Mitigation:

None required.

B. Population and Housing

1. Impacts:

The project would lead to 543 housing units and a resident population of approximately 1,668 people on-site (3.071 persons per household). No housing displacement would occur, since the existing residence on site would be retained. Loss of agricultural jobs and short-term construction employment would occur. Regional population and housing projections would not be exceeded by the project. No significant adverse impact is expected.

2. Mitigation:

None required.

C. Traffic and Circulation

1. Impacts:

The proposed subdivision would generate approximately 5,350 new vehicle trips which would add to existing traffic volumes on area roadways and intersections. Vehicle trips from the proposed subdivision that would be utilizing Antelope Road would adversely impact traffic flow on McCall Boulevard. Vehicle trips from the proposed subdivision would be utilizing unimproved or partially improved local roadways in the vicinity of the site. No impacts on public transit systems or alternative forms of transportation are expected.

2. Mitigation:

As a standard condition, the applicant shall provide an internal circulation system, construct the half-width section of roadways along the site boundaries, and would need to pay fair share traffic mitigation and TUMF fees for funding roadway and intersection improvements needed to accommodate future traffic volumes in the area. In addition, the project shall construct the off-site traffic signal at the Antelope Road/McCall Boulevard intersection as part of Phase 1 development, with costs credited toward the payment of traffic signal fees. The Phase 1 construction of Tract No. 29835, as needed to provide access to the site, would include the construction of a paved four-lane extension of Antelope Road from the southern boundary of Phase 2 development (at Chambers Avenue) south to McCall Boulevard to provide site access, with

improvements to the intersection, and construction of a paved two-lane extension of Rouse Road from the project site (at Palomar Road) east to Menifee Road to provide site access, with a minimum 32-foot wide pavement section.

D. Geology and Soils

1. Impacts:

The project would involve grading activities, including the cut of soils at the southern and central sections of the site and the fill of the northern section of the site. The presence of scattered rock outcrops on the site presents rockfall hazards and requires blasting activities. Existing saturated soil conditions may make excavation difficult and lead to intermittent seepage. Also, loose soils found on-site have high expansion and erosion potential, may create runoff hazards and are not suitable for support of structural loads. Developing residential units near the hills that are located onsite would be exposed to a risk of rockfall.

2. Mitigation:

As a standard condition, all structures built on the site would be subject to pertinent requirements of the Uniform Building Code and seismic design criteria. Blasting activities shall be conducted by a licensed blasting company and in accordance with State and County regulations. In order to prevent geologic hazards associated with saturated soil conditions, soil expansion and erosion, the recommendations of the geotechnical study for the site shall be implemented to ensure that on-site soil and geologic characteristics do not pose hazards to building, utility, and roadway construction. To reduce the risk of rockfall, the

geotechnical investigation recommends that the Engineering Geologist evaluate natural slopes during grading so that specific hazardous boulders can be identified and removed.

E. Water and Hydrology

1. Impacts:

Existing flood hazards at the site would be eliminated by the proposed filling and raising of the ground elevation at the northern section of the site. The proposed development would introduce impervious areas and increase off-site runoff volume. A drainage channel would be constructed on-site by the County Flood Control District to connect to area-wide drainage facilities. This will ensure adequate stormwater drainage and prevent flood hazards in upstream areas and at the site. Runoff from the site would include urban pollutants which may affect stormwater quality. The project would need to implement best management practices (BMPs) during construction and occupancy of the homes in accordance with NPDES requirements. Flood hazards would be eliminated by the proposed grading and the construction of on-site drainage facilities.

2. Mitigation:

As a standard condition, the project would need to file a Notice of Intent and implement erosion control and a Stormwater Pollutant Prevention Plan during construction and a Water Quality Management Plan (WQMP) for long-term occupancy of the housing unit, in accordance with the NPDES. The existing water well would need to be abandoned in accordance with County Department of Environmental Health guidelines. Approval of the storm drainage

plans by the County Flood Control and Water Conservation District would also be needed.

F. Air Quality – Construction Emissions

1. Impacts:

The proposed project would generate construction-related short-term emissions, which would exceed SCAQMD thresholds. Specifically, PM_{10} emissions during portions of project development would exceed significance threshold levels. Fugitive dust from grading and rock crushing activities may also create a nuisance to adjacent residents. NOx emissions from construction equipment would also exceed SCAQMD thresholds during mass grading activities. VOC emissions may exceed the significance threshold during construction activities.

2. Mitigation:

During grading activities, exposed soil areas shall be watered twice per day. On windy days or when fugitive dust can be observed leaving the project site, additional applications of water shall be made to maintain a minimum 12 percent moisture content, as defined by SCAQMD Rule 403. Under windy conditions where velocities are forecast to exceed 25 miles per hour (as ascertained by phone calls to the SCAQMD), all ground disturbing activities shall be halted until winds are forecast to abate below this threshold. The contractor may install on-site wind monitoring equipment at the construction office and base the halt of grading on actual measured wind gusts, instead of SCAQMD forecasts.

