

**Final Environmental Impact Report and
Response to Comments on the
Draft Environmental Impact Report
for the
County of Riverside's Public Safety Enterprise
Communication (PSEC) Project
State Clearinghouse #2008021126**

Prepared for:

County of Riverside
Department of Facilities Management
3133 Mission Inn Avenue
Riverside, CA 92507-4138

Contact: Luke Evans
Michael Brandman Associates

Prepared by:

Michael Brandman Associates
621 E. Carnegie Drive, Suite 100
San Bernardino, CA 92408
909-884-2255

Contact: Luke Evans, Senior Project Manager



August 26, 2008

TABLE OF CONTENTS

Section 1: Introduction	ii
1.1 - Review of the Draft EIR.....	ii
1.2 - Incorporation by Reference.....	ii
1.3 - Significant New Information and Changes to the Draft EIR	iii
Section 2: Response to Comments.....	1
2.1 - Introduction	1
Section 3: List of Commentors	2
Section 4: Modifications to the Draft EIR.....	292
4.1 - Rationale for Modifications.....	292
4.2 - Changes to the Draft EIR	292

APPENDICES

Appendix A: Mitigation Monitoring and Reporting Plan

SECTION 1: INTRODUCTION

The County of Riverside's Department of Facilities Management coordinated the preparation of a Draft Environmental Impact Report (DEIR) for the Public Safety Enterprise Communication (PSEC) project, further described in the Draft EIR. The County released the Draft EIR and held a 45-day public review period.

In accordance with Section 15088 of the State of California Environmental Quality Act (CEQA) Guidelines, this Final EIR document includes responses to comments received on the Draft EIR.

1.1 - Review of the Draft EIR

The County distributed the Draft EIR for a 45-day public review period beginning on June 9, 2008 and ending July 23, 2008.

The County used several methods to elicit comments on the Draft EIR:

- The County issued a Notice of Availability (NOA) for the Draft EIR at the start of the comment period. The NOA provided information about the proposed project and indicated locations (including the internet) where the Draft EIR was available for review.
- Copies of the NOA and the Draft EIR were provided to the Office of Planning and Research (State Clearinghouse) for issuance to state agencies.
- The NOA was also mailed to the recorded property owners of parcels located in the vicinity of the proposed sites (approximately 2,500 persons). The NOA was also mailed to relevant federal state and local agencies, responsible and trustee agencies, local governments, private organizations, and other interested parties based on the standard mailing list compiled for such purposes by the County of Riverside Planning Department. This list was comprised of approximately 700 addresses.
- The NOA stated that the Draft EIR and Appendices were posted on the internet. Visitors to the EIR website were provided the opportunity to comment on the Draft EIR via a web-based form, email, fax, and surface mail.

1.2 - Incorporation by Reference

Pursuant to Section 15132 of the CEQA Guidelines, the Draft EIR and all of its supporting documents, appendices, and administrative record are hereby incorporated into this Final EIR, which includes the Response to Comments. Unless otherwise noted, all abbreviations used in the Final EIR are the same as those used in the Draft EIR.

Copies of the Draft EIR and Appendices (on CD-ROM) are available at the Department of Facilities Management's administrative offices, located at 3133 Mission Inn Avenue, Riverside California 92507-4138. The above items are also available on the internet at <http://psec.co.riverside.ca.us>

1.3 - Significant New Information and Changes to the Draft EIR

Information contained within this document clarifies or supplements information presented in the Draft EIR. This information does not constitute "significant new information" as defined in CEQA Guidelines Section 15088.5, nor does this information ultimately change the findings made in the EIR. Therefore, the Draft EIR is not subject to recirculation, nor does any clarification or supplemental information trigger any of the recirculation requirements for the Draft EIR as set forth in CEQA Guidelines Section 15088.5.

SECTION 2: RESPONSE TO COMMENTS

2.1 - Introduction

In accordance with Section 15088 of the CEQA Guidelines, the County of Riverside, as the lead agency for the proposed project, evaluated comments received on the Draft EIR (State Clearinghouse No. 2008021126) for the Public Safety Enterprise Communication (PSEC) project and has prepared the following responses to the comments received.

The County issued a Notice of Availability (NOA) for the Draft EIR on June 9, 2008 and the 45-day public comment period began on that day. The NOA provided information about the proposed project and indicated locations (including the internet) where the Draft EIR was available for review. Copies of the NOA and the Draft EIR were provided to the Office of Planning and Research (State Clearinghouse) for issuance to state agencies. The NOA was also mailed to the recorded property owners of parcels located in the vicinity of the proposed sites (approximately 2,500 persons). The NOA was also mailed to relevant federal state and local agencies, responsible and trustee agencies, local governments, private organizations, and other interested parties based on the standard mailing list compiled for such purposes by the County of Riverside Planning Department. This list was comprised of approximately 700 addresses.

The County received 83 comment documents to the NOA. Comments were received by surface mail, email, fax, and webform submissions from the project's website. Each comment that was received is reproduced in this Response to Comments document. A list of commentors and the County's response to each comment are provided on the following pages.

SECTION 3: LIST OF COMMENTORS

Commentors

Code

Public Agencies and Governments

Federal Emergency Management Agency (FEMA) (June 16, 2008)	Comment 1
Morongo Band of Mission Indians (June 12, 2008)	Comment 2
Soboba Cultural Resource Department (June 10, 2008)	Comment 3
Pechanga Indian Reservation (July 22, 2008)	Comment 4
March Joint Powers Authority (July 22, 2008)	Comment 5
Native American Heritage Commission (June 17, 2008).....	Comment 6
Department of Toxic Substances Control (July 21, 2008)	Comment 7
State of California Office of Planning and Research (July 22, 2008)	Comment 8
Riverside County Waste Management Department (July 2, 2008)	Comment 9
Riverside County Habitat Conservation Agency (July 16, 2008)	Comment 10
Riverside County Flood Control & Water Conservation District (July 22, 2008)	Comment 11
Riverside County Regional Park & Open Space District (June 16, 2008)	Comment 12
City of Blythe Development Services Department (June 9, 2008)	Comment 13
City of Corona (June 16, 2008)	Comment 14
City of Riverside Community Development Department (July 23, 2008).....	Comment 15
City of Temecula (July 23, 2008).....	Comment 16
City of Moreno Valley (July 23, 2008)	Comment 17
City of Moreno Valley Telecommunications (June 25, 2008)	Comment 18

Organizations and Individuals

Edgemont Community Services District (June 11, 2008)	Comment 19
Tenaja Community Services District (July 18, 2008)	Comment 20
Menifee Valley Historical Association (July 23, 2008)	Comment 21
Rancho Carrillo Homeowners Association (July 23, 2008)	Comment 22
Tahquitz Group of the Sierra Club (July 23, 2008).....	Comment 23
Southern California Edison (July 24, 2008)	Comment 24
Gary Spranger (June 9, 2008).....	Comment 25
Janice Petersen (June 11, 2008).....	Comment 26
Bob Williams (June 17, 2008).....	Comment 27
George Rodda, Jr. (June 20, 2008)	Comment 28
Cheryl & Leo Gardarian (June 20, 2008)	Comment 29
R.M. & Oma Fitzpatrick (June 23, 2008).....	Comment 30
Kelly & Patty Stephens (June 25, 2008)	Comment 31
James & Deborah Lehrman (June 25, 2008)	Comment 32
Jeanie Garcia (June 9, 2008)	Comment 33
Carol Rodriguez (July 2, 2008)	Comment 34

