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

121 B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 25, 2006

SUBJECT: Resolution No. 2006-416 Adopting Specific Plan No. 336 / Ordinance No. 348.4437

RECOMMENDED MOTION: That the Board of Supervisors adopt Resolution No. 2006-416 and Ordinance No. 348.4437

BACKGROUND: Change of Zone No. 6876 / Specific Plan No. 336 / Environmental Impact Report No. 455 were approved by the Board of Supervisors on August 15, 2006.

Robert C. Johnson
Planning Director

RCJ:cv

REVIEWED BY EXECUTIVE OFFICE
DATE 10/26/06 mg Department

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

Prev. Agn. Ref. | **District:** Fifth | **Agenda Number:** 3.22

Board of Supervisors **County of Riverside**

RESOLUTION NO. 2006-416
ADOPTING
SPECIFIC PLAN NO. 336
(DESERT DUNES)

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 15, 2006 and before the Riverside County Planning Commission in Riverside, California on May 31, 2006 and June 28, 2006 to consider Specific Plan No. 336 (Desert Dunes); and,

WHEREAS, all the provisions of the California Environmental Quality Act (CEQA) and the Riverside County CEQA implementing procedures have been satisfied, and Environmental Impact Report (EIR) No. 455, prepared in connection with Specific Plan No. 336 and related cases (referred to alternatively herein as "the project"), is sufficiently detailed so that all the potentially significant effects of the project on the environment, and all 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; now, therefore,

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of the County of Riverside, in regular session assembled on October 31, 2006, that:

A. Specific Plan No. 336 is a 478.1 acre master planned residential community located east of Palm Drive, west of Bubbling Wells Road, north of 20th Avenue and south of 18th Avenue. The project will include approximately 450.6 acres of residential development with up to a maximum of 1,850 homes. The project also includes recreational amenities and open space, as well as a water reservoir and a sewer lift station.

B. Specific Plan No. 336 is associated with Change of Zone Case No. 6876, which was considered concurrently at the public hearing before the Planning Commission. Change of Zone Case No. 6876 proposes to change the existing zoning classifications of Controlled Development Area (W-2) to SP (Specific Plan). The SP zoning designation would

FORM APPROVED
COUNTY COUNSEL
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BY

establish those development standards required to implement the Specific Plan.

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of Riverside, in regular session assembled on October 31, 2006, that the following environmental impacts associated with Specific Plan No. 336 are potentially significant unless otherwise indicated, but each of these impacts will be avoided or substantially lessened by the identified mitigation measures:

A. Land Use Compatibility -- General Plan Consistency/Compatibility with Surrounding Land Uses.

1. Impacts:

The project's potential land use compatibility impacts are discussed in the Draft EIR at pp. III-7 through III-11, and include the project's consistency with applicable General Plan land use designations and policies, and its compatibility with surrounding land uses. The project will be integrated with the existing 18-hole golf course, and it is consistent with the existing General Plan Land Use designation.

2. Mitigation:

The project has been modified to mitigate or avoid the potentially significant land use impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The County will review final development, grading and landscape plans prior to the issuance of grading and development permits.

B. Traffic/Circulation -- Traffic Safety/Compliance with Riverside County Requirements.

1. Impacts:

The project's potential traffic and circulation safety impacts, including compliance with the applicable Riverside County circulation requirements, are discussed in the Draft EIR at pp. III-21 through III-31. Project development is expected to generate approximately 8,350 daily vehicle trips to traffic on roadways and at intersections in the project vicinity where congestion is anticipated and improvements would be necessary. Study area intersections are projected to operate at Level of Service "D"

or better during the peak hours, with improvements.

2. Mitigation:

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The developer shall dedicate any necessary right-of-way and construct half-width frontage improvements (curb, gutter, sidewalk and paving) as required by Riverside County along Palm Drive, 18th Avenue, Bubbling Wells Road, and 20th Avenue adjacent to the project site.

b. The proposed internal circulation layout and site access plans shall be subject to the review and approval of the County of Riverside during the development review process to insure compliance with County access and design standards.

c. Sight distance at the project entries shall be reviewed with respect to standard County sight distance standards at the time of preparation of the final grading, landscaping, and street improvement plans.

d. The developer shall install stop signs facing motorists exiting the site via the North Site Access on 18th Avenue, the East Site Access on Bubbling Wells Road, and the South Site Access on 20th Avenue.

e. Clear, unobstructed sight distances shall be provided at the site access points on Palm Drive, 18th Avenue, Bubbling Wells Road, and 20th Avenue as well as at all internal intersections to ensure that motorists can enter and exit the site with minimum hazard and disruption of through traffic.

C. Parking.

1. Impacts:

The project's potential impacts relating to parking are discussed in the Draft EIR at pp. III-21 through pp. III-31, including the need for adequate parking at the

recreation center.

2. Mitigation:

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. Sufficient on-site parking shall be provided within the project site and the recreational center to meet the project's parking requirements.

D. Alternative Transportation Systems.

1. Impacts:

The project's potential impacts on alternative transportation systems, including bicycle lanes and public transit facilities are discussed in the Draft EIR at pp. III-21 through pp. III-31. The project will add both residents and employees to the area, which could impact alternative transportation systems.

2. Mitigation:

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. The project shall incorporate a Class II bike lane or wide shoulders for a Class III bikeway facility into the design of the required half-width improvements to be made along 20th Avenue when the adjacent area on site is developed, as specified by Riverside County.

b. The project applicant shall be required to contribute pursuant to County Transportation Conditions of Approval to the cost of required roadway improvements within the study area. The applicant shall participate in the TUMF (Transportation Uniform Mitigation Fees) program with respect to area wide roadway improvements, and shall also be required to contribute,

pursuant to County Transportation Conditions of Approval, to any circulation improvements that may be required on roadways and/or at intersections that are not in the TUMF program.

E. Biological Resources -- Special Status Plant Species.

1. Impacts.

The project's potential impacts to special status plant species, including the Coachella Valley Milk Vetch, are discussed in the Draft EIR at III-51 through III-59.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Mitigation for the loss of milk-vetch and its habitat may be accomplished in several ways, including the payment of the Coachella Valley fringe-toed lizard mitigation fee, which will fund acquisition of habitat areas that will also be suitable for milk-vetch.

b. In accordance with the California Native Plant Protection Act, the CDFG has been notified of milk-vetch occurrence on the project site in order to allow the CDFG to salvage these sensitive plants that would otherwise be destroyed. In the absence of CDFG action, the project biologists have re-visited the site and collected seeds from the milk vetch plants, and have preserved seeds for proper disposition. Milk-vetch seeds shall be re-distributed on site as landscaping is completed, or on the 24-acre portion of the 25-acre open space portion of the project site, located south of 20th Avenue. Milk vetch seeds shall also be distributed on off-site mitigation lands acquired for mesquite mitigation if the habitat is deemed appropriate by the project biologist in consultation with the CGFG. All undeveloped portions (24.0 acres) of the 25-acre parcel shall be covered by an open space

conservation easement, to be held by a conservation organization or land trust, to perpetually preserve both mesquite habitat and milk-vetch plantings.

F. Biological Resources -- Special Status Animal Species and Habitat.

1. Impact.

The project's potential impacts to special status animal species and their habitats, including the Palm Springs round-tailed ground squirrel, the burrowing owl, the loggerhead shrike, Le Conte's thrasher, and the Fringe-Toed Lizard are discussed in the Draft EIR at III-51 through III-59.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. A pre-construction burrowing owl survey is recommended to preclude impacts from site development. Surveys shall be conducted in accordance with the standards of the CDFG, and should be performed thirty days prior to initiation of grading to ensure that owls are not killed. If burrowing owls are found during the pre-construction surveys, either passive or active relocation shall be performed prior to construction to prevent owl mortality. No relocation shall take place of owls that are nesting. All relocation efforts shall be guided by a certified biologist, approved by the County and/or CDFG.

b. Within 30 days of ground disturbance activities associated with construction or grading that would occur on the proposed residential site, the applicant shall retain a qualified biologist who shall attempt to trap and relocate ground squirrels inhabiting the site to minimize potential loss of individual squirrels. The biologist will release the trapped animals onto open space parcels in the region deemed by the biologist, and in coordination with the

CDFG, to have suitable habitat for this species or that is already occupied by this species. This can potentially include the 25-acre parcel to the south of the site and/or other off-site parcels acquired by the applicant for mitigation purposes.

c. No pets shall be permitted on the golf course at any time either with or without a leash. In addition, no pets shall be permitted within the Common Areas except as controlled on a leash or similar device held by it owner or his agent.

d. Prior to any pruning, maintenance, or removal of fan palms on the project site that would occur within the breeding season (April through August), the applicant shall retain a qualified biologist to survey the palm trees and fronds to determine if any breeding bats or young occur. If found, no pruning, maintenance, or removal of the trees shall occur until it has been determined by the project biologist that the young have fledged and are no longer dependent upon the tree for cover or shelter. In addition, no aerial spraying for insects with pesticides shall occur on the site during the yellow bat breeding season unless all palms have been surveyed, within 10 days of proposed pesticide use, by a qualified biologist and it has been determined that no bats are utilizing the trees.

e. Within 30 days of ground disturbance activities associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (as determined by a qualified biologist), the applicant shall have weekly surveys conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 feet for raptors) of the construction zone. The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to initiation of

clearance/construction work. If ground disturbance activities are delayed for more than 30 days past the pre-construction survey, then additional pre-construction surveys will be conducted such that no more than 30 days will have elapsed between the survey and ground disturbance activities. If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors) shall be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barrier, and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. The results of the survey, and any avoidance measures taken, shall be submitted to the County within 30 days of completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

f. The project will pay any applicable Fringe-Toed Lizard Fee. In addition, prior to any implementing approvals for any primary structure on the 25-acre site south of 20th Avenue (which site provides a source of blow sand for the Fringe-Toed Lizard preserve), clearance shall be obtained from the U.S. Fish & Wildlife Service and the California Department of Fish & Game.