The project shall also comply with SCAQMD Rules 402 and 403 regarding fugitive dust control. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emissions source. Rule 402 requires dust suppression techniques to be implemented to prevent fugitive dust from creation a nuisance off-site. These dust suppression techniques include:

- Portions of the construction site that will remain inactive for more than three months shall be seeded and watered until grass cover is grown or otherwise stabilized in a manner acceptable to the County.
- All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times.

All vehicles on the construction site shall travel at speeds less than 15 miles per hour. All material stockpiles subject to wind erosion during construction activities, that will not be utilized within 3 days, shall be covered with plastic, an alternative cover deemed equivalent to plastic, or sprayed with a non-toxic chemical stabilizer. Where vehicles leave the construction site and enter the adjacent public streets, the streets shall be swept daily or washed down at the end of the work day to remove soil tracked onto the

paved surface. Any visible track-out extending for more than 50 feet from the access point shall be swept or washed within 30 minutes of deposition. All diesel-powered vehicles and equipment shall be properly operated and maintained. All diesel-powered vehicles and gasoline-powered equipment shall be turned off when not in use for more than 5 minutes. The construction contractor shall utilize electric or natural gas-powered equipment in lieu of gasoline or diesel-powered engines, where feasible.

As much as possible, the construction contractor shall time the construction activities so as not to interfere with peak hour traffic. In order to minimize obstruction of through traffic lanes adjacent to the site, a flag person shall be retained to maintain safety adjacent to existing roadways, if necessary. The construction contractor shall also support and encourage ridesharing and transit incentives for the construction crew.

The construction contractor shall utilize, as much as possible, pre-coated/natural colored building materials. Water-based or low VOC coatings that comply with the most stringent SCAQMD Rule 113 limits shall be used. Spray equipment with high transfer efficiency, such as high volume-low pressure (HPLV) spray method, or manual coatings application, such as paint brush, hand roller, trowel, spatula, dauber, rag or sponge, shall be used to reduce VOC emissions, where practical. If construction equipment powered by alternative fuel sources (LPG/CNG) is available at comparable costs, the developer shall specify that such equipment be used during all construction activities on the project site. Where diesel equipment

has to be used because there are no practical alternatives, the construction contractor will use particulate filters, oxidation catalysts and low sulfur diesel, as defined in SCAQMD Rule 431.2, i.e. diesel with less than 15 ppm sulfur content. Oxidation catalyst equipment will be used to the extent practicable.

G. Biological Resources

1. Impacts:

The proposed subdivision would remove existing vegetation and habitat on the flat areas of the site and replace them with landscaping materials. The on-site hills would be maintained as open space. However, some sage scrub habitat at the on-site hills would be disturbed by the proposed subdivision and would reduce habitats for the California gnatcatcher.

2. Mitigation:

As a standard condition, the project would be required to pay the Stephens Kangaroo Rat (SKR) and MSHCP fees to support the preservation of habitat areas for sensitive species. A protocol winter season survey and a 30-day pre-grading survey would be performed prior to construction grading, in accordance with the California Burrowing Owl Consortium 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC, 1993). Trees on or near the construction area shall be surveyed for active nests before they are removed during the breeding season between March 1 and September 15), in accordance with the Migratory Bird Treaty Act (MBTA, 1918). If active nests are found, the trees shall be protected and left in place and disturbed/removed only after the breeding season. In addition, grading activities for the

project shall be conducted outside of the breeding season for the California gnatcatcher, which is generally from February 15 to August 31 of each year. Otherwise, a focused survey shall be conducted and occupied sage scrub habitat shall be fenced out and not disturbed during the breeding season.

H. Noise

1. Impacts:

The proposed residential subdivision would create noise from construction activities, vehicular traffic, and on-site activities. Rock crushing has a reference noise level of 90 dB at 50 feet and may affect adjacent residents on a temporary basis. Exterior noise levels at 10 feet inside the lots abutting the perimeter roads would exceed the County noise standard of 65 dB CNEL. Interior noise levels at the second stories of dwelling units located along the perimeter roadways abutting the site may exceed the Riverside County interior noise standard of 45 dB CNEL.

2. Mitigation:

The project shall comply with construction time limits imposed as part of the grading permit. In addition, any rock crushing activities shall be conducted near the center of the site. Placement of piles of boulders for processing and/or completed piles of crushed material north, northwest and southeast of crushing operations would further reduce noise propagation toward existing homes on and near the site. Perimeter walls shall be provided along the northern and eastern site boundaries, with reverse frontage lots provided along Rouse Road and Antelope Road. An interior noise analysis shall also be submitted in conjunction with building plan check to verify that

structural noise reduction as follows will be achieved in a livable upstairs space at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans:

- Major Roadway - 29 dB attenuation
- Secondary Roadways - 24 dB attenuation

All perimeter homes shall have central air conditioning as a standard feature, to allow for window closure during warmer weather while maintaining interior comfort. A make-up air intake should be located on the side of the house away from the adjacent arterial roadway. The duct should be sized to accommodate a 75-cfm airflow rate. Attic vents on perimeter units should be equipped with baffle plates and oriented away from perimeter roadways. Duct openings facing the street should have a 90-degree elbow and have duct lining on the last 5 feet from the opening.