Jacqueline Anderson (July 2, 2008)	Comment 35
Members of Rancho Carrillo (July 15, 2008).....	Comment 36
Dr. Vineer Bhansali & Rebekah Conrad Bhansali (July 15, 2008).....	Comment 37
Trish Tuley (July 19, 2008)	Comment 38
Dore Capitani (July 23, 2008)	Comment 39
Dean & Jeannine Smith (July 23, 2008).....	Comment 40
Kelly (June 6, 2008)	Comment 41
J.P. Crumrine (June 6, 2008)	Comment 42
Suzon & Peter Capparelli (June 9, 2008)	Comment 43
Eddie Lara (June 12, 2008)	Comment 44
Curt James (June 13, 2008)	Comment 45
Duane Chamlee (June 17, 2008)	Comment 46
Chas Roberts (June 17, 2008).....	Comment 47
Terri Love (June 17, 2008).....	Comment 48
Jason Garland (June 19, 2008)	Comment 49
Ed Garland (June 19, 2008).....	Comment 50
Gail Cunningham (June 20, 2008).....	Comment 51
Robert Toups (June 21, 2008)	Comment 52
Gail Cunningham (June 20, 2008).....	Comment 53
Elmer Riley (June 22, 2008).....	Comment 54
Kelly Overholt (June 24, 2008).....	Comment 55
Jesse & Catherine Cope (June 24, 2008).....	Comment 56
William & Sheila Foster (June 25, 2008).....	Comment 57
Deborah Imonti (June 25, 2008).....	Comment 58
Jeff Williams (June 25, 2008)	Comment 59
Jeff Williams (June 25, 2008)	Comment 60
Barbara A. Spencer (June 26, 2008).....	Comment 61
Donald Balsamo (June 28, 2008)	Comment 62
Matt Frymire (July 2, 2008)	Comment 63
Jackie Anderson-Rose (July 2, 2008)	Comment 64
Diane & Charles Penry (July 6, 2008).....	Comment 65
Robert & Bonnie Davis (July 7, 2008).....	Comment 66
Mike & Sylvia Huber (July 8, 2008).....	Comment 67
Francoise Frigola (July 9, 2008).....	Comment 68
Fotrine Fahouris (July 10, 2008)	Comment 69
Neil Matthews (July 11, 2008)	Comment 70
Keith Warren (July 14, 2008).....	Comment 71
Michael Wolff (July 18, 2008)	Comment 72
Richard & Lynne Everett (July 20, 2008)	Comment 73
Kirk & Judy Russell (July 20, 2008).....	Comment 74

Aaron Fritzinger (July 21, 2008).....	Comment 75
David Wenker (July 22, 2008).....	Comment 76
Byron & Deborah Mauss (July 23, 2008)	Comment 77
Kelly Overholt (July 22, 2008).....	Comment 78
Jim Reardon (July 23, 2008)	Comment 79
James Crane (July 23, 2008)	Comment 80
Marianne Crane (July 23, 2008).....	Comment 81
Jane McNairn (July 23, 2008)	Comment 82
Jim Baril (July 23, 2008).....	Comment 83

W8

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

Comment 1

June 16, 2008

Ashley Mitchell
County of Riverside
Department of Facilities Management
P. O. Box 789
Riverside, California 92503-0789

Dear Ms. Mitchell:

This is in response to your request for comments on the Notice of Availability of Draft Program Environmental Impact Report for the Public Safety Enterprise Communications (SEC) Project (SCH 2008021126).

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of Riverside (Community Number 060245), Map revised August 28, 2008. Please note that the County of Riverside, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

1-1

08 JUN 19 PM 2:50

Ashley Mitchell
Page 2
June 16, 2008

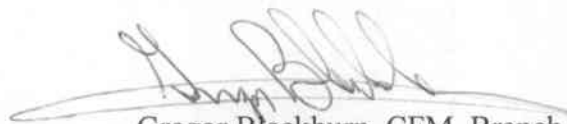
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Riverside County floodplain manager can be reached by calling Mekbib Degaga, Senior Civil Engineer, at (951) 955-1265.

If you have any questions or concerns, please do not hesitate to call Frank Mansell of the Mitigation staff at (510) 627-7057.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:

Mekbib Degaga, Senior Civil Engineer, Riverside County

Garret Tam Sing/Salomon Miranda, State of California, Department of Water Resources,
Southern District

Frank Mansell, Floodplanner, DHS/FEMA Region IX

Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

08 JUN 19 PM 2:50

1-1
(cont.)

Public Agencies and Governments

Federal Emergency Management Agency (June 16, 2008)

Response to Comment 1-1

At this time, no PSEC sites are proposed within a designated floodplain or regulatory floodway. Should that situation change, the County will abide by FEMA's recommendations as well as applicable laws and regulations relating to the issues raised in FEMA's comments. The County appreciates FEMA's interest in this project.

W6

MORONGO
BAND OF
MISSION
INDIANS



A SOVEREIGN NATION

June 12, 2008

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789
Attn: Ashley Mitchell

Comment 2

**SUBJECT: Notice of Availability of Draft Program Environmental Impact Report
Public Safety Enterprise Communications (PSEC) Project
(SCH 2008021126)**

Dear Ms. Mitchell:

Thank you for contacting the Morongo Band of Mission Indians regarding the above referenced project(s). The Tribe greatly appreciates the opportunity to review the project and, respectfully, offer the following comment(s):

- If human remains are encountered during grading and other construction excavation, work in the immediate vicinity shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5.
- In the event that Native American cultural resources are discovered during project development/construction, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this assessment period.
- If significant Native American cultural resources are discovered, for which a Treatment Plan must be prepared, the developer or his archaeologist shall contact the Morongo Band of Mission Indians ("Tribe")¹. If requested by the Tribe, the developer or the project archaeologist shall, in good faith, consult on the discovery and its disposition (e.g. avoidance, preservation, return of artifacts to tribe, etc.).

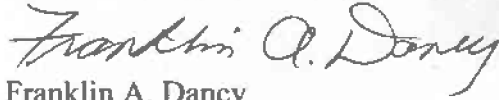
2-1

¹ The Morongo Band of Mission Indians realizes that there may be additional tribes claiming cultural affiliation to the area; however, Morongo can only speak for itself. The Tribe has no objection if the archaeologist wishes to consult with other tribes and if the city wishes to revise the condition to recognize other tribes.

08 JUN 17 AM 9:33

If I may be of further assistance with regard to this matter, please do not hesitate to contact me at 951-755-5212 or FRANKLIN_DANCY@MORONGO.ORG.