G. Biological Resources -- Migrating Birds.

1. Impact.

The project's potential impacts to migrating birds are discussed in the Draft EIR at III-52 through III-59.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Within 30 days of ground disturbance activities associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (as determined by a qualified biologist), the applicant shall have weekly surveys consistent with CDFG standards conducted by a qualified biologist to determine if active nests of bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 feet for raptors) of the construction zone. The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to initiation of clearance/construction work. If ground disturbance activities are delayed for more than 30 days past the pre-construction survey, then additional pre-construction surveys will be conducted such that no more than 30 days will have elapsed between the survey and ground disturbance activities.

b. If active nests are found, clearing and construction within 300 feet of the nest (500 feet for raptors) shall be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barrier, and construction personnel shall be instructed on the sensitivity of nest areas. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur. The results of the survey,

and any avoidance measures taken, shall be submitted to the County within 30 days of completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

H. Biological Resources -- Native Vegetation.

1. Impacts.

The project's potential impacts to native vegetation are discussed in the Draft EIR at III-31 through III-59.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Landscaping of the developed areas of the project shall utilize native plants to the greatest extent practicable. These plant materials are adapted to local climatic conditions and require far less irrigation than species not adapted to the arid climate. The use of native vegetation will help encourage wildlife species (mainly birds and insects) to utilize the area, and will help offset the loss of native vegetation that is cleared for development. Specific measures include: Blue Palo Verde (*Cercidium floridum* ssp. *floridum*), Smoke Tree (*Psorothamnus spinosus*), Honey Mesquite (*Prosopis glandulosa* var. *torreyana*), Ocotillo (*Fouquieria splendens*), and Schott's Indigo Bush (*Psorothamnus schottii*) are native species, which are suitable for landscaping and may be available from local nurseries.

b. California Fan Palms present on the project site shall be left in place to the extent practicable, or where feasible, transplanted to other portions of the project site if impacts are unavoidable.

c. The landscape plan shall optimize connectivity between off-site and on-site mesquite habitat through the integration of mesquite and milk vetch into the

project landscape plan, especially along the southern portion of the site and where existing mesquite in the golf course occurs near development areas with the potential for revegetation.

d. Project design shall include the use of native landscaping to provide suitable habitat for local animal species. Invasive non-native plant species shall be prohibited. A biologist shall review the "plant palette" to be used for landscaping of the site to ensure that no species known to be invasive are used.

e. The developer shall provide homebuyers with an approved plant palette and shall include appropriate safeguards through the project's CC&Rs that preclude the use of unapproved landscape materials.

f. To the greatest extent practicable, retention/detention basins and other drainage management facilities shall be designed and maintained in a manner that enhances wildlife habitat and foraging opportunities. This shall include the use of native mesquite, milk vetch and associated plant communities to the greatest extent practicable.

I. Biological Resources -- Natural Drainages.

1. Impacts.

The project's potential impact to natural drainages within the area of the existing golf course is discussed in the Draft EIR at III-55 through III-59.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The project shall comply with the requirement for a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code.

J. Soils and Geology - Ground Shaking, Liquefaction and Differential Settlement.

1. Impacts.

The project's potentially significant impacts to soils and geology, including ground shaking, liquefaction and differential settlement are discussed in the Draft EIR at III-82 through III-97.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. All structural design shall be performed in accordance with on-site soils and geology analyses, the most recent edition of the Uniform Building Code, including California amendments, and the seismic design parameters of the Structural Engineer's Association of California as applicable.

b. Structures for human occupancy or other habitable purposes shall not be proposed for the southwest corner of the site. A minimum building setback of 50 feet is recommended for the northeast side of the fault as identified in the project geotechnical study.

c. Additional site specific geotechnical investigations may be necessary in order to make final recommendations regarding site preparation, grading, foundation design, etc., to assure an adequate level of mitigation of the limitations of on-site soils and the potential effects of differential settlements resulting from ground shaking and liquefaction. All geotechnical analysis shall be completed prior to the approval of building permit.

d. Engineered slopes shall be designed to resist seismically-induced failure. Slope design shall be based on pseudo-static stability analyses using soil engineering parameters established through additional detailed geotechnical investigations, including subsurface investigation and laboratory testing. Testing parameters shall conform to anticipated ground shaking potential at the site.

e. Prior to site grading activity existing vegetation, trees, large roots, non-engineered fill, construction debris, trash, pre-existing foundations, septic tanks, leach lines, abandoned underground utilities and other deleterious material shall be removed from areas to be graded. The surface should be stripped of organic growth and removed from the construction area. Areas disturbed during demolition and clearing shall be properly backfilled and compacted as described below.

f. All fill soil, whether natural on site or imported, shall be approved by the project soils engineer prior to placement as compacted fill. All fill soil shall be free from vegetation, organic material, and cobbles and boulders greater than 3 inches maximum diameter, and other debris. Approved fill soil shall be placed in horizontal lifts of appropriate thickness as prescribed by the soils engineer, and compacted to at least 90 percent relative compaction (ASTM D1557) to obtain near-optimum moisture content. Compaction should be verified by testing.

g. Fill materials shall be completely and uniformly scarified, moisture conditioned and recompacted to not less than 90 percent relative compaction, as determined by ASTM test method D-1557 and as required by the soils engineer, to provide 2 to 5 feet of moisture conditioned and compacted soil beneath floor slabs and footings, respectively. The project soils engineer shall observe the placement of fill and shall take sufficient tests to verify moisture content, uniformity and degree of compaction obtained.

h. Preparation of building pads shall take into consideration locations of planned buildings and auxiliary structures, such as garden or retaining walls, and provide appropriate foundational support so as to avoid mixed foundational support and the potential for differential settlements.

i. Preparation of bridge abutments and roadbeds shall take into consideration

location of these features and structures, and shall, as warranted by the grading plan, incorporate appropriate fill placement and scarification, moisture conditioning, and recompaction.

j. Excavations shall be made in accordance with CalOSHA requirements. Where excavations over 4 feet deep are planned, lateral bracing or appropriate cut slopes of 1.5:1 (horizontal: vertical) shall be provided. No surcharge loads from stockpiled soils or construction materials shall be allowed within a horizontal distance measured from the top of the excavation slope, equal to the depth of the excavation. All excavations must be inspected during grading to provide additional recommendations for safe construction.

k. Positive site drainage shall be established during finish grading, and shall include a minimum positive gradient 5 percent away from structures for a minimum distance of 5 feet.

l. Utility trench excavations within road or public right-of-ways shall be placed in conformance with the requirements of the appropriate governing agency. Utility trench excavations within private property shall be properly backfilled with native soils compacted to a minimum of 90 percent relative compaction. Backfill operations shall be observed and tested to monitor compliance with governing agency requirements and proper backfill procedures.

m. As warranted by the grading plan, unprotected, permanent graded slopes shall not be steeper than 3:1 (horizontal: vertical) to reduce wind and rain erosion. Protected slopes with ground cover may be as steep as 2:1. Fill slopes shall be overfilled and trimmed back to competent material. Slope stability calculations shall be provided and reviewed by the project engineer, and final grading plan shall incorporate calculations.

n. Post-construction slope planting and other erosion control methods shall be

implemented to minimize slope erosion and improve slope stability.

o. Foundations for all structures shall be designed and constructed so as not to be placed on fill/bedrock transitions, but so as to achieve uniform bearing support from bedrock. All footing design shall be overseen by the structural engineer and incorporate appropriate structural loading and geotechnical parameters as set forth in the geotechnical report.

p. Post-Tension Slab-on-Ground foundation systems are recommended for the support of the residential structures in areas of potential liquefaction to prevent catastrophic collapse of the structures in the event that the design magnitude earthquake occurs.

q. Prior to completion of the final grading plan, mitigation measures may include assessment, identification and removal or stabilization of unstable rock formations, catchments, and design features incorporated into the grading plan.

K. Flooding and Hydrology -- Off-Site Drainage Management

1. Impacts.

The project's potential flooding and hydrological impacts related to off-site drainage management, including both short and long term impacts and impacts associated with conservatively derived 100-year discharges from the Morongo and Long Canyon washes, and established peak volumes from the Desert Hot Springs washes, are discussed in the Draft EIR at III-97 through III-112.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The project's Specific Plan provides facilities primarily along the project's perimeter that will address regional flooding issues as follows:

- Palm Drive Expanded Parkway. The project will provide an

additional 40 feet of parkway along Palm Drive that will enhance the capacity of Palm Drive to convey Morongo Wash flows south to their point of discharge on the south side of 20th Avenue and immediately east of Palm Drive. The on-site parkway will slope upward to a decorative wall or berm and will assure that Morongo Wash flows that impinge on Palm Drive will be contained within this expanded street and parkway cross section. Access drives into the site will be elevated to preclude or limit off-site flows coming into the site.

- 18th Avenue Intercept Channels. The project's Specific Plan incorporates two large interceptor channels to be built along the south right-of-way of 18th Avenue. The westerly channel extends from Palm Drive eastward to the northerly-most extension of the existing golf course. Storm flows captured in this channel will be conveyed to the golf course fairways, which are designed to convey flood flows through the property. This westerly 18th Avenue channel ranges in width from 120 to 200 feet south of the 18th Avenue right-of-way. The primary purpose of this channel is to accommodate the maximum potential overflow flows of the Morongo Wash. The intercept channel along the east half of the 18th Avenue has a uniform width of about 240 feet, and extends from the aforementioned golf course fairway to Bubbling Wells Road. This channel segment is designed to intercept and capture flows from the Long Canyon Wash and will convey these flows to either the golf course fairways or to another intercept channel/conveyance planned along Bubbling Wells Road. While design of these facilities is still to be detailed, they are expected to be a combination of soft and hard bottom, revetment, and re-

vegetation and re-naturalization.

- Bubbling Wells Intercept Channel & Spreading Area. In a manner similar to that proposed along 18th Avenue, the project's Specific Plan provides an intercept/conveyance channel along Bubbling Wells Road from 18th Avenue to 20th Avenue. The channel will generally range from 230 to 250 feet in width and will be a broad swell with both natural and armored areas to preclude significant erosion. This channel will intercept flows originating from Long Canyon and will convey these to detention and spreading areas along 20th Avenue. While design of these facilities is still to be detailed, they are expected to be a combination of soft and hard bottom, revetment, and re-vegetation and re-naturalization.
- Desert Hot Springs Wash Spreading Area. The project's Specific Plan does not envision any major modifications to the Desert Dunes Golf Course drainage areas. The existing Desert Hot Springs wash discharges from the south end of the golf course and continues approximately 250 feet south to where it leaves the site. The Specific Plan provides for the development of a detention/spreading area just south of the golf course and along 20th Avenue. Details for these facilities will be prepared in consultation with County Flood Control.

L. Flooding and Hydrology -- On-Site Drainage Management

1. Impacts.

The project's potential flooding and hydrological impacts related to on-site drainage management impacts, including both short and long term impacts and impacts associated with conservatively derived 100-year discharges from the Morongo and Long Canyon washes and established peak volumes from the Desert Hot Springs washes are discussed in the Draft EIR at III-97 through III-112.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The project's Specific Plan indicates that building pads adjacent to storm channels will be elevated to ensure protection of structures. Pad elevations will be in the vicinity of 2 feet from finished floor to water surface elevation (i.e., 100-year flood plain levels). The existing golf course and the proposed on-site drainage channel are expected to serve as both detention and conveyance for storm flows generated on site. Within individual subdivisions the Specific Plan provides drainage easements for facilities to surface convey local drainage into the golf course and channels.

b. To ensure that project flooding hazards are properly managed, the mitigation measures set forth in the EIR include a requirement that a detailed hydraulic analysis for the proposed channels and conveyances be reviewed and approved by the Riverside County Flood Control District. Detailed plans and quantitative analysis for each of the project's drainage facilities demonstrating complete accommodation for the 100-year discharge from the Desert Hot Springs, Morongo, and Long Canyon Washes shall be submitted to the County and approved prior to the issuance of Building Permits.

c. As required by County Flood Control, surface water elevations, energy grade elevations, and average velocities for the 100-year flow of the post-project model shall be at or below values of the pre-project model and the FEMA base flood elevations.

d. The Applicant shall develop interim measures to control and contain sediment and debris during grading and construction and shall submit them to the County Flood Control for approval. Near and long-term measures

that are responsive to National Pollutant Discharge Elimination System (NPDES) requirements are also to be approved by the appropriate agencies.