I. Fire Protection Services

1. Impacts:

The proposed development would increase the demand for fire protection services due to new structures and the introduction of residents to the site. Impacts would include the need for additional fire fighters, additional equipment, and the improvement of existing facilities. RSA Ordinance 659 imposes a development fee to projects within the RSA to help finance the needed roads, police and fire service facilities to serve the area. Payment of fees by the project would provide funding for needed service and facility expansions. No new fire station would be needed to serve the project.

2. Mitigation:

As a standard condition and during the plan check process, the Fire Department would review the tentative tract/site plan and building plans for compliance with applicable fire safety measures and emergency access requirements prior to issuance of permits for subdivision and construction.

J. Police Protection Services

1. Impacts:

The proposed development would increase the demand for police protection services with the introduction of residents to the site. Impacts would include the need for additional police personnel and equipment, and the improvement to existing facilities. Under Ordinance 659, the project will pay developer fees and assessments, which will fund police services for the area. Payment of fees by the project would help provide the needed services and facility expansions. No new sheriff station would be needed to serve the project.

2. Mitigation:

None required.

K. School Services

1. Impacts:

Based on student generation factors obtained from the Romoland Union School District and the Perris Union High School District, a total of 407 new students could be generated by the project, requiring school services from districts serving the site. Impacts would include the need for additional school personnel and classrooms, and the improvement to existing facilities.

2. Mitigation:

As a standard condition, the project would be required to pay school impact fees to the Romoland School District and the Perris Union High School District, or formation of a CFD for school services. The fees will allow for the expansion of school services and facilities needed to serve area residents.

L. Library Services

1. Impacts:

The proposed development would increase the demand for library services with the introduction of residents to the site.

2. Mitigation:

As a standard condition, the project shall pay library impact mitigation fees to the County Library system to fund library facility and resource expansions.

M. Parks and Recreation

1. Impacts:

The proposed development would lead an increase in demand for parks and recreational facilities due to the introduction of 1,668 new residents to the project site. Based on the County's parkland standard of 3.0 acres per thousand population, a 5.0-acre park is needed to serve the proposed project. The project includes a 71.6-acre permanent open space area and a 9.4-acre sports park and tot lot. The proposed open space areas and park would provide active and passive recreational areas for residents of the proposed subdivision and nearby residents. Thus, adequate parks would be provided on-site to serve residents of the project.

2. Mitigation:

As part of the development, the proposed project would provide on-site parks to serve the project's future residents. No other mitigation measure is recommended.

N. Medical Services

1. Impacts:

The increase in demand for medical services that would result from the introduction of 1,668 new residents on the project site could be adequately served by existing medical service facilities in the area and the region. The project would not result in the need for new medical facilities that could result in significant environmental impacts.

2. Mitigation:

None required.

O. Water Services

1. Impacts:

Based on EMWD's consumption factor of 540 gallons per day per medium density single family unit, full occupancy of the 543 housing units within the proposed project would use 293,220 gallons of water per day (gpd). This average daily demand represents 0.3% of EMWD's average annual demand in 2005. The EMWD has indicated that adequate water supplies would be available for the project during periods of drought.

2. Mitigation:

The proposed development would comply with State and local regulations regarding the use of water-efficient appliances and water conservation measures. Coordination with EMWD regarding the

extension of water lines to the site would be made to ensure timely service. This would include the payment of the required connection fees.

P. Sewer Services

1. Impacts:

Sewage generation from the proposed subdivision project is estimated at approximately 162,900 gallons per day, based on EMWD's sewage generation factor of 300 gallons per unit per day. There is capacity at the Perris Valley Reclamation Plant to serve the sewage treatment needs of the project.

2. Mitigation:

The developer shall coordinate with EMWD on the extension of sewer lines to serve the site to ensure that sewer service is available to future dwelling units constructed on the site. This would include payment of the required connection fees.

Q. Storm Drainage

1. Impacts:

Storm drainage runoff volume from the site would increase due to the paving and creation of impervious surfaces on-site, associated with internal roadways, driveways, dwelling units, and other structures. This increase in runoff volumes would be handled by planned storm drain facilities that would precede project development. A 12-foot wide open drainage channel would be constructed from the eastern boundary of the site, running west and then north toward the northern edge of the site and toward a proposed channel to be located approximately 300 feet north of McLaughlin Road. The stormwater runoff from the developed site

would flow into this channel for off-site discharge. The increase in runoff volume from the site is not expected to adversely affect the capacity or flow at the San Jacinto River or the planned off-site facilities, since the developed site has been included in the design of planned facilities as part of the adopted Romoland Drainage Master Plan and the ongoing update of the Area Drainage Plan for the Homeland/Romoland Area.