Very truly yours,
MORONGO BAND OF MISSION INDIANS

A handwritten signature in cursive script that reads "Franklin A. Dancy".

Franklin A. Dancy
Project Manager

08 JUN 17 AM 9:33

Morongo Band of Mission Indians (June 12, 2008)

Response to Comment 2-1

The County appreciates the Morongo Band of Mission Indians comments regarding this project. The Tribe's comment letter contains protocols to be observed in the event of the accidental discovery of human remains or Native American cultural resources, as well as a discussion on the creation of a Treatment Plan in the event that significant Native American cultural resources are detected. As reflected in the cultural resources assessment prepared for the project, the recommendations section includes a discussion on accidental discovery of human remains. This section reiterates California State Health and Safety Code Section 7050.5, as well as the issue of origin and disposition pursuant to CEQA regulations and Public Resources Code Section 5097.98. The recommendations section also includes a discussion on accidental discovery of cultural resources in general, which includes any Native American cultural resources. This includes an order to cease work in the immediate vicinity of any detected cultural resources, and the need for a qualified archaeologist to make recommendations to the County about the significance and treatment of the find. The detection of significant Native American cultural resources and the need for contact with the appropriate Tribal groups or individuals is important to the County. In the case of significant finds within Morongo affiliated areas, a good faith effort shall be made with regard to consultation and/or the creation of a Treatment Plan to determine the disposition of any recovered cultural resources.

W5

June 10, 2008

Comment 3

Attn: Ashley Mitchell
County of Riverside
P.O. Box 789
Riverside, Ca 92502-0789

Re: Public Safety Enterprise Communications (PSEC) Project

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that the project area falls within the bounds of our Tribal Traditional Use Area.

Soboba Band of Luiseño Indians is requesting the following:

1. Further consultation with Native American Tribes.
2. Copies of archeological and/or cultural resource documentation.

If you have any questions or concerns please do not hesitate to contact me at the following number 951-487-8268.

[SPECIAL NOTE (for projects other than cell towers): If this project is associated with a city or county specific plan or general plan, action it is subject to the provisions of SB18-Traditional Tribal Cultural Places (law became effective January 1, 2005) and will require the city or county to participate in formal, government-to-government consultation with the Tribe. If the city or county are your client, you may wish to make them aware of this requirement. By law, they are required to contact the Tribe.]

Sincerely,



Erica Helms-Schenk
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, Ca 92581
Phone (951) 654-5544 ext. 4129
Cell 951-663-8333
ehelms@soboba-nsn.gov

3-1

08 JUN 17 AM 9:33

Soboba Cultural Resource Department (June 10, 2008)

Response to Comment 3-1

The County appreciates the Soboba Band of Luiseno Indians' requests regarding this project. The Tribe's letter requests that the County engage in further consultation with Native American Tribes, and that copies of cultural resource documentation be provided. The County will continue to consider and engage comments from Native American Tribes to assist in determining preferred locations for the project radio tower sites. In addition, the County will provide electronic cultural resources documentation of those PSEC project candidates located within the Traditional Use Area of the Tribe.



PECHANGA INDIAN RESERVATION
Temecula Band of Luiseño Mission Indians

OFFICE OF THE GENERAL COUNSEL
Post Office Box 1477 • Temecula, CA 92593
Telephone (951) 676-2768 Ext. 2138 Fax (951) 587-8162

General Counsel
John L. Macarro

Deputy General Counsel
James E. Cohen
Laura Y. Miranda

July 22, 2008

Ms. Ashley Mitchell
County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Comment 4

Re: Pechanga Tribe Comments on the DEIR for Public Safety Enterprise Communications (PSEC)
Project (SCH 2008021126)

Dear Ms. Mitchell:

This comment letter is submitted by the Pechanga Band of Luiseño Indians (hereinafter, "Pechanga Tribe"), a federally recognized Indian tribe and sovereign government. The Pechanga Tribe is formally requesting, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). The Tribe also requests to be involved in any Section 106 review under the National Historic Preservation Act that may be required for this Project.

4-1

We submit the following comments on the above listed document for the Project. We request that all such comments be part of the official record for the approval of this Project.

TRIBAL CONSULTATION REQUIREMENTS

A. THE COUNTY MUST CONSULT WITH THE PECHANGA TRIBE REGARDING THE PROJECT

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. The United States has a unique political and legal relationship with Indian tribal governments. In conformance with this unique relationship, the Federal Government recognizes the sovereign status of tribal governments and its obligation to deal with these tribal governments on a *government-to-government* basis. President Bush himself reaffirmed this responsibility in both his Executive Order 13336 and his Executive Memorandum of September 23, 2004.

4-2

¹ See Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments; Executive Order 13175 of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments; and Executive Memorandum of September 23, 2004 on Government-to-Government Relationship with Tribal Governments.

² See California Public Resource Code §5097.9 et seq. and Cal. Govt. Code §§ 65351, 65352, 65352.3 and 65352.4.

The obligation to consult arises when tribal interests are affected by the actions of State governmental agencies and departments, such as approval of General Plans or EIRs. Therefore, in order to comply with CEQA, Section 106, and other applicable Federal and California law, it is imperative that the County adequately consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the effects, as well as generating adequate objectives, policies and potential mitigation measures. In this case, it is undisputed that portions of the Project area lie within the Pechanga Tribe's traditional territory and thus the Tribe should continue to be consulted on the Project impacts and mitigation.

4-2
(cont.)

B. SECTION 106 CONSULTATION REQUIREMENTS

The requirements of Section 106 of the NHPA, set forth in 36 CFR Part 800, clearly requires consultation with Indian tribes, regardless of the location of the project (36 CFR 800.2(c)). The regulations go on to state that the agency official *shall* ensure that consultation provides an Indian tribe "a reasonable opportunity to identify its concerns about historic properties, advise on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, articulate its views on the undertaking's effects on such properties, and participate in the resolution of adverse effects." *Id.* Further, consultation must occur early in the planning process in order to "identify and discuss relevant preservation issues and resolve concerns about the confidentiality of information on historic properties." *Id.*

4-3

It is the Tribe's request that the Lead Agency and all agencies and consultants involved commit to working with the Tribe to ensure it has meaningful participation in the environmental review process, which includes all archeological assessments and testing, as well as devising appropriate mitigation. As such, Pechanga is requesting to be included in developing appropriate mitigation for the protection of the sites within the Project. The Tribe also requests that such mitigation takes into account the Tribe's preferences and customs concerning treatment of archeological/cultural resources.

PECHANGA CULTURAL AFFILIATION TO PROJECT AREA

The Pechanga Tribe understands that the Project area spans multiple tribal territories, including the northern portion of traditional Luiseño territory. Based upon the information provided in the Draft Environmental Impact Report (DEIR), of the twenty-four (24) proposed tower locations, the Pechanga Tribe has concerns and comments regarding six (6) of those locations: Cajalco, El Cariso, Estelle Mountain (A/B), Leona, Margarita (MWD/SDSU) and Rancho Carillo. The focus of the Tribe's comments on these locations is based on the fact that ground-disturbing impacts in these areas have a strong likelihood of causing impacts to cultural resources coupled with the fact that these areas fall within what the Tribe considers to be its aboriginal territory.