e. Strategic placement of fill as part of proposed on-site drainage channel grading may be used as a sacrificial erosion buffer to mitigate lateral erosion. A minimum buffer may be appropriately provided in those areas consistent with criteria set by the County.

f. Geosynthetic turf reinforcement mats (TRMs) may be used in combination with vegetation to further protect soil from erosion. The appropriate type of TRM will be identified based on the design velocity and proposed vegetation. The TRMs would potentially provide erosion protection along areas where the local shear stress is greater than or equal to 3.0 pounds per square foot. A critical point of the TRM design would be to ensure the termination points of the mattress are adequately protected through tiebacks or connections to buried cutoff walls at the end.

g. Turf or other appropriate erosion-resistant material shall provide erosion protection at locations where local shear stress values are less than 3.0 pounds per square foot. As appropriate, areas of turf where there are discontinuities, such as at walkways, cart paths, or sand traps, will be protected by buried cutoff walls.

h. Grade control or "drop structures" may be necessary upstream of steep sloped areas. Reaches with steep slopes typically have higher velocity and shear stress values that result in higher erosion potential. Stable slope determination involves calculations that include channel bed sediment gradation, identification of a representative sediment transport function(s), and results from channel hydraulics analysis. Grade control structures may reduce high velocity and shear stress values calculated based on existing and proposed conditions hydraulic modeling. Other locations of grade control structures will be strategically placed anywhere along the drainages

as determined during future design studies.

i. Buried cutoff walls may be necessary at all interruptions in turf or locations where other mitigation measures terminate that require protection at those end points. The buried cutoff walls can be sheet piles, concrete walls or other similar construction. The depth of the walls will be determined based on the estimated scour depth and the embedment requirement for the structural stability of the wall.

j. Golf and pedestrian paths shall be constructed in such a manner as to preclude obstruction of storm flows and to resist erosion to the greatest extent practical.

k. The excavated portions of all sediment retention and stormwater detention basins will be replanted with native vegetation. It is anticipated that excavation will increase the area suitable for growth of typical wash vegetation, which shall include blue palo verde, catclaw acacia, mesquite, chuparosa, smoke tree and associated plants. Detention basins shall be revegetated when planting materials are removed by major storms.

M. Water Quality

1. Impacts.

The project's potential impact to the quality of the water surrounding project area is discussed in the Draft EIR at III-112 through III-135, including potential water quality impacts from project grading and surface runoff from the future residences.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. In accordance with the requirements of the General Construction Activities Stormwater Permit required by the California State Water Resources Control Board, the project proponent shall develop and implement a

stormwater pollution prevention plan (SWPPP) specifying BMPs to reduce construction-related stormwater runoff pollution to acceptable levels.

b. All turf and landscape chemicals, including inorganic fertilizers, pesticides and herbicides, shall be stored and appropriately segregated within secured areas of the site. Chemical mixing shall be confined and segregated from other systems as determined appropriate by the Riverside County Department of Environmental Health and other appropriate agencies. Plans for these facilities shall be reviewed by this and other appropriate agencies prior to the issuance of Building Permits for these facilities.

c. Bulk fuels shall be stored in above-ground tanks located within a Portland concrete catchment basin(s) underlined by an impermeable liner, which precludes contamination of underlying soils. Fuel storage and dispensing areas shall be designed in conformance with applicable codes and regulations and approved by the appropriate agencies prior to installation.

N. Cultural Resources -- Ethnohistoric, Historic and Site-Specific Cultural Resources

1. Impacts.

The project's potential impacts to the project area's cultural resources, including impacts to the area's ethnohistoric, historic and site-specific cultural resources, are discussed in the Draft EIR at pages III-135 through III-143. In particular, the EIR identifies five known, potentially significant archeology sites on the project site.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. For resources that are expected to be impacted by development on the 450.6-acre residential site, a data recovery program is appropriate and adequate mitigation. Any resources that must be destroyed should first be studied, recorded, measured, photographed, collected and analyzed in depth

in order to preserve as much information as possible prior to destruction. This recovery effort would constitute sufficient mitigation of adverse effects to the "historical resource," so that the project may go forward under CEQA Guidelines. The following procedures are proposed for treatment of cairns and other resources that will be destroyed:

- Preparation of research design;
- Photographic recordation of the resources, including multiple views;
- Surface and subsurface collection, disassembly of cairns with careful counting and measuring of stones;
- Surface scrape and screening of soil for possible artifacts;
- Geological analysis of varnish, calcium carbonate buildup, or other clues to cairn site formation and age;
- Comparative study of cairns sites with other known cairn sites to place this site within regional context; and
- Preparation of a final report to summarize the findings of the procedures outlined above, and to interpret such findings within the context of the research design.

b. Data recovery at sites of archaeological significance that will be impacted by the proposed project shall entail surface collections and subsurface excavations.

c. As feasible, significant archaeological sites shall be avoided by development associated with the project. This may entail flagging around the sites during construction to ensure that construction equipment does not enter these areas. If avoidance proves infeasible, these sites shall be included in the data recovery program (see No. 4, above). In addition to data recovery recommendations outlined above, recovery on these sites shall also include more intensive and more detailed field recordation efforts on the rock cairns at these sites.

d. On archaeological sites that require research to determine if they qualify as significant, testing shall be completed to a level that, should these sites be determined to qualify as significant, the data collected during the testing would stand as adequate mitigation of the project's impacts. This testing/mitigation shall consist of surface collections and a program of subsurface testing/data recovery.

e. The Applicant shall coordinate with the Agua Caliente Tribal Historic Preservation Office and other appropriate tribal representatives, such that Approved Cultural Resource Monitors can be present during all ground disturbing activity on the 450.6-acre residential development portion of the project, the 1.0-acre sewer lift station site, the 2.5-acre reservoir site, and sewer line site, and that this monitor be familiar with the California/CEQA procedures necessary in the event of an unexpected discovery during project execution.

f. In the event that additional archaeological or historic resources are discovered during grading or construction, development shall cease in this area and a qualified (Secretary of Interiors Standards Guidelines) archaeologist shall be employed to examine and document the resources and determine appropriate mitigation measures.

O. Construction Noise

1. Impacts.

The project's potential impacts related to construction noise are discussed in the Draft EIR at pages III-143 through III-153, including noise from grading and construction activities.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Construction activities shall be conducted in compliance with all applicable County Ordinances, which address disturbances from construction noise and limits specific hours of operation for construction equipment, demolition work, and grading activities:

- The construction contractor shall limit all construction related activities that would result in high noise levels to between the hours of 7:00 AM and 7:00 PM Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- To the greatest extent practical, construction activities in the vicinity of sensitive receptors, including, but not limited to, rough grading, fine grading and shaping activities, shall be conducted in the most expeditious manner possible and during the least sensitive times of the day.
- No blasting shall be allowed.

b. All construction equipment shall be provided with functional and well-maintained mufflers to limit noise emissions.

P. On-Site Stationary Noise.

1. Impacts.

The project's potential impacts related to on-site stationary noise are discussed in the Draft EIR at pages III-143 through III-153.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The design, selection and placement of mechanical equipment for buildings within the planning area shall include consideration of the potential noise impacts on nearby structures, both within the development and in the surrounding community. Both roof-mounted and pad-mounted equipment

shall be screened by effective noise barriers such as parapet walls, block walls or similar, effective acoustical barriers with a minimal mass of 3.5 pounds per square foot of surface area.

b. Appropriate sound attenuation measures, such as silencers and/or barriers, shall be provided where necessary on outdoor equipment, including, but not limited to, cooling towers, air-cooled condensers, refrigeration compressors/condenser units, and air intake and discharge openings for building ventilation systems.

c. Landscaping maintenance activities involving the operation of mowers and other power equipment capable of generating substantial noise levels shall be limited to the hours of 7:00 AM to 5:00 PM, Monday through Friday, and 8:00 AM to 5:00 PM on Saturday. No Sunday maintenance activities with the potential of generating nuisance noise shall be permitted unless prior notice is provided to the County and approved by same.

d. Landscape maintenance equipment shall be equipped with the best available technology for suppressing noise generated by its operation.

e. Masonry walls ranging from 5 to 7 feet shall be constructed around the project perimeter to provide an effective noise barrier against the propagation of noise originating from or impacting the project, with the exception that a few smaller iron-fenced areas may be used to preserve biological connectivity through the project site.

f. Appropriate sound barriers shall be provided surrounding any and all public facilities capable of generating disturbing levels of noise, including water pumping stations and lift stations.

Q. Indoor Noise/Project Design

1. Impacts.

The project's potential impacts related to indoor noise levels and noise related to project design are discussed in the Draft EIR at pages III-143 through III-153.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Acceptable truck/construction equipment routes shall be designated to limit impacts to adjacent properties.

b. Site planning, building orientation and building specifications shall be carefully considered to provide shielding of outdoor living spaces from potentially significant stationary or mobile noise sources.

c. Effective acoustical materials shall be incorporated into building walls and windows, boundary walls and air conditioning equipment walls and other acoustical barriers to adequately reduce outdoor noise impacts on the noise environment.

d. The Applicant may utilize natural noise barriers such as existing terrain, manufactured berms, boulders and dense vegetation to mitigate potential noise impacts.

R. Traffic Noise

1. Impacts.

The project's potential impacts related to traffic noise are discussed in the Draft EIR at pages III-143 through III-153, which include the potential noise impacts from the additional 8,350 vehicle trips that could be generated by the project.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The use of proper building setbacks shall be required in accordance with the Riverside County Zoning Ordinance.

b. Project design shall include and meet state code requirements for unit-to-

unit airborne sound isolation, both laterally and vertically, and for vertical impact sound isolation in any attached residential construction.

S. Visual Resources -- Light, Glare and Viewshed

1. Impacts.

The Project's potential impacts to visual resources, including impacts relating to light, glare and viewshed, are discussed in the Draft EIR at pages III-153 through III-158.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Building materials used in the project shall include those which tend to blend and harmonize with the textures and tones of the surrounding foothills into which they will be integrated. Earth tones are encouraged, as is the use of stone and similar materials that emulate surrounding natural materials and colors. Exposed roofing materials should also complement the surrounding environment to reduce or minimize the contrast of the built with the natural environment.

b. Landscaping plans and materials applied to project area boundaries shall serve to integrate a harmonious transition between the natural and the built environment. Native and appropriate non-invasive non-native plants shall be applied in a manner that emulates the natural vegetation pattern of the project area.

c. Building fences and boundary fences shall be constructed so as to blend with surrounding environment, including unaltered and re-naturalized areas. Construction materials may include stucco, wrought iron and steel wildlife fencing, and other appropriate materials, which quickly acquire a patina or are painted, stained or coated to blend and harmonize with the surrounding

environment.

d. Site grading and finished pad elevations of the maintenance facility shall substantially conform to those submitted by the applicant as part of this development review and analysis. Every effort should be made to keep pad elevations to the minimum necessary to meet design goals, while being responsive to the need to minimize building profiles, especially those associated with the reservoir site.

e. The reservoir site, lift station, and well sites shall provide screened outdoor storage/loading and other service areas, protected and enhanced outdoor areas, as necessary, and appropriate levels of lighting, limited signage, and the thoughtful use of landscaping that preserves and enhances visual resources.

f. All Development Plans, including grading and site plans, building elevations and landscape plans shall be submitted to the County for review and approval prior to the issuance of Building Permits. As determined appropriate by County staff, additional line-of-sight and/or viewshed analyses may be required to assure that viewshed impacts are kept to a level of insignificance.

g. Development planning of the project shall be sensitive to surrounding residences and shall limit impacts to surrounding lands to the greatest extent practical, consistent with the goals of the project. Prior to finalizing plans, the Applicant shall design and evaluate planning options to optimize compatibility with surrounding existing and planned development to the greatest extent practical.

h. All project signage shall be in compliance with the County sign ordinance. Signage shall be limited to the minimum size, scale and number needed to provide functional identification and exposure necessary to convey messages, while minimizing impacts on traffic safety, streetscape, scenic

viewsheds and the aesthetic character of the development.

i. All outdoor lighting shall be in compliance with the County lighting ordinance. Outdoor lighting shall be limited to the minimum height, number and intensity of fixtures needed to provide security and identification, as well as illumination for the driving range while making every reasonable effort to preserve the community's night skies. The exterior lighting plan and photometric plan shall be submitted to the Planning Department for review and approval prior to issuance of Building Permits. Special attention shall be paid to minimize the impact of outdoor lighting on the night sky. All exterior lighting shall be restricted as to not produce glare or spill over outside the property lines. One hundred percent cut-off fixtures shall be utilized.

j. The reservoir, wells, pump stations, lift station, utility substations and other related facilities shall be screened with walls, living fences or other appropriate treatment to preserve scenic viewsheds and limit visual clutter.