2. Mitigation:

As a standard condition, the project would be required to comply with NPDES requirements, including the implementation of a stormwater pollution prevention plan during construction. Approval of the storm drainage plans by the County Flood Control and Water Conservation District would be needed.

R. Solid Waste Disposal

1. Impacts:

Approximately 2,036 to 3,530 tons of construction wastes may be generated. In addition, the 543 homes on the site have the potential to generate 1,021 tons of solid wastes per year or 5,593 pounds per day (2.8 tons per day). Waste Management has indicated that it provides service on demand and, thus, can adequately serve the project with no adverse impact on existing waste collection services. Solid wastes and recyclables from the proposed development would be brought by Waste Management to their materials recovery facility for sorting and recycling prior to final disposal at El Sobrante or Badlands Landfill. There is available capacity at these landfills to accommodate the landfill demand from the project. No adverse

impacts on solid waste disposal services and landfills are anticipated with project implementation.

2. Mitigation:

None required.

S. Telephone Services

1. Impacts:

Construction and occupancy of the proposed project would require service connections to existing telephone lines running on Rouse Road and near the site and the extension of existing lines into individual lots on the site.

2. Mitigation:

The proposed development would need to coordinate with Verizon on the timely provision of services.

T. Cultural Resources

1. Impacts:

Six archaeological sites were found on the site, although only four of the sites contain important resources. Grading activities to construct the proposed development would destroy these cultural resources. Thus, the proposed subdivision project would lead to the disturbance and destruction of important prehistoric and historic resources on the project site.

2. Mitigation:

As a standard condition, if human remains are discovered during ground disturbance activities, all work shall be halted and the County Coroner shall be notified immediately by the developer (Section 5097.98 of the Public Resources Code and Section 7050.5 of the Health and Safety Code). The Coroner will determine

whether the remains are of forensic interest. If the Coroner, with the aid of the County-approved archaeologist, determines that the remains are prehistoric, he/she will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the California Health and Safety Code. The MLD will make his/her recommendation within 24 hours of their notification by the NAHC. This recommendation may include scientific removal and non-destructive analysis of human remains and items associated with Native American burials (Section 70580.5 of the Health and Safety Code). For resource and data recovery of the archaeological sites that cannot be avoided, the developer shall implement a data recovery program focused on the excavation of a sufficient sample of each deposit to exhaust the research potential of the sites. This measure is applicable to the sites because the important element of each site is represented by the information potential of the artifacts and data within the subsurface deposits. The specifics of the data recovery program shall be prepared and submitted to the County of Riverside in a research design. The research design shall include the various research questions that can be discussed with information from the four sites. The sampling methodology and sample size shall be presented which will adequately recover a sufficient quantity of information to adequately address the research questions and exhaust the research potential of the site. The research design must be approved by the County and in accordance with the

participation agreement between the developer and the Pechanga Tribe, and the data recovery program completed prior to the start of grading at the site. If the data recovery program results in new impacts to significant cultural resources, the County, developer and the Pechanga Tribe will discuss whether additional testing and/or mitigation measures are necessary.

As part of the mitigation program, an archaeologist and a member of the Pechanga Tribe shall monitor the grading of any areas where archaeological sites and deposits have been recorded to ensure that any features or deposits not previously studied are identified and subjected to further data recovery efforts. The archaeological monitor shall have the responsibility to redirect grading away from any important deposits that are uncovered, and subsequently, to initiate the evaluation of any discoveries to determine if further data recovery work is necessary. Should any discoveries necessitate further work, this shall be accomplished in an expeditious manner. At the conclusion of the monitoring process, a report shall be presented to the County to confirm the monitoring effort and describe any archaeological work that was required.

U. Visual Quality and Aesthetics

1. Impacts:

The proposed project would change the visual quality of the site from an agricultural land to a residential subdivision, although the hills would remain as open space. New sources of light and glare would also be created on the site. The proposed development would be separated from adjacent uses by vacant land, roads, a block wall/berm, and perimeter landscaping. Changes in visual

quality and neighborhood compatibility are not expected to be significant since they reflect new developments that are currently occurring at nearby tracts. The proposed project is consistent with the ongoing trend towards the development of the Menifee area and adjacent agricultural lands and rural residential uses with suburban residential communities.

2. Mitigation:

As a standard condition, building plans would be subject to design review during the plan check phase and the project would comply with Ordinance No. 655 regarding nighttime lighting.

V. Energy and Mineral Resources

1. Impacts:

Energy use and demand would not be significant. No mineral resources are present on the site or would be affected by the project. No adverse impacts on energy or mineral resources are expected with the project. Compliance with energy conservation regulations would reduce energy demands.

2. Mitigation:

None required.

W. Human Health and Safety

1. Impacts:

No hazardous materials in quantities that would pose public health and safety risks would be used by future residents. Existing hazardous material concerns on the site include ongoing agricultural activities, an aboveground storage tank for diesel fuel, surface soil stains, petroleum drums, clarifier, septic tanks and leach field, farm equipment, and old storage sheds. Agricultural

chemical residue in on-site soils may present hazards to residents of the proposed project.