The Pechanga Tribe asserts that the above identified tower locations are part of the Pechanga Tribe's aboriginal territory, as evidenced by the existence of Luiseño place names, rock art, pictographs, petroglyphs, and an extensive Luiseño artifact record. The Tribe asserts that this culturally sensitive area is affiliated specifically with the Pechanga Band of Luiseño Indians because of the Tribe's specific cultural ties to this area. Pechanga considers any resources located within this regional area to be Pechanga cultural resources.

4-4

The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; identified locations of rock art and Luiseño sites and through recorded ethnographic and

PECHANGA INDIAN RESERVATION

Temecula Band of Luiseño Mission Indians

linguistic accounts. Many anthropologists and historians have presented boundaries of the Luiseño traditional territory (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994). Current territory boundaries as placed by the Pechanga Tribe are based upon communications by our elders and these ethnographic and anthropological descriptions. Although historic accounts, anthropological and linguistic theories are important in determining traditional Luiseño territory; the Pechanga Tribe asserts that the most critical sources of information used to define our traditional territories are our songs, creation accounts and oral traditions.

Luiseño history begins with the creation of all things at *'éxva Teméeku*; which is located within the southwest portion of the Project area, and dispersing out to all corners of creation (what is today known as Luiseño territory). This location is where our Origin Story and ancestral songs say *Tiukumit* (Father Sky) and *Tamáayawut* (Earth Mother) created the world. Their children were known as the first people or *Kaamalam*, which were all the creatures: trees, rocks, fog, deer, bear, birds and humans.

Our creation songs state that it was at Temecula that the first human, *Wuyóot*, lived, fed and taught the people and here that he became sick. Many Luiseño songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs, including Murrieta Hot Springs (*Churúkuknu Sákíwuna*) and those at Lake Elsinore (*'iténgvu Wumówmu*), where he died. He was cremated at *'éxva Teméeku*. It is our creation account that states the Luiseño have always lived in Temecula and the surrounding areas. The Temecula people, who were evicted and moved to the Pechanga Reservation, are now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga Tribe).

Many traditions and stories are passed from generation to generation by songs. One of the Luiseño songs recounts the travels of the people to Elsinore after a great flood (DuBois 1908). From here, they again spread out to the north, south, east and west. Three songs, called *Moníivol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). Another well known story is that of Nahachish, who traveled from Temecula around the perimeter of Palomar Mountain, naming places as he went. Numerous other stories and songs exist that solidify the Luiseño territory. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

Rock art is an important element in the determination of Luiseño territorial boundaries. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small indentations, or cupules. While these types of marking occur throughout the world, we believe that they may represent territorial markers:

When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (DuBois 1908:158).

Numerous ethnographers make mention of the fact that the Luiseño were highly territorial, and that territories were marked and jealously guarded. Trespassing was cause for conflict and at times

4-4
(cont.)

outright warfare between groups. The young were taught never to trespass on the land of others in pursuit of game or the gathering of food without permission (Sparkman 1908:190).

Other types of rock art, pictographs and petroglyphs, have also been documented in Luiseño territory and are integral for territory determination. Typically, it would appear that there is at least one pictograph location per village site.

Most pictographs are located some distance from the village site on isolated boulders or rock outcrops. The remainder are at the village sites or occupation areas and in small cave shelters. The association between pictograph sites and known Luiseño village sites is clearly visible by the manner in which these sites fit the ethnological descriptions (True 1954:68-69).

Regarding the style of the pictographs present throughout Luiseño territory, it is quite distinctive and corresponds ethnographically with what has been written regarding Luiseño puberty ceremonies and Luiseño cosmology:

Such elements as diamonds, chevrons, dots, and simple line forms can be traced in petroglyphs throughout California and the southwest. It is only in the characteristic manner of assembly and the circumstances under which they were made that the pictographs of this area become especially distinctive. The distinctive use of the geometric forms and the almost complete absence of many elements common to other petroglyph areas cause the designs of this region to stand out in a comparative study (True 1954:72).

This style of rock art is termed San Luis Rey Style, and is generally associated with late prehistoric and historic Luiseño populations. The type site that is the major locus of the style is on the San Luis Rey River, in San Diego County (Hedges 1990:81). The Rancho Bernardo Style consists of large-scale geometric, rectangular panels painted in red or in petroglyph form, especially maze-like patterns and sometimes contained in rectangular borders. This style (Hedges 1979) overlaps Northern Diegueño and Luiseño territories with extensions eastward into the Cahuilla area.

Thus, our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people, specifically the Pechanga Tribe, who occupied the areas where the above named 25 site locations are proposed, is the appropriate culturally affiliated tribe for projects that impact this geographic area.

The Tribe would welcome to opportunity to meet with the County of Riverside Facilities Management Department to further explain and provide documentation concerning our specific cultural affiliation to lands within this geographical region.

PROJECT IMPACTS TO CULTURAL RESOURCES

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The Pechanga Band is not opposed to this development Project and understands and supports the need to upgrade the County's safety facilities. However, the Tribe's primary concerns stem from the Project's likely impacts on Native American cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Luiseño village sites and archaeological items which would be displaced by ground disturbing work on the Project, the visual and

other cumulative effects on Traditional Cultural Places (TPCs) and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work.

As stated above, there are six (6) specific locations that are of particular concern to the Tribe. While only the Cajalco location contained visible surface resources, the remaining locations have either been determined in the Draft Environmental Impact Report by Michael Brandman Associates, dated June 5, 2008 ("2008 DEIR Report") as potentially containing resources or are locations that the Tribe asserts to have the potential to contain subsurface cultural resources. The DEIR is not specific regarding the types of resources that were identified during the archaeological field survey but the Tribe feels that the identification of any surface resource is a good indication of additional resources in the area as well as the potential for subsurface resources that may be inadvertently discovered during ground-disturbing activities. The following is a brief review of our concerns.

4-6

Cajalco: The archaeological survey identified resource P-33-016947. The Tribe considers the area of this tower location and the adjacent geographical region to be of utmost importance to the Tribe from a cultural and archaeological perspective. This area contains known village locations, and several traditional Luiseno places. The area containing the site location is generally considered more ancient and is associated with a larger geographic region and the village known as *Paxávxá*, located at present day Glen Ivy, approximately 3 ½ miles to the southwest. There, a cold spring (*Hólwuma*) and hot spring (*'u'úumay*) were used by many people. There were also an abundance of oak trees to provide for a large village complex. The drainages in this area have been historically dry and many Tribal people concur (with anthropologists) that occupation of this stretch of territory occurred prior to the emergence of bedrock mortar usage. An additional Luiseno place, *Túu'uv*, has been identified approximately one mile to the southwest. Linguistic evidence shows that the term *Túu'uv* refers to an "old village site" and may possibly indicate "[something] grew there". Ethnographically, we know that in this area, large stands of tunas (*Opuntia ficus-indica*) grew and were harvested on a regular basis by the Native Americans and European settlers of the area (Harrington 119:224 part 2). Further, as stated above, this area was part of the seasonal gathering rounds practiced by the Luiseño.