T. Public Services and Facilities -- Domestic Water Services/Water Supply & Infrastructure.

1. Impacts.

The project's potential impacts related to domestic water services/water supply & infrastructure are discussed in the Draft EIR at pages III-159 through III-161. The average annual water demand for the project is anticipated to be approximately 1.596 million gallons per day, as set forth in the Water Supply Assessment approved by CVWD.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. CVWD will collect system connection fees and shall review and approve all plans for water line extensions to the site. Plans shall follow CVWD's

Standard Specifications for Construction of Domestic Water Systems and other applicable guidelines.

b. The Applicant shall coordinate with the County Engineer and CalTrans and secure roadway encroachment permits in accordance with County and CalTrans standards and regulations.

U. Public Services and Facilities -- Wastewater Treatment.

1. Impacts.

The project's potential impacts to wastewater treatment are discussed in the Draft EIR at III-161 through III-164. The projected wastewater discharge flow of the project is calculated as approximately 337,500 gallons per day. All project development would be served by sewers.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The Applicant shall prepare and submit plans, and secure all necessary approvals.

V. Public Services and Facilities -- Solid Waste.

1. Impacts.

The project's potential impacts related to solid waste are discussed in the Draft EIR at pages III-164 through III-167. The project would increase the amount of solid waste generated on the project. Upon project completion, the development is projected to generate approximately 3,332 tons of solid waste per year.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The Applicant shall reduce and/or divert construction and demolition waste

from landfill disposal by the use of onsite grinders or by diverting the materials to recycling facilities.

b. The County Planning Department shall coordinate closely with the Applicant to ensure the inclusion and maintenance of recycling areas and containers that correspond with County waste disposal programs. Specifically, the project shall comply with County's Solid Waste Source Reduction Recycling Element and all regulatory requirements regarding solid waste, such as State Model Ordinance (AB 1327, Chapter 18, California Solid Waste Reuse and Recycling Access Act of 1991), which requires that all commercial, industrial, and public gathering facilities, and multi-family residential projects that have five or more dwelling units provide adequate area(s) for storage and loading recyclable materials (i.e., paper products, glass and other recyclables).

c. The Applicant shall implement the following measures regarding landscaping:

- Use of mulch and/or compost in the development and maintenance of landscaped areas within the project boundaries;
- Adopt the scheme of Xeriscaping in the Master Landscaping Plan of the Desert Dunes Specific Plan, that is, use drought tolerant and low maintenance vegetation for all landscaped areas of the project, to the extent practical; and
- Recycle green waste generated in the public landscaped area of the project through the proactive of grass recycling (where lawn clippings from a mulching type mower are left on the lawn) or off-site composting, or directed to a wood grinding and/or composting facility.

W. Public Services and Facilities -- Electricity.

1. Impacts.

The project's potential impacts related to electricity are discussed in the Draft EIR at pages III-167 through III-169. Project development is projected to generate an additional demand of approximately 13,082,625 kilowatt hours per year.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Prior to the issuance of Building Permits, the County Planning Department shall inspect all detailed project plans for conformance with Title 24 energy conservation code requirements. The County Planning Department and SCE should provide the Applicant with references for energy efficient design.

X. Public Services and Facilities -- Natural Gas.

1. Impacts.

The project's potential impacts related to natural gas are discussed in the Draft EIR at pages III-169 through III-171. Project development is projected to result in demand for approximately 15,059,050 cubic feet per month of natural gas.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. The project shall use the most efficient water heaters, furnaces and other equipment that uses natural gas. In kitchens and throughout the development, natural gas appliances will be encouraged.

b. The County shall strictly enforce Title 24 of the California Code of Regulations, which is related to energy conservation for new development. Every effort should be made throughout the development to assure the highest level of energy conservation possible. The Applicant should investigate the potential for the use of alternative energy sources, including

solar and cogeneration technologies.

Y. Public Services and Facilities -- Law Enforcement.

1. Impacts.

The project's potential impacts related to law enforcement are discussed in the Draft EIR at pages III-143 through III-153. The project would result in a population increase of approximately 3,375 residents, and a corresponding increase in demand for sheriff services.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. Final project design shall incorporate refinements that limit unauthorized site access to the greatest extent practical. The placement of walls, fences, landscape deterrents and surveillance equipment shall optimize opportunities to frustrate and preclude unauthorized access.

b. Security and emergency outdoor lighting and other security measures are expected to be incorporated into the design of the project to frustrate or preclude unauthorized access and thereby reduce the need for police response.

c. The County Planning Department and Sheriff Department shall evaluate project Development Plans from a "defensible space" perspective, to include review of internal circulation and emergency access.

Z. Public Services and Facilities -- Fire and Emergency Services.

1. Impacts.

The project's potential impacts related to fire and emergency services are discussed in the Draft EIR at pages III-173 through III-176. The project would result in an increased demand for fire protection and emergency services. There are three existing fire stations in the project vicinity, the closest of which is approximately

3.1 miles away in North Palm Springs.

2. Mitigation.

The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

a. All plans for sprinklers, fire alarms and other protection measures for all buildings shall be submitted to the Fire Marshall/Fire Department for approval, as required.

b. Prior to the issuance of Building Permits, the Applicant shall submit, as appropriate, standard facility identification plans and shall demonstrate conformance with all applicable fire regulations and codes and the requirements of the County Fire Marshall.

c. All buildings shall be constructed in conformance with the prevailing Uniform Building Code, Uniform Fire Code and other applicable state and national codes.

d. Prior to the recordation of land divisions, the developer shall pay fee amounts of $400 per single-family dwelling unit and $0.25 per square foot for all other types of developments to the Riverside County Fire Department.

BE IT FURTHER RESOLVED by the Board of Supervisors that the following impacts potentially resulting from adoption of Specific Plan No. 336 cannot be fully mitigated and will be only partially avoided or lessened by the mitigation measures hereinafter specified; a statement of overriding findings is therefore included herein:

A. Traffic and Circulation -- Roadway and Intersection Impacts.

1. Impacts.

The project's potential impacts to roadway and intersection levels-of-service are presented in the Draft EIR at pages III-21 through III-31. The Draft EIR provides that buildout of the project (2009) will impact 4 of the 22 potentially effected

intersections, to the extent that the level of service will be unacceptable. However, by 2009, even without the project, service at 3 of the 22 potentially effected intersections will be at an unacceptable level.

At RCIP buildout, without the project, service at 3 of the 22 potentially effected intersections will be at an unacceptable level. At RCIP buildout, together with the project buildout, 6 of the 22 potentially effected intersections will be at unacceptable levels.

In addition, the I-10 interchanges at Palm Drive/Gene Autry and at Date Palm Drive currently operate at LOS F, which will deteriorate further with the addition of project traffic. However, improvements to these interchanges are already full planned pursuant to the CVAG Regional Arterial Program. Once these planned improvements are constructed, both I-10 interchanges will have adequate capacity for project traffic and all cumulative traffic, both in the short term and upon RCIP buildout. The TUMF fees to be paid by this project will contribute to the interchange improvements.

2. Mitigation.

The project has been modified to substantially lessen or avoid this potentially significant impact by the following mitigation measures, as described in the Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. The developer shall dedicate any necessary right-of-way and construct half-width frontage improvements (curb, gutter, sidewalk and paving) as required by Riverside County along Palm Drive, 18th Avenue, Bubbling Wells Road, and 20th Avenue adjacent to the project site.

b. The intersection of Palm Drive and the West Site Access shall be signalized upon completion of the Phase 1 of development (or as warranted) at the project applicant's expense.

c. The developer shall install stop signs facing motorists exiting the site via

the North Site Access on 18th Avenue, the East Site Access on Bubbling Wells Road, and the South Site Access on 20th Avenue.

d. 18th Avenue shall be paved as a two-lane roadway from Palm Drive to Bubbling Wells Road.

e. The intersection of Palm Drive and 20th Avenue shall be signalized prior to the buildout of Phase 3 (or as warranted), and the project proponent shall be reimbursed proportionately by other future developers who benefit from the signal.

f. The intersection of Palm Drive and 18th Avenue will not require a traffic signal upon project buildout, but is projected to ultimately require signalization when the RCIP buildout circulation network is completed. The intersection of Palm Drive and 18th Avenue should be signalized when volumes warrant, and the project proponent shall contribute to the cost of this intersection pursuant to County Transportation Conditions of Approval.

g. The intersection of Bubbling Wells Road and Dillon Road will not require a traffic signal upon project buildout, but is projected to ultimately require signalization when the RCIP buildout circulation network is completed. The intersection of Palm Drive and 18th Avenue should be signalized when volumes warrant, and the project proponent shall contribute to the cost of this intersection pursuant to County Transportation Conditions of Approval.

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all project-specific impacts to roadways and intersections to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the project will continue to cause significant and unavoidable roadway and intersection impacts in the project vicinity under year 2009 and RCIP buildout, including, but not limited to, temporary impacts prior to completion of the required facilities (i.e., new lanes, signals, etc.).

The significant and unavoidable impacts to roadways and intersections may be further reduced under the No Project Alternative and the Less Intensive Alternative discussed in the Draft

EIR and Final ER, but the EIR identifies no other mitigation measures or alternatives that would reduce this impact to a level of less-than-significant. The County finds that specific economic, legal, social, technological or other considerations make infeasible the only mitigation measures or project alternatives identified in the EIR (here, the No Project Alternative and Less Intensive Alternative), that would reduce this impact to a less-than significant level, as described more fully in the Draft EIR and in these Findings. The No Project Alternative and Less Intensive Alternative will not allow the County to achieve the goals and objectives of the project, as provided in pages I-2 and I-7 of the Draft ER. In particular, the additional housing units and other economic opportunities provided by the project justify these impacts and render the "No Project" Alternative and the Less Intensive Alternative infeasible and unacceptable.