2. Mitigation:

As a standard condition, construction and demolition activities shall comply with applicable regulations regarding hazardous materials use, handling, storage, transport, and disposal. This includes clearing and demolition activities for the existing storage sheds. The site is still in agricultural use at this time and is expected to remain in agricultural use until the proposed residential subdivision is approved and grading and building permits are obtained. Thus, soil testing would not accurately reflect the chemical levels in the soils if done at this date. In addition, the proposed grading plan would involve the cut and fill of the site and the spreading of soils to achieve balanced grading. Thus, soil conditions at any one area would change depending on the movement of soils during grading. Prior to grading and construction of the residences, a test of the topsoil within the areas previously used for agriculture shall be conducted to determine levels of agricultural chemical residue and any necessary remediation. Results of the testing shall be submitted to the Department of Environmental Health to identify the need for remediation. If the results of the random soil testing show chemical levels are below regulatory levels, development may proceed accordingly. Remediation and/or removal of contaminated soils shall be made prior to development of the site, if chemical levels are above regulatory standards, and remediation completed until chemical levels are below regulatory levels.

X. Open Space and Conservation

1. Impacts:

The site is not designated for open space or conservation. The proposed project would lead to the preservation of 71.6 acres of hillside open space and 9.4 acres for a sports park and tot lot on the site.

2. Mitigation:

None required.

Y. Agricultural Resources

1. Impacts:

Existing agricultural activities will be discontinued with the proposed project, leading to the loss of Farmland of Local Importance. No Prime, State-wide Important or Unique Farmland would be affected and loss in crop value would be less than one percent. The Land Evaluation and Site Assessment (LESA) shows that the project would not have a significant adverse impact on agricultural lands.

2. Mitigation:

None required.

Z. Airports

1. Impacts:

The project site is not located within an airport influence area.

2. Mitigation:

None required.

AA. Disaster Preparedness

1. Impacts:

The project contains no critical uses or industrial areas, and flood hazards on site would be removed as part of the project.

2. Mitigation:

None required.

BE IT FURTHER RESOLVED by the Board of Supervisors that the following impacts potentially resulting from the adoption of Tract No. 29835 and Change of Zone No. 7104 cannot be fully mitigated and will be only partially avoided or lessened by the mitigation measures hereinafter specified, therefore the County makes the finding set forth in Public Resources Code Section 21081(a)(3) that: specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report, and as required by Public Resources Code Section 21081(b), the County finds that for each of the significant impacts which are subject to a finding under Section 21081(a)(3), that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment, and adopts the statement of overriding considerations set forth herein:

A. Air Quality – Vehicle Emissions and Cumulative Impacts

1. Impacts:

The proposed project would generate long-term vehicle emissions, which would exceed SCAQMD thresholds. CO, NOx, and ROG emissions from project-generated traffic would exceed thresholds of significance. When the air quality impacts of the project are added with the emissions from other development projects in the vicinity, the cumulative impacts would also be significant.

2. Mitigation:

As standard practice, the proposed development would comply with energy conservation regulations and programs established by the California Administrative Code, the Sun City/Menifee Valley Community Plan, and SCE. The implementation of the following measures and/or other energy conservation measures would reduce on-site energy use and associated emissions:

- Use of light-colored roofing materials in construction ort deflect heat away from buildings
- Use of double-paned windows to reduce thermal loss in buildings
- Installation of automatic lighting on/off controls and energy efficient lighting
- Landscaping with appropriate drought-tolerant species to reduce water consumption

The following measures can be implemented to reduce vehicle trips and its associated emissions:

1. Providing an attractive pedestrian environment;
2. Incorporating bicycle trails and/or interconnections;
3. Building homes that exceed minimum statewide energy construction requirements;
4. Including residential design features that encourage trip elimination or trip diversion to alternative transportation, such as pre-wiring for various telecommunications systems access for in-home offices and/or pre-wiring for 220V electric vehicle charging systems.

Air quality impacts would, however, remain significant.

B. Open Space and Conservation - Cumulative

1. Impacts:

The cumulative impacts of future development projects on open space and conservation include the loss of open areas in the Menifee area, along with the intensification of urban development. Areas designated for open space are likely to remain as open space. However, areas that are designated for development are likely to be developed with structures, buildings, and other improvements. The construction of the proposed project and the related projects would lead to the loss of vacant and undeveloped land in Menifee area, along with the permanent protection of open space areas and the provision of park facilities. The cumulative loss of open space would be significant when the amount of existing vacant and undeveloped land is compared to the amount of land proposed for urban development under the County's General Plan.

2. Mitigation:

No mitigation is available to reduce the conversion of open space areas to urban uses and this impact is considered significant and unavoidable.