4-7

El Cariso: This tower location is within the western portion of Luiseño territory. Concern for this site stems from the 2008 DEIR Report identifying this area as having the potential to contain subsurface resources. This possibility is further enhanced because of the remote area in which this tower location is proposed. Because it is in an area which has been subject to minimal impacts much of the native soil and its contents will likely still be in tact.

4-8

Estelle Mountain (A/D): As with the Cajalco site, this site location also is significant to the Tribe. It is less than 1 ½ mile to the east of the village of *Paxávxá* described above, and is also named many times in our creation songs and stories in association with the adjacent Alberhill and Lake Elsinore areas. While no surface artifacts were identified, the Tribe believes that, as this area is not extremely disturbed and other resources have been identified surrounding the site location, the potential for subsurface resources is high.

4-9

Leona: This site location is located to the south of a large Luiseño village known as *Qaxáalku*. This site has been recorded as located primarily 1 ½ to 2 miles north of the Leona site but current research indicates that the lower portions of the site and/or connected outlier portions may extend as close as within ½ to ¾ mile. The tribe believes that the potential for discovering subsurface resources is high based upon the proximity of these known significant resources in the area.

4-10

Margarita (MWD/SDSU): The two proposed Margarita site locations are of the highest concern for the tribe. This area is known to the Luiseno as '*éxva Teméeku*; our place of creation. *Éxva* describes a "place of sand" and *Teméeku* literally means "sky place." Temecula derives its etymology from this meeting place, where the Santa Margarita River, Temecula Creek and Pechanga Creek converge into the Santa Margarita River and flow onto the Pacific Ocean. While these terms indicate a specific place, it is important to note that many locational terms refer to a much larger area and often incorporate many square miles of land. This area is one of, if not the most important traditional cultural properties to the Pechanga Tribe, and is considered by the Tribe to be a sacred place. Since the mid-1900's this area has garnered much interest and archaeological exploration. Any ground-disturbing activities and/or an installation of towers is bound to have either direct or indirect impacts to this highly significant cultural area. It is the Tribe's belief that no additional impacts should occur to this area, including visual impacts caused by installation of the proposed towers and/or the discovery of potential subsurface resources.

4-11

Rancho Carillo: This site location is within the western portion of Luiseno territory. As with the El Cariso site identified above, concern for this site stems from the identification by the DEIR of the potential for discovery of subsurface resources.

4-12

Given that Native American cultural resources will likely be affected by the Project, the Pechanga Tribe must be allowed to be involved and participate in developing all monitoring and mitigation plans for the duration of the Project. In addition, given the significant potential for archaeological resources within the Project area, it is the position of the Pechanga Tribe that Pechanga tribal monitors should be required to be present during all ground-disturbing activities conducted in connection with the Project, including any archeological testing performed.

The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). In addition, the NAHC also stated in its correspondence on this Project that if there is a likelihood of buried archaeological resources, provisions for accidentally discovered archaeological resources and/or human remains should be implemented during grading. As such, it is the position of the Pechanga Tribe that an agreement specifying appropriate treatment of inadvertent discoveries of cultural resources be executed between the Project Application/developer and the Pechanga Tribe.

4-13

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the permit must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. Given the Project's location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project.

COUNTY OF RIVERSIDE POLICIES AND PRACTICES CONCERNING CULTURAL RESOURCES

The Pechanga Tribe has a long history of working with the County on the protection and treatment of cultural resources within the County. The Tribe has commented on hundreds of Projects within the County and has worked with the County on assessment of cultural resources impacts and appropriate mitigation measures. In addition, the Tribe has a history of working with the County on policies concerning cultural resources protection and tribal involvement in projects that impact cultural resources. It is our understanding that it is the County's policy to consult with culturally affiliated tribes

4-14

on all projects that may impact cultural resources. This is further evidenced by the fact that the County has established standard mitigation measures and conditions of approval, which it applies to projects concerning tribal involvement and protection of cultural resources.

Furthermore, the County has established a County Committee called the Tribal Traditional Resources Advisory Committee (TTRAC). The TTRAC is made up of representatives of all the tribes within Riverside County, including Pechanga. One of the major reasons the TTRAC (Tribal Traditional Resources Advisory Committee) was formed by the County is to serve as an advisory Committee on cultural resources policies for the County. "(To) Direct the Planning Department to establish a County of Riverside Tribal Traditional Resources Advisory Committee to advise the department on policy issues and provide appropriate advice and information pertaining to burials, historic Native American sites, cultural places and sacred sites" (Motion of the County Board of Supervisors, Submittal to the Board of Supervisors, January 31, 2006).

As such, it is Pechanga's assertion that these County policies and practices are applicable to all County departments within the County, such as the Department of Facilities Management. We, therefore, are requesting that the Department work with Pechanga on appropriate mitigation for this Project and to adhere to the spirit of the established policies and practices of the County concerning cultural resources protection.

REQUESTED MITIGATION MEASURES FOR THE PROJECT

For the reasons above, the Pechanga Tribe requests the following mitigation measures be adopted.

- MM 1:** Prior to issuance of grading permit(s) for the project, the County shall retain an archaeological monitor to monitor ground-disturbing activities in culturally sensitive areas in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.
- MM 2:** At least 30 days prior to seeking a grading permit, the County shall contact the appropriate Tribe³ to notify the Tribe of grading, excavation and the monitoring program, and to coordinate with the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities in culturally sensitive areas; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.
- MM 3:** Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the County to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present in culturally sensitive areas and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM

³ It is anticipated that the Pechanga Tribe will be the "appropriate" Tribe for tower locations Cajalco, El Cariso, Estelle Mountain (A/B), Leona, Margarita (MWD/SDSU) and Rancho Carillo due to its prior and extensive coordination with the County in determining potentially significant impacts and appropriate mitigation measures and due to its demonstrated cultural affiliation with the Project area.

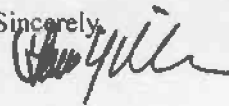
2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor grading, excavation and groundbreaking activities in sensitive areas, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

- MM 4:** If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within a reasonable timeframe. Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.
- MM 5:** The County shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the Tribe for proper treatment and disposition.
- MM 6:** All sacred sites, should they be encountered within the project area, shall be avoided and preserved.
- MM 7:** If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the County, the project archaeologist, and the Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources.

The Pechanga Tribe looks forward to working together with the County Department of Facilities Management and other interested agencies in protecting the invaluable Luiseno cultural resources found in the Project area. If you have any questions, please do not hesitate to contact me.

Thank you for the opportunity to submit these comments.