Any remaining significant adverse roadway and intersection impacts of the project are determined to be acceptable due to the overriding social, economic, environmental and other benefits of the project, as more fully set forth in the Statement of Overriding Considerations set forth below.

B. Traffic and Circulation -- Cumulative Impacts on Area-Wide Roadways and Intersections.

1. Impacts.

The project's potential cumulative impacts to roadway and intersection levels-of-service are discussed in the Draft EIR at pp. III-21 through III-31, and include a number of intersections and roadway sections in the project vicinity.

2. Mitigation.

The project has been modified to substantially lessen or avoid this potentially significant impact by the following mitigation measures, as described in the Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. The project applicant shall contribute pursuant to County Transportation Conditions of Approval to the cost of signalizing the following intersections: (1) Palm Drive at Varner Road, (2) Mountain View Road at Varner Road, and possibly (3) Date Palm Drive at Varner Road.

b. The project applicant shall contribute pursuant to County Transportation Conditions of Approval to the cost of constructing a westbound right-turn lane at the intersection of Mountain View Road and Varner Road.

c. The project applicant shall be required to contribute pursuant to County Transportation Conditions of Approval to the cost of required roadway improvements within the study area. The applicant shall participate in the TUMF (Transportation Uniform Mitigation Fees) program with respect to area wide roadway improvements, and shall also be required to contribute, pursuant to County Transportation Conditions of Approval, to any circulation improvements that may be required on roadways and/or at intersections that are not in the TUMF program.

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all cumulative impacts to roadways and intersections to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the project will continue to cause significant and unavoidable roadway and intersection impacts in the project vicinity under year 2009 and RCIP buildout, including but not limited to temporary impacts prior to completion of the necessary facilities (i.e., the buildout of new lanes, signals, etc.).

The significant and unavoidable impacts to roadways and intersections may be further reduced under the No Project Alternative and the Less Intensive Alternative discussed in the Draft EIR and Final EIR, but the EIR identifies no other mitigation measures or alternatives that would reduce this impact to a level of less-than-significant. The County finds that specific economic, legal, social, technological or other considerations make infeasible the only mitigation measures or project alternatives identified in the EIR (here, the No Project Alternative and Less Intensive Alternative), that would reduce this impact to a less-than significant level, as described more fully in the Draft EIR and in these Findings. The No Project Alternative and Less Intensive Alternative will not allow the County to achieve the goals and objectives of the project, as provided in pages I-2 and I-7 of the Draft EIR. In particular, the additional housing units and other economic

opportunities provided by the project justify these impacts and render the "No Project" Alternative and the Less Intensive Alternative infeasible and unacceptable.

Any remaining significant cumulative roadway and intersection impacts of the project are determined to be acceptable due to the overriding social, economic, environmental and other benefits of the project, as more fully set forth in the Statement of Overriding Considerations set forth below.

C. Biological Resources -- Sensitive Plan Species/Vegetation.

1. Impacts.

The project's potential impacts to sensitive plant species and other vegetation are discussed in the Draft EIR at pages III-31 through III-59. The project site is not located within a proposed conservation area of the Coachella Valley Multiple Species Habitat Conservation Plan ("MSHCP"), which is currently under consideration by the County, but such areas are located nearby. In addition, development of the project is expected to impact some special-status species. Project development may result in the loss of native biological resources from all of the 450.6 acres of the proposed residential site, with the exception of areas located within the southwest and southeast corners. These two areas of preserved mesquite habitat will provide connectivity to on-site mesquite areas planned within the project drainages along Bubbling Wells Road and the 50-foot buffer area along 20th Avenue. Mesquite will also be integrated into the landscaping of the retention area located immediately west of the 20th Avenue access drive and in the fault setback zone located at the southwest corner of the residential development site. Incorporating mesquite and other habitat-enhancing vegetation into on-site stormwater detention facilities will also enhance connectivity within the residential project site.

On the residential portion of the site, 190.6 acres of Desert Sink Scrub will be impacted; as will 236.6 acres of Sonoran Creosote Bush Scrub, and 1.2 acres of Desert Fan Palm Oasis. There are approximately 5.8 acres of mesquite bosque

throughout the 450-acre residential site. Approximately 4.8± acres will be permanently impacted and 1.0± acres will be preserved. At least 20 individual Coachella Valley milk-vetch plants located in the northwest quadrant of the project site would be impacted by implementation of the project. Although the Federal Endangered Species Act does not protect Endangered and Threatened plant species that occur on private property, impacts to a federally Endangered or Threatened plant species are considered significant under CEQA.

Only 1.0 acre of the 25-acre parcel upon which the sewage lift station will be constructed will be impacted. The remaining 24 acres will be preserved as mitigation to provide replacement habitat. Included on this 24 acre parcel is 4.08± acres of mesquite bosque.

2. Mitigation.

The project has been modified to substantially lessen or avoid this potentially significant impact by the following mitigation measures, as described in the Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. The applicant shall make payment to the Coachella Valley fringe-toed lizard mitigation fee, which will fund acquisition of habitat areas that will also be suitable for milk-vetch.

b. In accordance with the California Native Plant Protection Act, the California Department of Fish and Game ("CDFG") has been notified of milk-vetch occurrence on the project, so that CDFG can save these sensitive plants that would otherwise be destroyed. In the absence of CDFG action, project biologists have collected seeds from the 20± plants on the project site and have preserved them for re-distribution on site, as landscaping is completed, or on the 25-acre site or other suitable locations.

c. Impacts to 5.8± acres of mesquite bosque shall be offset at the ratio of 3:1 to provide permanent protection of 17.4 acres, either on site or off site,

through one or more of the following actions:

i. In consultation with the CDFG, the applicant shall plant and irrigate (until supported by groundwater) native mesquite on the 25-acre site. If the plantings show signs of stress after irrigation is terminated, irrigation shall be continued indefinitely by the applicant and/or its successors and assignees. 24.0 acres of the 25-acre open space site will also be covered by an open space conservation easement, to perpetually preserve both mesquite and milk vetch plants.

ii. The applicant and project hydrologist shall make every effort to incorporate native mesquite and milk vetch plants into the floodways and drainage areas planned as part of the development of the residential portion of the project site and as part of the golf course landscaping.

iii. To the extent required, to provide additional mitigation beyond that described in 3(A) and 3(B) above, the applicant shall acquire off-site land with mesquite hummocks or bosques and provide for its permanent preservation, in a total amount not to exceed 17.4 acres.

d. Landscaping of the developed areas of the project shall utilize native plants to the greatest extent practicable. Such plants are adapted to local climatic conditions and require far less irrigation than species not adapted to the arid climate. Use of native vegetation will help encourage wildlife species (mainly birds and insects) to utilize the area, and will help offset the loss of native vegetation that is cleared for development. Specific measures include:

i. Using Blue Palo Verde *(Cercidium floridum* ssp. *floridum),* Smoke Tree *(Psorothamnus spinosus),* Honey Mesquite *(Prosopis glandulosa* var. *torreyana),* Ocotillo *(Fouquieria splendens),* and

Schott's Indigo Bush *(Psorothamnus schottii),* which are native species, suitable for landscaping, and available at local nurseries.

ii. Leaving existing California Fan Palms on the project site, to the extent practicable, or where feasible, transplanted to other portions of the project site if impacts are unavoidable.

iii. Connecting off-site and on-site mesquite habitat by integrating mesquite into project's landscape plan, especially (i) along the southern portion of the site; and (ii) in and along the golf course, where there is existing mesquite which may assist with revegetation following development.

iv. Using native landscaping to provide suitable habitat for local animal species and prohibition of invasive non-native plant species. Applicant shall have biologist review the "plant palette" to be used for landscaping and have biologist ensure no species known to be invasive are used.

v. Applicant shall provide homebuyers with an approved plant palette and shall include appropriate safeguards through the project's CC&Rs that preclude the use of unapproved landscape materials.

e. To the extent practicable, retention/detention basins and other drainage management facilities shall be designed and maintained in a manner that enhances wildlife habitat and foraging opportunities. This shall include the use of native mesquite and associated plant community to the greatest extent practicable.

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce impacts to sensitive plant species and other vegetation to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the project's impacts would remain significant and unavoidable because the development proposed by the project cannot occur without some impact to the vegetation on the project site. Nevertheless,

adoption of the County's pending MSHCP, and compliance with the provisions thereof, would be considered sufficient to reduce all impacts on special-status species to a level of less-than significant.

It is important to note, however, that the project will cause a similar direct loss of sensitive plant species and other vegetation as previously analyzed with respect to this site in the General Plan EIR. At the time the General Plan was adopted, the County adopted a statement of overriding considerations with respect to the loss of biological resources as a result of all development and uses planned under the General Plan. Based upon the EIR prepared for the Project, the County finds that the loss of vegetation from development of the project will not be more severe than previously analyzed under the environmental review for the General Plan EIR.

The significant and unavoidable impacts to sensitive plant species and other vegetation may be further reduced under the No Project Alternative and the Less Intense Alternative discussed in the Draft ER and Final EIR, but the EIR identifies no other mitigation measures or alternatives that would reduce this impact to a level of less-than significant. The County finds that specific economic, legal, social, technological or other considerations make infeasible the only mitigation measures or project alternatives identified in the EIR (here, the No Project and Less Intense Alternatives) that would reduce this impact to a less-than-significant level, as described more fully in the Draft EIR, and in these Findings. In particular, the need for the additional housing units planned for in the General Plan, and the economic development opportunities created by the project, justify these impacts and render the "No Project" and Less Intense Alternatives infeasible and unacceptable.

Any remaining significant adverse impacts to sensitive plan species and other vegetation are determined to be acceptable due to the overriding social, economic, environmental and other benefits of the project, as more fully set forth in the Statement of Overriding Considerations set forth below.

D. Air Quality -- Construction-Related Impacts.

1. Impacts.

The project's construction activities will have potentially significant air quality

impacts, and potentially significant cumulative air quality impacts. Of the project's 478.1 acres, approximately 450 acres of the residential area will be graded in phases. In addition, one acre at the lift station site and 2.5 acres on the reservoir site will be graded. The remaining 24 acres will not be graded and will otherwise be preserved. The Draft EIR assumes a "worst possible scenario," with regards to equipment emissions and fugitive dust emissions, by using single largest phase (137.6 acres) as an example. The potential results for equipment or "Moving Source" emissions related to that example were then applied to the South Coast Air Quality Management District's ("SCAQMD") thresholds. Any such emissions that surpass the SCAQMD's standards are considered "significant." Under those standards, carbon monoxide (CO) and nitrogen oxides (NO_X) emissions are expected to exceed the SCAQMD thresholds during construction activity, and are therefore considered significant. Sulfur Oxides, (SO_X), Reactive Organic Gases (ROG) and Particulate Matters (PM_{10}) are not expected to rise to a significant level.