C. Agricultural Resources - Cumulative

1. Impacts:

Future development on the site and the surrounding area would lead to the loss of agricultural lands in the area and add to increasing conversion of agricultural land to urban and other uses. The sites where the related projects and the proposed subdivision would be located are mainly designated as other land, grazing

land, and farmland of local importance. Small islands of Prime Farmland, Farmland of State-wide Importance, Farmland of Local Importance have been identified in areas where development would occur as a result of the implementation of the proposed project and related projects. These areas cover only a small percentage of all Important Farmland in the County and cumulative impacts on agricultural land are not expected to be significant enough to affect regional agricultural production. However, the cumulative loss of agricultural lands and resources due to urban development would be significant when the amount of existing agricultural land uses (approximately 260,431 acres in 2003) is compared to the amount of land proposed for preservation as agricultural lands and the areas proposed for urban development under the County's General Plan.

2. Mitigation:

The cumulative adverse impacts on agricultural resources are expected to remain unavoidable and significant.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has considered the following alternatives identified in EIR No. 451 in light of the environmental impacts which cannot be avoided or substantially lessened and has rejected those alternatives as infeasible for the reasons hereinafter stated:

A. No Project Alternative

1. The No Project Alternative, as required by CEQA, infers that the project site would remain in its existing undeveloped condition. No development would occur on-site and agricultural activities would continue, as has been occurring in the past. The local roadway

system would not be completed, since Antelope Road would not be constructed through the site. In addition, flood hazards along the northern section of the site would not be eliminated.

2. Under the No Project Alternative, the project site would remain in agricultural use and would not be developed. Onions and wheat would continue to be grown on the project site. Under the No Project Alternative, no change in existing land uses would occur in the neighborhood. This alternative would not be consistent with the residential designation of the site under the County's General Plan and Zoning Ordinance.

3. Under the No Project Alternative, no new trips would be added to existing traffic on Rouse, Antelope, Palomar, and Chambers Roads under this alternative. No roadway improvements would be implemented on-site and near the site. Antelope Road would not be constructed through the site under this alternative.

4. Under the No Project Alternative, no changes to existing drainage patterns would occur and no improvements to on-site and off-site drainage channels are expected under this alternative. Flood hazards would remain at the northern section of the site. No drainage channels or infrastructure would be provided to serve the project area.

5. Under the No Project Alternative, hazardous materials use on the site would include use of fertilizers, pesticides and herbicides for agricultural activities. This would continue under the No Project Alternative.

6. The No Project Alternative would eliminate all other impacts associated with the construction of structures and introduction of residents to the site.

7. Because the No Project Alternative would eliminate or reduce development-related environmental impacts, it is considered to be "Environmentally Superior" to the project.

8. The No Project Alternative would not meet project objectives because the project site would not be developed in accordance with its General Plan designation and this alternative would not meet any of the objectives related to the development of housing to meet demand in the Menifee area and to increase housing opportunities in the region.

9. The No Project Alternative would negate all benefits associated with the project objectives of providing local amenities to serve residents of the site and the surrounding area.

10. The No Project Alternative would eliminate public benefits associated with the project, including the preservation of the on-site hills, provision of on-site and off-site storm drain facilities to serve the area and provision of an on-site community park.

11. It is uneconomical to maintain the project site in its current state over the long-term, given its location within a developing area. Pressure to develop the land for higher economic uses will continue. Therefore, the No Project Alternative may postpone rather than preclude more intensive land uses and the later development may be haphazard and piecemeal.

B. Site Layout Alternative

1. The Site Layout Alternative considers the development of a residential subdivision in accordance with previous general plan and zoning designations for the site. The layout of the lots would be slightly different than what is currently proposed. This alternative would result in approximately 84.90 acres of open space areas, with 510 residential lots.

2. Under the Site Layout Alternative, the project site would be developed with 510 single-family homes. This alternative would feature 7,200-square-foot lots on blocks extending north-south through the site. Development density would be 2.16 units per acre, which is less than the allowable development density of four units per acre. Therefore, similar to the proposed project, this alternative would be consistent with the County's General Plan, Area Plan, and Zoning.

3. The Site Layout Alternative would result in similar impacts associated with on-site resources since the same project site would be disturbed to construct this alternative.

4. The Site Layout Alternative is expected to result in proportionately smaller impacts than the impacts associated with the proposed project. Thus, population and housing increase, traffic, noise, demand for school services, pollutant emissions, and utility demand would be lower than that anticipated from the proposed project.

5. The Site Layout Alternative would reduce the demand-driven environmental impacts, but it would result in the same significant

environmental impacts associated with the resources present on the project site.

6. The Site Layout Alternative would not meet project objectives because it would not provide the same local amenities on-site to serve residents of the site and the surrounding area.

7. The Site Layout Alternative would reduce the benefits associated with the project objective of meeting housing demand in the area with units that would be marketable within the developing economic profile of the project area. Moreover, a reduced number of housing units would affect the development costs and the absorption of units, increasing the costs to the consumer and the County.