Sincerely,



Laura Miranda
Deputy General Counsel

Cc: Claudia Steiding, Sr. Environmental Planner, County of Riverside, Dept of Facilities Management
Leslie Mouriquind, County of Riverside Archaeologist
Luke Evans, Michael Brandman Associates
Pechanga Cultural Resources Department

Pechanga Office of the General Counsel (July 22, 2008)

Response to Comment 4-1

The County appreciates the Pechanga Band of Luiseno Indians' comments, requests and advice regarding this project. The County recognizes that the Tribe has formally requested to be notified and involved in the CEQA review process. The County also notes that the Tribe wishes to be involved in the Section 106 review process, which is the responsibility of a federal agency when a proposed project has a federal-level nexus.

Response to Comment 4-2

The County notes the Tribe is recognized as a sovereign government, and that the Tribe has a right to engage in government-to-government consultations. Such government-to-government consultations will occur as a result of the Section 106 review process, as federal agencies will be required to consult with all interested parties, including Tribal governments. With regard to CEQA, the County wishes to engage the Tribe about aspects of the proposed project that could potentially impact cultural and spiritual resources within the Pechanga Tribe's traditional territory.

Response to Comment 4-3

The County recognizes that the Tribe is concerned with their opportunity to comment on the potential of the proposed project to affect Historic Properties in accordance with Section 106 of the NHPA. This process is the responsibility of a federal agency when a proposed project has a federal-level nexus.

Response to Comment 4-4

This comment is informational in nature and does not require a response.

Response to Comment 4-5

The County respects that there are portions of the PSEC project that are situated within the traditional territory of the Pechanga Band of Luiseno Indians, and that the Tribe is concerned with impacts to Native American cultural resources. Specifically, the Tribe is concerned with damage to village sites, archaeological items, visual and cumulative effects to TCPs, and the proper and lawful treatment of human remains or sacred items.

Response to Comment 4-6

This comment is informational in nature and does not require a response.

Response to Comment 4-7

The County understands that the Cajalco candidate is of concern to the Tribe for archaeological and cultural reasons. The site detected during the survey consisted of a surface scatter of historic-age cans and glass with no subsurface component. However, the County does recognize that this candidate location is in an area containing several villages, named places and significant environmental features, including traditional harvesting areas. The County wishes to further consult with the Tribe

to determine the most appropriate mitigation measures that could directly address the unique features of this region.

Response to Comment 4-8

The County notes that the El Cariso candidate is of concern to the Tribe because of its remote location and minimal soil disturbances. As discussed in the cultural resources assessment, archaeological monitoring is recommended for these reasons, as well as a low-level of surface visibility during the pedestrian survey.

Response to Comment 4-9

The Estelle Mountain candidates are also of concern to the Tribe, due to their proximity to a village site, inclusion in creation songs and stories and association with other important environmental features in the region. For these reasons, as well as the undisturbed nature of the soils, the Tribe feels that the potential for subsurface artifacts is high. As discussed in the cultural resources assessment, the few bedrock outcrops in the area were scrutinized for evidence of prehistoric (milling) activity with negative results. For this reason, as well as the results of the records search, archaeological monitoring was not recommended.

Response to Comment 4-10

The County recognizes that the Tribe believes that the Leona candidate is considered to have high potential for uncovering subsurface artifacts due to the presence of a named village site within approximately 0.50 to 0.75 miles. As discussed in the cultural resources assessment, the bedrock outcrops in the area were scrutinized for evidence of prehistoric (milling) activity with negative results. For this reason, as well as the results of the records search, archaeological monitoring was not recommended.

Response to Comment 4-11

The Margarita candidates are considered to be of the highest concern to the Tribe, due to their location within the Tribe's place of creation. The County understands that the entire region is considered to be one of the most important TCPs to the Tribe, and that the Tribe considers any development in the area to either direct or indirectly impact this sacred space. For this reason, the County wishes to further consult with the Tribe to determine appropriate mitigation measures that could address the concerns of the Tribe.

Response to Comment 4-12

The County understands that the Rancho Carrillo candidate is of concern to the Tribe because of the findings of the cultural resource assessment contained within the DEIR. As discussed in the cultural resources assessment, archaeological monitoring is recommended because of the minimal acreage assessed by previous cultural resource studies within close proximity to the candidate, the negligible surface visibility during the pedestrian survey and the relatively undisturbed soils present at and within the vicinity of the candidate.

Response to Comment 4-13

The County recognizes the assertion that Native American resources will likely be affected by this project, and that the Tribe wishes to be actively involved in the creation of mitigation measures, mitigation and testing programs, and the lawful treatment of inadvertent discoveries of cultural resources and human remains. As reflected in the cultural resources assessment prepared for the PSEC project, the recommendations section includes a discussion on accidental discovery of human remains. This section reiterates California State Health and Safety Code Section 7050.5, as well as the issue of origin and disposition pursuant to CEQA regulations and Public Resources Code Section 5097.98. The recommendations section also includes a discussion on accidental discovery of cultural resources in general, which includes any Native American cultural resources. This includes an order to cease work in the immediate vicinity of any detected cultural resources, and the need for a qualified archaeologist to make recommendations to the Lead Agency about the significance and treatment of the find. Though not specifically noted in the recommendations section, the detection of Native American cultural resources and the need for contact with the appropriate Tribal groups or individuals is important to the County. In the case of finds within Pechanga affiliated areas, a good faith effort shall be made with regard to consultation and/or the creation of a Treatment Plan to determine the disposition of recovered cultural resources. The County also wishes to further consult with the Tribe to solicit input on the creation and implementation of mitigation programs.

Response to Comment 4-14

The County understands the history of a good working relationship between the Tribe and County departments. The Department of Facilities Management hopes to continue this relationship through further consultation efforts, and the implementation of applicable policies and practices.

Response to Comment 4-15

The County appreciates the mitigation measures suggested by the Tribe, including: The request for archaeological monitoring in culturally sensitive areas, Tribal monitoring in affiliated areas, the creation of Treatment Plans for inadvertent discoveries, the archaeological and Tribal monitor's ability to redirect development activities near inadvertent finds, adherence to applicable laws and codes for the lawful treatment of inadvertent discoveries of human remains, the need for cultural items to be deemed the property of the Tribe, avoidance of sacred sites, and the evaluation of significance through discussion with the Tribe, the County and the Project Archaeologist. As noted in Response to Comment 4-13, the cultural resources assessment reiterates applicable legal codes for the treatment and disposition of inadvertent discoveries of human remains and cultural resources. The cultural resource assessment additionally discusses federal laws and standards, including the Native American Graves Protection and Repatriation Act (NAGPRA) and its regulations found in the CFR at 43 CFR 10. Additional laws and/ or regulations could apply to discovered cultural resources, depending on the ownership or administration of lands where a specific candidate is located. The cultural resources assessment also includes recommendations for archaeological monitoring in areas where an unknown or heightened sensitivity for cultural resources has been identified (MM CR-2).

The County wishes to further consult with the Tribe to solicit input on the creation and implementation of mitigation programs.