2. Mitigation.

The project has been modified to substantially lessen or avoid this potentially significant impact by the following mitigation measures, as described in the Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. Grading and development permits shall be reviewed and conditioned to require the provision of all methods and technologies to assure the minimal emissions of pollutants from the development, such as proper vehicle maintenance and site watering schedules (see complete, detailed list under Section III.C.1.(b)3., below, entitled under Developer's Air Quality Management Resources). The County Planning and Building Departments shall review grading plans to ensure compliance with the mitigation measures set forth in the EIR and as otherwise conditioned by the County.

b. The County shall coordinate with the project developer to encourage the

phasing and staging of development to assure the lowest construction-related pollutant emission levels practical. As part of the County's Grading Permit process, the Applicant shall concurrently submit a dust control plan consistent with the County's Local Air Quality Management Plan and requirements as set forth in the County's Municipal Code, Section 24.12.010, or as it may be revised to conform to the SCAQMD 2003 Coachella Valley State Implementation Plan, including compliance with AQMD ("Air Quality Management District") Rule 403 and the required elements described in the Coachella Valley Dust Control Handbook. Mitigation measures to be implemented through this plan include, but are not limited to, the use of water trucks and temporary irrigation systems, post-grading soil stabilization, phased roadway paving, as well as other measures which will effectively limit fugitive dust emissions resulting from construction or other site disturbance.

c. In response to requirements of SCAQMD to monitor air quality impacts associated with fugitive dust from site disturbance and grading activities, Riverside County requires completion of a PM_{10} mitigation plan prior to grading. The County's guidelines for development of this plan include information regarding County requirements for managing and mitigating construction-related PM_{10} and associated fugitive dust generation. This information is also provided to assist developers with the preparation of a PM_{10} mitigation plan and includes a sample mitigation plan. A wide variety of methods for controlling impacts and a comprehensive list of vendors providing dust control and other pollution management services is also available from the County, the Coachella Valley Association of Governments ("CVAG") and SCAQMD. Consistent with these management programs, the Applicant shall assure implementation of appropriate grading and construction management programs, including:

- water site and equipment morning and evening and during all earth-moving operations;
- spread soil binders on site, unpaved roads, and parking areas;
- operate street-sweepers on paved roads adjacent to site;
- re-establish ground cover on construction site through seeding and watering or other appropriate means; and
- pave construction access roads, as appropriate.

d. To minimize construction equipment emissions, the Applicant shall implement the following:

- wash off trucks leaving the site;
- require trucks to maintain 2 feet of freeboard;
- properly tune and maintain construction equipment; and
- use low sulfur fuel for construction equipment.

e. To reduce construction-related traffic congestion, the Applicant shall implement the following:

- configure construction parking to minimize traffic interference;
- provide a flag person to ensure safety at construction sites, as necessary; and
- schedule operations affecting roadways for off-peak hours, as practical.

f. To reduce PM_{10} emissions, the Applicant shall implement the following:

- chemically treat soil at construction sites where activity will cease for at least four consecutive days;
- pave on-site construction access roads as they are developed;
- extend paving at least 120 feet from roadway into construction site and clean roadways at the end of each working day;
- restore vegetative ground cover as soon as construction activities have been completed;

- trucks that haul dirt, sand or soil shall be covered or shall maintain at least 24 inches of freeboard, or both;
- construction sites shall be watered to reduce fugitive dust;
- chemically treat unpaved roads that carry 20 vehicle trips per day or more;
- chemically stabilize soil surfaces within 100 feet of roadways or establish sand fences within 50 feet of roadways;
- plant tree windbreaks utilizing non-invasive species on the windward perimeter of construction projects, where feasible;
- all construction grading operations and earth moving operations shall cease when winds exceed 30 miles per hour; and
- prior to turf raking, implement effective PM_{10} control programs for turf over-seeding as outlined in the State Implementation Plan for PM_{10} for the Coachella Valley ("CV-SIP").

g. The Applicant shall implement the follow dust control measures, in accordance with the 2002 CV-SIP:

Pre-Construction

- Construction signage in SCAQMD-mandated format providing project and dust control permit information as set forth in the CV-SIP;
- At Applicant's expense, provide a dust control monitor with primary responsibility to oversee and assure compliance with dust control measures as set forth in approved dust control plan; and
- Notify Riverside County and SCAQMD at least 24 hours prior to initiating earth-movement activities.

During Construction

- After hours and weekend short-term soil stabilization shall be implemented in a manner compliant with SCAQMD guidelines;

- Should there be areas of the site with no construction activities scheduled for 30 days, long-term stabilization techniques as set forth in the CV-SIP shall be applied; and
- The Applicant shall implement track-out control devices and schedule clean-up of tracked out material as set forth in the CV-SIP.

Post-Construction

- The Applicant shall notify Riverside County and SCAQMD of project completion within 10 days.

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce construction-related air quality impacts to a less-than significant level. Even with the implementation of all feasible mitigation measures, the project's construction-related air quality impacts would remain significant and unavoidable because it is not possible to perform the necessary grading and construction without the production of at least some emissions, which may exceed SCAQMD standards under a worst-case scenario and may contribute to cumulative air quality impacts.

The significant and unavoidable construction-related air quality impacts may be further reduced under the No Project Alternative and the Less Intense Alternative discussed in the Draft EIR and Final EIR, but the EIR identifies no other mitigation measures or alternatives that would reduce this impact to a level of less-than-significant. The County finds that specific economic, legal, social, technological or other considerations make infeasible the only mitigation measures or project alternatives identified in the EIR (here, the No Project and Less Intense Alternatives) that would reduce this impact to a less-than-significant level, as described more fully in the Draft EIR, and in these Findings. In particular, the additional housing units and other economic opportunities provided by the project justify these impacts and render the "No Project" and Less Intense Alternatives infeasible and unacceptable.

Any remaining significant adverse construction-related air quality impacts of the project are determined to be acceptable due to the overriding social, economic, environmental and other benefits of

the project, as more fully set forth in the Statement of Overriding Considerations set forth below.

E. Air Quality -- Operation Emissions.

1. Impacts.

The project's potential impacts to air quality from operational emissions are discussed in the Draft EIR at pages III-60 through III-82. Impacts from operational emissions include both additional, projected emissions from stationary sources related to the project (power plant emissions related to energy consumption from residential development and natural gas and consumption from residential development), together with the expected increase in emissions from automobiles. Cumulatively, these emissions will have a significant impact with respect to CO, NO_X and ROG because the SCAQMD's thresholds may be exceeded under a worst-case scenario. Draft EIR, III 76-77 and Table III-27. The Draft EIR also notes that consumption factors for active adult communities such as the project are generally less than average and that many of the residences contemplated by the project will be seasonal, thereby creating a less-than-average impact compared to other projects in the area.

2. Mitigation.

The project has been modified to substantially lessen or avoid this potentially significant impact by the following mitigation measures, as described in the Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. The Applicant shall coordinate final development plans with the County to promote the development of multi-use trails and bike paths, dedicated bike lanes and/o other desirable alternatives to motor vehicle traffic, and to integrate these components into the road system serving the project and vicinity;

b. As future demand warrants, the Applicant shall coordinate with the County to promote and support the development of bus routes/public transit that

serve those residing and employed by the project.

c. To minimize indirect source emissions, the Applicant shall:

- implement energy conservation measures consistent with state and local requirements;
- install low-polluting and high-efficiency appliances;
- install energy-efficient street lighting;
- include energy costs in capital expenditure analyses; and
- landscape with native and other appropriate drought-resistant species to reduce water consumption and to provide passive solar benefits.

d. To minimize building energy requirements, the Applicant may also implement the following:

- assure the thermal integrity of buildings and reduce the thermal load with automated time clocks or occupant sensors;
- use efficient window glazing, wall insulation and ventilation methods;
- introduce efficient heating and other appliances, such as water heaters, cooking equipment, refrigerators, furnaces and boiler units;
- incorporate appropriate passive solar design, including solar heaters, solar pool heaters, and solar water heaters, to the greatest extent feasible;
- use devices that minimize the combustion of fossil fuels; and
- Capture waste heat and re-employ this heat, where feasible.

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce the project's air quality impacts from operational emissions to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the project's impacts to air quality from operational emissions would remain significant and unavoidable because it is not possible to implement the project without some increase in energy

consumption and vehicle trips.

The significant and unavoidable impacts to air quality from operational emissions may be further reduced under the No Project Alternative and Less Intense Alternative discussed in the Draft EIR and Final EIR, but the EIR identifies no other mitigation measures or alternatives that would reduce this impact to a level of less-than significant. The County finds that specific economic, legal, social, technological or other considerations make infeasible the only mitigation measures or project alternatives identified in the EIR (here, the No Project and Less Intense Alternatives) that would reduce this impact to a less than-significant level, as described more fully in the Draft EIR, and in these Findings. In particular, the additional housing units and other economic development opportunities provided by the project justify these impacts and render the "No Project" and Less Intense Alternative infeasible and unacceptable.

Any remaining significant adverse impacts to air quality from operational emissions related to the project are determined to be acceptable due to the overriding social, economic, environmental and other benefits of the project, as more fully set forth in the Statement of Overriding Considerations set forth below.

F. Water Resources/Quality -- Water Supply.

1. Impacts.

The project's potential impacts to the water supply are discussed in the Draft EIR at pages III-112 through III-135. The project will generate a substantial demand for local water resources. Demand is associated with residential uses, use by the project's proposed "community clubhouse" and its associated facilities, pools and water features and project-wide landscaping. However, the project's proposed community is age-restricted and will therefore have a smaller-than-average household size. The proposed landscaping palette is comprised primarily of native and other drought tolerant planting materials. At least some of the homes contemplated by the project will only be used seasonally. Nevertheless, the project will contribute to an overall increase in annual demand for groundwater, which is expected to impact the Mission Creek subbasin (one of four subbasins in the

Coachella Valley), and therefore, the project is considered to have a significant project-specific and cumulative impact on water supply. A Water Supply Assessment was prepared for the project and is attached to the Draft EIR at Appendix J. That assessment found that the Mission Creek subbasin will adequately supply the project and all other existing and planned future demands, for at least 20 years. A groundwater interface model was prepared to estimate the effect the project's proposed wells would have on the Mission Creek subbasin. The model indicated that neither near-term nor long-term impacts to groundwater levels in the vicinity of the wells are expected to be significant.

2. Mitigation. The project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

a. To the greatest extent practical, drought tolerant desert landscaping shall be used in all non-turf areas of project landscaping. Large expanses of lawn and landscaped areas shall be kept to the minimum necessary and consistent with the design goals of the project, while providing soil stability to resist wind and water erosion. Drought tolerant landscaping, especially that utilizing native plant species such as mesquite, and seasonal plants such as milk vetch, shall be used and will also generally provide better habitat for native birds and other small animals.

b. The project shall utilize efficient irrigation systems that minimize runoff and evaporation, and maximize effective watering of plant roots. Common landscape areas shall be outfitted with moisture detectors to enhance irrigation efficiency. The County and Coachella Valley Water District ("CVWD") shall approve landscape and irrigation plans prior to installation.

c. The use of low-flush toilets and water-conserving shower heads and faucets

shall be required in conformance with Section 17921.3 of the Health and Safety Code, Title 20, California Code of Regulations Section 1601(b), and applicable sections of Title 24 of the State Code.

d. To the greatest extent practicable, stormwater conveyances and detention facilities shall be designed to maximize the percolation of nuisance and stormwater into the underlying water table.

e. If acceptable to the golf course owners, the developer shall seek to reduce existing golf course water consumption by incorporating more mesquite and other drought-tolerant landscaping, including the potential reduction of turf areas.

f. The developer's sale disclosure documents shall disclose CVWD's existing water basin replenishment fee, and the possibility of future replenishment fee increases.