C. Resource Protection Alternative

1. The Resource Protection Alternative considers the development of a residential subdivision that preserves the sites where biological and cultural resources are present on-site. This alternative considers the development of a smaller land area of the site, resulting in fewer lots with the same lot sizes. A preliminary site plan for this alternative shows that approximately 480 lots may be developed on the project site, with an on-site park and approximately 94.8 acres of open space.

2. The Resource Protection Alternative has been developed specifically to protect and preserve the biological and cultural resources on the site. The resources present on the site would be preserved through the designation of areas where these resources are located as permanent open space. This would result in the hills and the base of the hills being preserved as open space, as they support coastal sage

scrub and gnatcatcher habitat, along with scattered locations where archaeological resources have been found.

3. The Resource Protection Alternative would confine development largely to the agricultural fields and Antelope Road would not cross the site (due to the presence of archaeological sites along the alignment).

4. Under the Resource Protection Alternative, Antelope Road would not be constructed as a continuous road through the site under this alternative. This could affect are-wide circulation and traffic volumes.

5. While the Resource Protection Alternative would result in reduced environmental impacts on many issues, this project would not meet the objectives related to the development of housing to meet demand in the Menifee area and would not reflect the current development trend for residential tracts in the surrounding area. This would also not allow for the improvement of Antelope Road through the project site.

6. Under the Resource Protection Alternative, the preservation of the drainage channels and detention basins under this alternative would not provide the area-wide storm drain facilities to support existing and future developments in the project area.

7. The Resource Protection Alternative would reduce benefits associated with the project objective meeting housing demand in the area with units that would be marketable within the developing economic profile of the project area. Moreover, a reduced number of housing units would affect the development costs and the

absorption of units, increasing the costs to the consumer and the County.

C. Land Use Alternative

1. Under the Land Use Alternative, the project site would be developed in general accordance with the land use designations and SR 79 Policy Area of the General Plan update under the RCIP. This alternative considers the development of residential uses at a density of 3.19 units per acre for areas designated as Medium Density Residential and 5.92 units per acre on the flat areas of the site designated as Medium High Density Residential and the preservation of the hillsides. This alternative would result in approximately 554 dwelling units and 83.01 acres of open space and a park.

2. The Land Use Alternative would increase the demand-driven environmental impacts due to the higher number of housing units, but it would result in the same significant environmental impacts associated with the resources present on the project site.

3. The Land Use Alternative would not meet project objectives related to the preservation of important natural resources as open space elements of the project site.

D. Alternative Sites

1. Alternative sites are vacant properties in the surrounding area with lot areas of approximately 235 acres, similar to the project site, which may serve as alternative sites to the project. All these vacant areas are too numerous to consider separately as alternative sites. Also, most of these sites have been proposed for

development under various specific plans and tentative tracts. These vacant sites are under separate ownership and would need to be bought by the applicant in order to develop the proposed residential subdivision on these alternative sites.

2. An alternative site to the east of the site is a flat agricultural land, which has been subdivided into 5-acre lots. The development of these lots for residential uses would have direct impacts on surrounding streets, Menifee Road, McCall Boulevard, SR 74, the I-215 freeway and thus, would require the same roadway improvements needed at area intersections.

3. Other vacant sites throughout the project area may be developed with the proposed residential subdivision. However, they would not offer any real advantage in terms of environmental impacts when compared to the proposed project. Since the number off housing units and size of the site would be the same, the demand driven impacts of development on an alternative site would be the same as the project.

4. An Alternative Site would not necessarily reduce or avoid the impacts of the project. The site may also contain its own sensitive resources that would need to be preserved or mitigated.

5. Moving the project to an alternative site would not eliminate the development pressures for development on the project site due to the presence of adjacent developments and the demand for housing in the project area.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has balanced the benefits of Tract No. 29835 and Change of Zone No. 7104 against the unavoidable adverse environmental effects thereof, and has determined that the following benefits outweigh and

render acceptable those environmental effects in accordance with Public Resources Code Section 21081(b):

A. The project would preserve the existing hills on the site as permanent open space. This area would cover 71.6 acres or 30.5 percent of the site.

B. The project would provide a 9.4-acre community park to serve the recreational needs of the residents of the proposed development and the surrounding residential areas.

C. The project would eliminate existing flood hazards on the site.

D. The project would provide the necessary storm drain infrastructure through the site and from the site to the proposed channel to the north, completing the needed drainage facilities to serve the area.

E. The project would provide housing to meet the demand for in the region.

F. The project would provide traffic mitigation measures to address project specific and cumulative circulation impacts, thereby contributing to improvements at critical intersections and roadways.

G. The project would provide funding for various elements of regional infrastructure through the County's mitigation fee programs.

H. The project would provide area-wide drainage facilities to better contain and direct the flow of stormwater runoff, thereby minimizing flooding and related hazards both on-site and downstream.