W35

July 22, 2008

Ms. Ashley Mitchell
P.O. Box 789
Riverside CA
92502-0789

Comment 5

RE: Notice of Availability of Draft Program Environmental Impact Report

Dear Ashley:

March Joint Powers Authority (JPA) appreciates the opportunity to review and respond on the above-referenced project. At this time, March JPA has the following comments regarding this submittal:

Riverside County Airport Land Use Plan:

1. The nearest site, located on Box Springs Mountain is not located within a Riverside County Airport Land Use Influence Area. **5-1**

Air Installation Compatibility Use Zone Study (AICUZ):

1. According to the 2005 Air Installation Compatibility Use Zone (AICUZ) study for March Air Reserve Base, the proposed development is located within a Community Noise Equivalent Level (CNEL) less than 60 dB. There are no specific policies within the AICUZ that require noise mitigation at this threshold. **5-2**
2. Due to the nature of the project, and the height upon Box Springs Mountain, March JPA requests that you work closely with Jack W Porter at (951) 655-2115 and Chris Davis at (951) 655-4403, both at March Air Reserve Base, to make sure the project will comply with existing Air Reserve Base operations. **5-3**
3. Please note that the project site will be exposed to single noise exposure levels (SENEL) greater than CNEL noise levels. The SENEL for the project site varies, as to type of aircraft and flight track flown for each operation at March ARB/MIP. **5-4**

FAA Part 77 Analysis:

1. The site is located within an area of building height constraints, based on FAA Part 77 airspace parameters. Accordingly, a part 77 analysis is required, prior to scheduling this item for hearing, to determine if any potential airspace encroachment is proposed. The project shall also submit and receive approval of an FAA Form 7460-1 (Notice of Construction) prior to project construction. Should cranes or vertical construction equipment be used **5-5**

08 JUL 24 PM 12: 09

during the construction process, a separate FAA Form 7460-1 is required for construction equipment.

5-5
(cont.)

Recommended Conditions:

Should the County of Riverside wish to recommend approval of this item, the following conditions are recommended:

1. Work closely with Jack W Porter at (951) 655-2115 and Chris Davis at (951) 655-4403, both at March Air Reserve Base, to ensure the project will comply with existing Air Reserve Base operations.
2. An engineer shall perform a Part 77 analysis for potential airport airspace encroachments prior to scheduling this item for hearing.
3. The project shall submit and receive approval of an FAA Form 7460-1 prior to project construction. Should cranes or vertical equipment be used during the construction process, a separate FAA Form 7460-1 is required for construction equipment.

5-6

If I may provide further information regarding this item, please contact me at (951) 656-7000.

Sincerely,



Brett Dawson
Associate Planner

Attachment: Case Transmittal Sheet

08 JUL 24 PM 12:09

March Joint Powers Authority (July 22, 2008)

Response to Comment 5-1

This comment is informational in nature and does not require a response.

Response to Comment 5-2

This comment is informational in nature and does not require a response.

Response to Comment 5-3

The County appreciates the JPA's interest in this project. The County will coordinate with the JPA and other interested parties as requested.

Response to Comment 5-4

The proposed project involves the construction and operation of radio towers and associated facilities that will not be occupied by sensitive receptors (schools, residents, etc.). Therefore, exposure at the sites to noise in excess of CNEL levels is not relevant to this project.

Response to Comment 5-5

The County is aware of the FAA requirements pertaining to operations of facilities within airport land use plans. The processing of appropriate FAA forms and other protocols will be implemented as required by regulation and as requested by the JPA.

Response to Comment 5-6

The County appreciates the JPA's interest in this project. The County will coordinate with the JPA and other interested parties as requested, and will also implement the recommended conditions outlined in the JPA's comments.

W10

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



Comment 6

June 17, 2008

Ms. Claudia Steiding, Senior Environmental Planner

COUNTY OF RIVERSIDE

3133 Mission Inn Avenue
Riverside, CA 92507-4138

Re: SCH#2008021126: CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the Public Safety Enterprise Communication Project; Riverside, Orange, San Bernardino and San Diego Counties, California

Dear Ms. Steiding:

The Native American Heritage Commission (NAHC) is the state agency designated to protect California's Native American Cultural Resources. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c) (CEQA guidelines). Section 15382 of the 2007 CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. When the NAHC conducted the Sacred Lands File search for this project, at the request of Michael Brandman Associates (MBA), a number of Native American cultural resources were identified. A list of persons to contact were mailed to MBA. We have corrected the most recent letter to Michael Brandman Associates. We have updated and replaced the following Native American Contact: Erica Helms has replaced Harold Arres at the Soboba Band of Luiseño Indians (same telephone number as Harold) and Dian Chihuahua has replaced William Contreras at Torres-Martinez Band of Desert Cahuilla Indians (same telephone number as William had). To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

✓ Contact the appropriate California Historic Resources Information Center (CHRIS) for possible 'recorded sites' in locations where the development will or might occur.. Contact information for the Information Center nearest you is available from the State Office of Historic Preservation (916/653-7278)/ <http://www.ohp.parks.ca.gov>. The record search will determine:

- If a part or the entire APE has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission (NAHC) for: potential Native American Project Monitors.
- The NAHC advises the use of Native American Monitors, when professional archaeologists or the equivalent are employed by project proponents, in order to ensure proper identification and care given cultural resources that may be discovered. The NAHC recommends that contact be made with Native American Contacts on the attached list to get their input on potential project impact (APE). In some cases, the existence of a Native American cultural resources may be known only to a local tribe(s).
- ✓ Lack of surface evidence of archaeological resources does not preclude their subsurface existence.
- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archaeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- A culturally-affiliated Native American tribe may be the only source of information about a Sacred Site/Native American cultural resource.

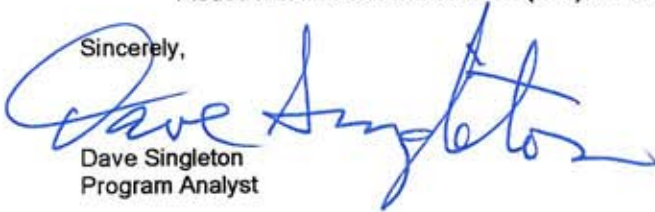
6-1

51:1 13 23 Jun 80

- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- √ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigation plans.
 - * CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.
- √ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.
- √ Lead agencies should consider avoidance, as defined in §15370 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Native American Contacts

Cc: State Clearinghouse

PS: Please note the changes I noted in the first paragraph of this letter. Thank you. DS

Native American Heritage Commission (June 17, 2008)

Response to Comment 6-1

The County appreciates the NAHC's advice and direction regarding this and other County projects. The Commission's comment letter contains protocols to be observed in the compilation of cultural resource surveys as well as suggested mitigation measures. As reflected in the various cultural resource and paleontological assessments prepared for the project area, the surveys were executed in accordance with the Commission's recommendations and other applicable standards. In addition, recommendations relating to site monitoring, the disposition of recovered artifacts, and discovery of Native American human remains have been incorporated into the mitigation measures and conditions of approval for the proposed project.