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce the project's impact, and its incremental contribution to cumulative impacts, to the area's water supply to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the project's impact on the area's water supply will remain significant and unavoidable because the implementation of the project will create a net increase in the demand on the area's water supply. Until current efforts to replenish the Mission Creek Subbasin exceed the existing overdraft situation, the project's incremental contribution to the overdraft is deemed a significant and unavoidable cumulative impact.

The significant and unavoidable impact to the area's water supply may be further reduced under the No Project Alternative and the Less Intense Alternative discussed in the Draft EIR and Final EIR, but the EIR identifies no other mitigation measures or alternatives that would reduce this impact to a level of less-than-significant. The County finds that specific economic, legal, social, technological or other considerations make infeasible the only mitigation measures or project alternatives identified in the EIR (here, the No Project and Less Intense Alternatives) that would reduce this impact to a less-than-significant level, as described more fully in the Draft FIR,

and in these Findings. In particular, the additional housing units and other economic development opportunities provided by the project justify these impacts and render the "No Project" and Less Intense Alternatives infeasible and unacceptable.

Any remaining significant adverse impacts of the project on water supply determined to be acceptable due to the overriding social, economic, environmental and other benefits of the project, as more fully set forth in the Statement of Overriding Considerations set forth below.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has considered the following alternatives identified in EIR No. 455, in light of the environmental impacts which cannot be fully avoided or substantially lessened and has rejected those alternatives as infeasible for the reasons hereinafter stated:

A. No Project – Development Consistent with Existing Zoning Alternative

1. Under Section 15126.6(e)(2) of the CEQA Guidelines, the "No Project" Alternative should also consider what would be reasonably expected to occur in the foreseeable future if the proposed project were not approved, based upon the existing zoning, General Plan designation and consistent with available infrastructure and community services. The No Project – Development Consistent with Existing Zoning Alternative would result in the development of 900 to 2,250 residential units in a non-age restricted community (i.e., 2 - 5 units per acre). The EIR does not evaluate the environmental effects of a "no development" alternative because this is not considered to be the realistic result if the proposed project is not approved. It is noted, however, that a "no development" alternative would result in no changes to the existing environment in and around the project site, and would meet none of the basic project objectives.

2. The General Plan Land Use designation for the project site is residential, with an allowable density of two to five single-family dwelling units per acre. Disapproval of the proposed project would, eventually, likely result in site development that could range from 900 to 2,250 dwelling units on a total of 450 acres. Any alternative development will likely maximize the allowable density under the General Plan, i.e., 2,250 units, in order to make development of the project site as economically viable as possible. Since most residential development projects are not age-restricted, alternative development of the project site would likely consist of non-age-

restricted units. As such, this alternative would most likely result in a 2,250-unit residential development with approximately 6,500 residents (based upon the Riverside County average of 2.89 persons per household) – 4,250 more residents than the proposed project.

3. Compared to the proposed project, this alternative would have a more significant effect on the environment. Specifically, this alternative would have greater impacts on area schools, local utilities, public services and facilities, biological resources, noise, emissions associated with project buildout and water resources and quality.

4. Compared to the proposed project, this alternative would have significantly greater effects on soils and geology and residential flooding exposure.

5. In terms of anticipated cumulative daily project-related emissions, this alternative would result in a 218 percent increase in carbon monoxide, nitrogen oxides, sulfur oxides, and reactive organic gases.

6. Compared to the proposed project, this alternative would have a more significant effect on traffic and circulation. This alternative would generate 9,875 more daily trip-ends than the proposed project.

7. This alternative would not substantially lessen or avoid any potential environmental impacts of the proposed project. As a result, it is not considered to be "Environmentally Superior" to the proposed project.

8. In addition to the Existing Zoning Alternative analyzed in the Draft EIR, the Responses to Comments section of the Final EIR (Response 14, pp. 2.0-114 through 2.0-119) provides additional clarification regarding the comparative impacts of a project at the low end of the 900-2,250 unit per acre range (*i.e.*, 900 units of non-age restricted housing with approximately 2,600 residents). This alternative would have more severe traffic/circulation impacts because it would generate 25% to 30% higher peak hour vehicle trips. This alternative would have similar impacts in the areas of Land Use Compatibility, Air Quality and Libraries. This alternative may incrementally reduce impacts in the areas of biological resources, geology, hydrology, water resources/water quality, noise, police and fire protection, solid waste, and utilities, but it would not eliminate any of the significant and unavoidable impacts associated with the proposed project.

Nevertheless, this alternative is considered "environmentally superior" to the proposed project. This alternative would not meet the project objectives, however, because it would not provide a master planned, age-restricted residential community that is integrated with the existing golf course, and would negate many of the benefits associated with a highly amenitized age-restricted community that provides a variety of housing types for the active adult market.

B. The More Intense Alternative

1. The More Intense Alternative assumes the maximum possible buildout of the project site -- 2,100 single-family homes and 900 multi-family homes within 450 acres. The lack of age restriction would significantly increase impacts to local infrastructure (sewer, water, roads) and the environment and would not substantially lessen or avoid any potential impacts of the proposed project.

2. Assuming the County average persons-per-household figure of 2.89, this alternative would result in over 8,670 persons -- 160 percent more than the proposed project. As a result, it would cause significant impacts on area schools.

3. Compared to the proposed project, this alternative would generate more than three times the number of daily vehicle trips, and thus would have more severe impacts in the areas of traffic/circulation, air quality and noise.

4. Compared to the proposed project, this alternative would significantly increase the number of residents exposed to flooding and geotechnical impacts, and would create a greater demand for water and public services and facilities.

5. The More Intense Alternative is not environmentally superior to the proposed project and would result in more severe significant and unavoidable impacts.

C. The Less Intense Alternative

1. The Less Intense Alternative assumes a reduction in density to 3 units per acre while maintaining the age restriction. This alternative would decrease the total number of units by about 40 percent, from 2,250 to 1,350, while maintaining the age-restriction.

2. Despite its decrease in the number of dwelling units, and other than a potential increase in open space, this scenario would continue to have substantially the same impacts and

effects on surrounding lands. This alternative would also have similar impacts concerning cultural resources.

3. The Less Intense Alternative would reduce the trip generation by approximately 40 percent during the peak hours, and would therefore have incrementally reduce impacts in the areas of traffic/circulation, noise and air quality. Nevertheless, this alternative would not avoid any of the proposed project's significant and unavoidable impacts.

4. Compared to the proposed project, this alternative would reduce the number of residents exposed to flooding and geotechnical impacts.

5. Compared to the proposed project, this alternative would create a lesser demand for water than the proposed project. The impacts to public services and facilities related to this alternative are considered insignificant, and are incrementally less than the proposed project.

6. The Less Intensive Alternative is considered the environmentally superior alternative. However, while it reduces some of the impacts associated with the proposed project, it does not reduce the significant and unavoidable impacts of the proposed project to less-than-significant levels. This alternative does not meet many of the project objectives, including providing a highly amenitized community that is integrated with the existing golf course and maximizes the residential development potential for the site. Furthermore, this alternative is not considered to be economically feasible.

D. Off-Site Alternatives

1. Development plans for the subject property have been considered for approximately 15 years. More intensive development projects have been drafted but none have been approved. The proposed project is the most sensitive and least impactful of all of those brought before the County, and with mitigation measures set forth herein, reduces many -- though not all – of the potential impacts to less-than-significant levels.

2. The applicant has made a good faith effort to identify lands in the project vicinity that might be available and capable of meeting the design and market criteria established for the proposed project. However, all alternative sites were ultimately determined infeasible, given market constraints and operational costs. In particular, no alternative sites have been located in

the vicinity that have an existing 18-hole golf course that can be integrated into the planned community.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has balanced the benefits of Specific Plan No. 336 against the unavoidable adverse environmental effects thereof, and has determined that the following benefits outweigh and render acceptable those environmental effects:

A. The project would create a master-planned community, thereby providing necessary infrastructure, desired amenities and common landscape and design elements that would not be possible if the property were developed on a parcel-by-parcel basis.

B. The project would provide a variety of housing types affordable to active adults in a wide range of income levels.

C. The project would provide traffic mitigation measures to address project specific and cumulative circulation impacts, thereby contributing to improvements at:

1. West Site Access and Palm Drive;
2. North Site Access and 18th Avenue;
3. East Site Access and Bubbling Wells Road;
4. South Site Access and 20th Avenue;
5. Palm Drive and 20th Avenue;
6. Palm Drive and 18th Avenue;
7. Bubbling Wells Road and Dillon Road;
8. Palm Drive and Varner Road;
9. Mountain View Road and Varner Road; and
10. Date Palm Drive and Varner Road.

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

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

F. The project would provide sewer service to an area that would otherwise be served by septic systems.

G. The project will provide for 24 acres of open space and 10 acres of recreational amenities. Moreover, the project will be situated adjacent to, and will be integrated with the existing Desert Dunes 18-hole golf course, to which the project's residents will have access.

BE IT FURTHER RESOLVED by the Board of Supervisors that the State CEQA Guidelines (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 1,850 dwelling units. It is anticipated that buildout of the project would result in a new population of 2,775 persons, based upon population generation factors of persons per age-restricted (1.5 persons per household) single family dwelling unit.

B. Removal Of An Impediment To Growth. The project would induce the growth of community support systems in the project area, including the roads, utilities and services, economic institutions, as well as additional medical, educational and cultural facilities, such as hospitals, schools and museums and libraries. Project phasing over a several year period is expected to help regulate growth. 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. In particular, the project will extend sewer services to the area from CVWD's existing treatment plant.

C. Precedent - Setting Effects. The project site is located in an area surrounded predominantly with vacant desert land and scattered single-family homes. The site is approximately 1 mile south of the City of Desert Hot Springs. Accordingly, this project could be viewed as "leapfrog" development, and thus considered growth-inducing on that basis.

BE IT FURTHER RESOLVED by the Board of Supervisors that Specific Plan No. 336 will implement applicable elements of the Riverside County General Plan as follows:

A. Land Use Element

The project is within an area that is designated for residential development with densities of 2-5 units per acre. The project would implement this planned residential development with a master planned,

age-restricted community. In addition, 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 uses implement the General Plan Land Use Element.

B. Circulation

The project will help complete the improvements necessary for completion of the County's General Plan buildout traffic model, and the applicant will contribute on a fair-share basis to the cost of the same. Specifically, the applicant will contribute its fair share of the costs associated with the construction of signalization at approximately 7 intersections, and the applicant will contribute its fair share of the costs associated with the construction related to the widening of certain roads and the construction of additional turn lanes. All of these improvements are necessary for the roadway infrastructure contemplated by the buildout of the County's General Plan.

C. Housing Element

The project 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. In addition, the project provides housing and recreational amenities that are uniquely designed to meet the needs of seniors.

D. Multi-Purpose/Open Space

The Multi-Purpose/Open Space element of the County's General Plan for the Western Coachella Valley Area Plan ("WCVAP") explains that the Western Coachella Valley contains a vast open space network which encompasses a diverse variety of habitats, including riparian corridors, sand dunes, foothills, alluvial fans, and mountains. These open space areas provide visual relief, serve as habitat for flora and fauna, provide recreational opportunities, form edges to communities, and otherwise establish the Western Coachella Valley's unique character. The WCVAP also provides that open space areas are important in protecting citizens from natural hazards.