BE IT FURTHER RESOLVED by the Board of Supervisors that the State CEQA Guidelines (Title 14 Cal. Code of Regs Section 15126 (d)) require an EIR to discuss how a proposed project could directly or indirectly lead to economic, population, or housing growth. A project may be growth-inducing if it removes obstacles to growth, taxes community service facilities or encourages other activities which cause significant environmental effects. The discussion is as follows:

A. Economic, Population or Housing Growth

The project proposes a total of 543 dwelling units. It is anticipated that a population of 1,668 persons, based upon population generation factors of 3.071 persons per single family dwelling unit, would result at full build-out.

B. Removal of an Impediment to Growth

The project would induce the growth of community support systems in the project area, including roads, utilities and services, economic institutions, as well as additional medical, educational and cultural facilities, such as hospitals, schools and museums and libraries. The project would extend roadways, as well as utility and energy systems, which could eliminate potential development constraints and serve as a growth-inducement in adjacent areas.

C. Precedent - Setting Effects

The project site is located in an area transitioning between urban land uses to the south and west of the project site and lower density residential and agricultural land uses to the north and east. Several residential tracts have been constructed and approved to the west and southwest of the site. Agricultural lands to the north and east contain rural density residential developments and are most susceptible to these growth-inducing impacts.

BE IT FURTHER RESOLVED by the Board of Supervisors that Tract No. 29835 and Change of Zone No. 7104 will implement applicable elements of the Riverside County General Plan as follows:

A. Land Use Element

The project is within an area that exhibits characteristics conducive to accommodating growth. More specifically, in terms of available and proposed infrastructure, and the approved pattern of urban development, the project site meets the qualifications for urban development and has been designated for residential uses under the County's General Plan and the Sun City Menifee Valley

Area Plan. Factors pertaining to circulation, flooding, school generation rates, sewer and water availability and utilities have been addressed through development standards, mitigation measures and the conditions of approval. The project is participating in regional transportation improvements and other major circulation improvements in the area. Project-related employment opportunities, recreational facilities, open space, flood control facilities, water and sewer facilities, and residential dwelling units are intended to serve the future residents of the Sun City Menifee Valley area

B. Circulation Element

The project would improve on-site roads in accordance with their roadway classification and provide half-width improvements for roadways along the site boundaries. In addition, the project would provide a four-lane extension of Antelope Road to McCall Boulevard and a two-lane extension of Rouse Road to Menifee Road and install a traffic signal at the Antelope Road/McCall Boulevard intersection. It would also contribute to the Transportation Uniform Mitigation Fee (TUMF) program to fund area-wide and regional transportation facilities.

C. Multi-Purpose Open Space Element

The Multi-Purpose Open Space Element calls for the preservation of open space areas in the County for the preservation of natural resources and providing recreation opportunities. While the project site is not located within an area designated by the County for open space, the proposed project would include the preservation of 71.6 acres of hillside areas on the southern and western sections of the site. This open space area would preserve the biological and cultural resources present on-site, as well as provide recreational opportunities for area residents.

D. Safety Element

The project would involve the filling of the northern section of the site, which current has flood hazards and the construction of on-site and off-site storm drain facilities to serve the stormwater disposal needs of the site and adjacent areas. Thus, the project would eliminate on-site flood hazards, consistent with the goals of the Safety Element.

E. Noise Element

The Noise Element identifies goals and policies to maintain acceptable noise levels throughout the County. Perimeter walls shall be provided along the northern and eastern site boundaries, with reverse frontage lots provided along Rouse Road and Antelope Road. Noise control measures shall also be incorporated into housing design to ensure interior noise levels meet County standards.

F. Housing Element

The project would provide 543 new housing units for the Menifee area and promotes the Housing Element goal of providing a selection of housing that is decent, safe, sound, in close proximity to jobs and daily activities, and which varies by location, type, design, and price.

G. Air Quality Element

The air quality impacts of the project have been analyzed in EIR No. 451 and mitigation provided for impacts associated with construction emissions and long term vehicle and stationary emissions.

H. Administration Element

The project provides time frames for development and a fiscal impact report. The fiscal impact analysis does not project a significant adverse impact on County services at project build-out.

BE IT FURTHER RESOLVED by the Board of Supervisors that Tract No. 29835 and Change of Zone No. 7104 are consistent with the General Plan and the Sun City Menifee Valley Area Plan.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has reviewed and considered EIR No. 451 in evaluating Tract No. 29835 and Change of Zone No. 7104, that EIR No. 451 is an accurate and objective statement that complies with the California Environmental Quality Act and reflects the County's independent judgment, and that EIR No. 451 is incorporated herein by this reference.

BE IT FURTHER RESOLVED by the Board of Supervisors that it **CERTIFIES** EIR No. 451, **ADOPTS** the Mitigation Monitoring Plan specified herein, **ADOPTS** the Statement of Overriding Considerations as set forth above and **APPROVES** the project.

BE IT FURTHER RESOLVED by the Board of Supervisors that the custodian of the documents upon which this decision is based are the Clerk of the Board of Supervisors and the County Planning Department and that such documents are located at 4080 Lemon Street, Riverside, California.

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