The proposed project provides for approximately 24 acres of preserved open space. As such, the County finds that the proposed project establishes a balance between preserving open space areas and accommodating additional population as required by the WCVAP. The County further finds that the

proposed project complies with WCVAP Policy No. 19.1, which requires that development protect visual and biological resources in the Western Coachella Valley through adherence to General Plan policies.

E. Safety

The Safety Element of the County's General Plan provides mitigation goals and specific policies for Seismic Hazards; Slope and Soil Instability Hazards; Flood and Inundation Hazards; Fire Hazards; Hazardous Waste and Materials; and Disaster Preparedness, Response, and Recovery. The County finds that the EIR for Specific Plan No. 336 analyzes each of these areas and provides sufficient mitigation measures, where necessary, and that the proposed project otherwise complies the General Plan's Safety Element.

F. Noise

The EIR for Specific Plan No. 336 assesses the full range of concerns with regards to the projected noise impacts associated with the proposed project. The EIR proposes mitigation measures for each of the potentially significant noise impacts, and based thereon, the County finds that the project is consistent with the General Plan Noise Element.

G. Administration

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

BE IT FURTHER RESOLVED by the Board of Supervisors that Specific Plan No. 336 is consistent with the General Plan.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has reviewed and considered EIR No. 455 in evaluating Specific Plan No. 336, that EIR No. 455 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. 455 is incorporated herein by this reference.

BE IT FURTHER RESOLVED by the Board of Supervisors that it **CERTIFIES** EIR No. 455, and **ADOPTS** the Mitigation Monitoring Plan specified therein.

BE IT FURTHER RESOLVED by the Board of Supervisors that Specific Plan No. 336, on file with the Clerk of the Board, including the final conditions of approval and exhibits, is hereby adopted as the Specific Plan of Land Use for the real property described and shown in the plan, and said real property

shall be developed substantially in accordance with the plan, unless the plan is amended by the Board.

BE IT FURTHER RESOLVED by the Board of Supervisors that copies of Specific Plan No. 336 shall be placed on file in the Office of the Clerk of the Board, in the Office of the Planning Director, and in the Office of the Building and Safety Director, and that no applications for subdivision maps, conditional use permits or other development approvals shall be accepted for the real property described and shown in the plan, unless such applications are substantially in accordance therewith.

BE IT FURTHER RESOLVED by the Board of Supervisors that the custodians 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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ORDINANCE NO. 348.4437

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside Ordains as follows:

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map No. 58, as amended, are further amended by placing in effect in the Pass and Desert Zoning District, the zone or zones as shown on the map entitled, "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 58.090, Change of Zone Case No. 6876," which map is made a part of this ordinance.

Section 2. Article XVIIa, of Ordinance No. 348 is amended by adding thereto a new SECTION 17.106 to read as follows:

Section 17.106 SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 336.

a. Planning Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16.

(1) The uses permitted in Planning Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 of Specific Plan No. 336 shall be the same uses as those permitted in Article VI, Section 6.1 of Ordinance No. 348, except those uses set forth in Article VI. Section 6.1.a. (2), (3), (5), (7), (8), (9); (b). (1), (3); and c. (1) shall not be permitted. In addition, the use permitted under Article VI, Section 6.1.b.(2) shall not be permitted and instead is replaced with the following:

A. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision.

(2) The development standards for Planning Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 shall be the same as those standards identified in Article VI., Section 6.2 of Ordinance No. 348, except that the development standards set forth in Article VI. Section 6.2. a., b., c., d., e. (1)., (2)., (3)., and (4), f., and g., shall be deleted and replaced by the following:

A. Building height shall not exceed two stories with a maximum height of twenty-eight (28') feet.

B. Lot area shall not be less than four thousand (4,000) square feet. The

minimum lot area shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

C. The minimum average lot width of that portion of a lot to be used as a building site shall be forty (40') feet with a minimum average depth of one hundred (100') feet. Flag lots shall not be permitted.

D. The minimum frontage of a lot shall be forty (40') feet, except that lots fronting on a knuckle or cul de sac may have a minimum frontage of thirty-five (35') feet. Lot frontage along curvilinear streets may be measured at the building setback in accordance with those standards identified in Article VI., Section 6.2 of Ordinance No. 348.

E. Minimum Yard requirements are as follows:

(1) The front yard shall not be less than fifteen (15') feet, measured from the existing or future street line to the porches, patios, and covered entries of the main structure shown in the Specific Plan.

(2) The front yard shall not be less than seventeen (17') feet, measured from the existing or future street line to the street-facing garage door of the main structure shown in the Specific Plan.

(3) Side yards on interior and through lots shall be not less than five (5') feet, with a minimum separation of ten (10') feet between dwelling units on adjoining properties. Side yards on corner and reversed corner lots shall not be less than fifteen (15') feet from the existing or future street line as shown in the Specific Plan.

(4) The rear yard shall not be less than ten (10') feet, except when the rear yard abuts a golf course or open space, then the rear yard shall not be less than thirteen (13') feet.

(5) No structural encroachments shall be permitted in the front, side or rear yards except as follows:

(a) Architectural Projections which are exterior ornamentation that do not provide additional floor space within the building may extend into a required yard not to exceed two (2') feet. Eaves may extend into a required yard up to three (3') and the street side yard up to two (2') feet. The distance between any architectural projections and a property line shall not be les than three (3') feet. The aggregate length of all architectural projections shall exceed neither a total length of twenty (20') feet nor fifty (50%) percent of the wall in which they are located. Encroachments into the side yard may only occur in one side yard, and the side yard into which a gate opens (for access into the rear yard) must maintain a minimum of five (5') feet in width.

(b) Ground mounted air conditioner and pool or spa equipment; screen walls up to forty-eight (48") inches in height may encroach into a street side or rear yard four (4') feet and an interior side yard three feet six inches (3'6"); said equipment shall not be permitted in a front yard setback.

F. Automobile storage shall be provided as required by Article XVIII. Section 18.12 of Ordinance No. 348, except for the existing golf course which shall maintain the existing number of parking spaces.

G. In no case shall more than sixty (60%) percent of any lot be covered by main buildings, garages, accessory buildings/guest dwellings and other structures.

(3) Except as provided, all other zoning requirements shall be the same as those requirements identified in Article VI. of Ordinance No. 348.

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Section 3. This ordinance shall take effect 30 days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

By_____
Chairman, Board of Supervisors

ATTEST:

NANCY ROMERO
Clerk to the Board

By_____
(Deputy)

(SEAL)

APPROVED AS TO FORM
May 11, 2006

By_____
DAVID H. K. HUFF
Deputy County Counsel

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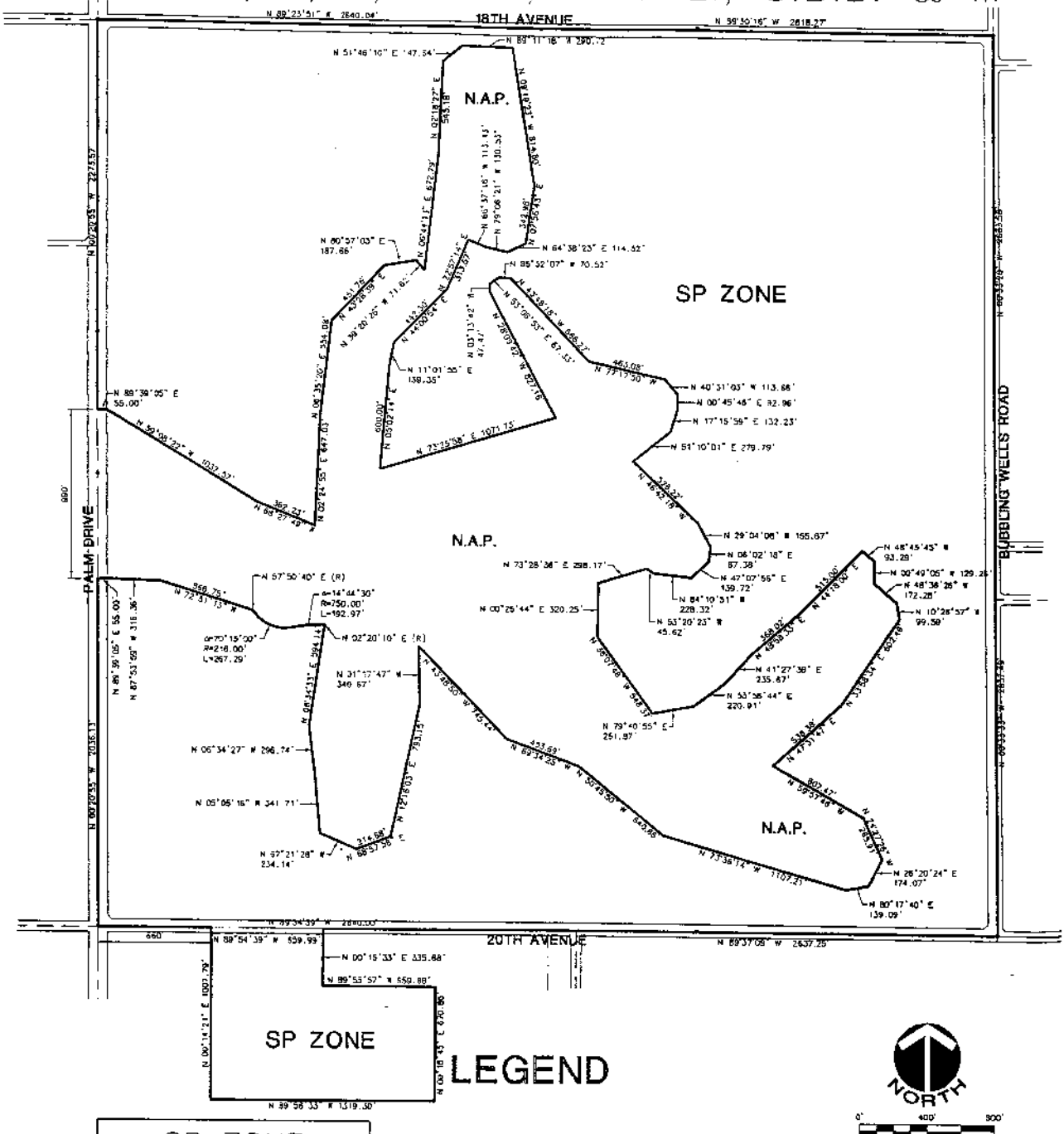
SEC. 17,18,19, T. 35, R. 5 E., S.B.B. & M



LEGEND

SP ZONE — SPECIFIC PLAN (SP 336)

NORTH

0' 400' 800'

SCALE 1"=400'

MAP NO. 58.090

CHANGE OF OFFICIAL ZONING PLAN
PASS AND DESERT
DISTRICT

CHANGE OF ZONE CASE NO. 6876
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348.4437
OCTOBER 31, 2006

APN: 657-460-007
APN: 657-460-009
APN: 657-470-005
APN: 657-470-006
APN: 657-470-007
APN: 660-040-003

RIVERSIDE COUNTY BOARD OF SUPERVISORS