08 JUL 23 PM 3:07
Linda S. Adams
Secretary for
Environmental Protection



W 33

Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor

July 21, 2008

Ms. Claudia Steiding
Senior Planner
Riverside County
Department of Facilities Management
3133 Mission Inn Avenue
Riverside, California 92507
EIR@co.riverside.ca.us

Comment 7

NOTICE OF AVAILABILITY FOR A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PUBLIC SAFETY ENTERPRISE COMMUNICATION (PSEC), RIVERSIDE'S EMERGENCY SERVICES COMMUNICATION NETWORK PROJECT, MULTIPLE LOCATIONS, RIVERSIDE, SAN BERNARDINO AND SAN DIEGO COUNTIES (SCH#2008021126)

Dear Ms. Steiding:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Preparation of an Environmental Impact Report for the above-mentioned project. The following project description is stated in your document: "The project entails the upgrading of the County of Riverside's emergency services communication network. This network will serve fire and law enforcement personnel and will allow expanded interoperability with other agencies and jurisdictions. Approximately 52 telecommunications facilities will be constructed throughout Riverside County and in several locations in San Bernardino County and one location in San Diego County. The typical will be composed of a communication tower and equipment shelter, all located within a 65 x 65 foot fenced compound. The PSEC project would expand the County's radio tower network from the current 25 sites to approximately 70 sites throughout the County, and some sites outside of the County including sites in San Bernardino, San Diego and Orange counties, that are necessary to provide coverage in the more remote areas of the County. This expansion will increase the operational coverage of the emergency services telecommunications system to approximately 95 percent of the County's land area, and will also provide greatly expanded voice and data transmission capability. Design, approval, and construction of the network are projected to take two to three years. To meet the coverage requirements of the project, it is likely that approximately 50 tower sites will need to be constructed region-wide. Tower sites would be typical of existing County communications facilities. The sites would be

7-1

composed of a steel tower, an equipment building, and necessary electrical and road access. The typical site footprint would be approximately 65 feet to 65 feet, or about half the size of a small residential lot. Towers would range in height from 40 to 330 feet." DTSC has the following comments; please address if applicable.

- 1) DTSC recognizes that this is an areawide plan and therefore not site-specific. EIRs for future, site-specific plans should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances. Your document states: "Existing Land Use: Of 52 proposed communication facility location, 25 are located adjacent to existing telecommunication facilities. The remaining 27 locations are in areas where there are not adjacent telecommunication facilities. Of these 27, seven are proposed in areas that have not been previously disturbed."
- 2) Any future site-specific EIRs should identify the known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:
 - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
 - Envirostor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
 - Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
 - Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
 - Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
 - Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
 - Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.

**7-1
(cont.)**

- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).
- 3) Any future site-specific EIRs should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No.17 below for more information. Your document states: "The hazardous materials database search conducted for each of the project sites found no known existing hazardous condition on the project sites."
- 4) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table.
- 5) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted prior to new development or construction. All closure, certification or remediation approval reports should be included in any site-specific EIRs.
- 6) If any property adjacent to a future project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.
- 7) If buildings, other structures, or associated uses; asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.
- 8) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed

7-1
(cont.)

and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

- 9) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 10) If it is determined that hazardous wastes are, or will be, generated by the proposed operations of a project, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).
- 11) If it is determined that hazardous wastes are or will be generated and the wastes are (a) stored in tanks or containers for more than ninety days, (b) treated onsite, or (c) disposed of onsite, then a permit from DTSC may be required. If so, the facility should contact DTSC at (714) 484-5423 to initiate pre-application discussions and determine the permitting process applicable to the facility.
- 12) If it is determined that hazardous wastes will be generated, the facility should obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942.
- 13) Certain hazardous waste treatment processes may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.
- 14) If project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
- 15) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area would cease and appropriate health and safety procedures should be implemented.
- 16) If a site was used for agricultural, cattle ranching or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if

7-1
(cont.)

necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of a project.

- 17) Envirostor (formerly CalSites) is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.
- 18) In future CEQA documents please provide contact title, e-mail address, and agency web address which contains the project information. Also, if a project title changes, please provide historical project title(s).

If you have any questions regarding this letter, please contact Ms. Teresa Hom, Project Manager, at thom@dtsc.ca.gov or by phone at (714) 484-5477.

Sincerely,



Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program - Cypress Office

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
gmoskat@dtsc.ca.gov

CEQA#2203

7-1
(cont.)

Department of Toxic Substances Control (July 21, 2008)

Response to Comment 7-1

The County is aware of the various state and federal laws and regulations that are in place to regulate hazardous substances. The County recognizes that these requirements are in place to provide for public safety in relation to these substances. The County is committed to abiding by these laws and regulations and appreciates the Department's interest in this project.

To that end, the County has complied, where applicable, with all regulations relating to hazardous materials. As documented in Section 4.7 of the Draft EIR, database searches were completed on each of the selected sites. Results of the database searches were presented in Table 4.7-1 of the Draft EIR. No known existing hazardous conditions were identified at any of the project sites. Any additional sites that may be required for this project will undergo an identical process. Due diligence in all phases of site acquisition and development is an important part of this and all County projects.

It is important to recognize that this project does not include the construction of habitable structures or facilities where people will be working for extended periods of time. No acutely hazardous materials will be used in construction and operation of the project. Thus, it is extremely unlikely that any person will come into contact with a hazardous substance or be harmed by a hazardous substance as a result of the proposed project.

Again, the County appreciates the Department's attention to this project, and the Department's continued oversight in this important element of public safety is also appreciated.



ARNOLD SCHWARZENEGGER
GOVERNOR

08 JUL 24 AM 11: 23

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

July 22, 2008

Claudia Steiding
Riverside County Department of Facilities Management
3133 Mission Inn Avenue
Riverside, CA 92507

Comment 8

Subject: Public Safety Enterprise Communications (PSEC) Project
SCH#: 2008021126

Dear Claudia Steiding:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 21, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

8-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2008021126
Project Title Public Safety Enterprise Communications (PSEC) Project
Lead Agency Riverside County

Type EIR Draft EIR
Description The project entails the upgrading of the County of Riverside's emergency services communication network. This network will serve fire and law enforcement personnel and will allow expanded interoperability with other agencies and jurisdictions. Approximately 52 telecommunications facilities will be constructed throughout Riverside County and in several locations in San Bernardino County and one location in San Diego County. The typical facility will be composed of a communication tower and equipment shelter, all located within a 65 x 65 foot fenced compound.

Lead Agency Contact

Name Claudia Steiding
Agency Riverside County Department of Facilities Management
Phone (951) 955-4890 **Fax**
email
Address 3133 Mission Inn Avenue
City Riverside **State** CA **Zip** 92507

Project Location

County Riverside, San Bernardino, San Diego
City
Region
Lat / Long
Cross Streets Multiple locations
Parcel No. Multiple
Township **Range** **Section** **Base**

Proximity to:

Highways Multiple
Airports
Railways
Waterways Multiple
Schools
Land Use Multiple existing land uses. Of 52 proposed communication facility locations, 25 are located adjacent to existing telecommunication facilities. The remaining 27 locations are in areas where there are not adjacent telecommunications facilities. Of these 27, seven are proposed in areas that have not been previously disturbed.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Landuse; Minerals; Noise; Other Issues; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Native American Heritage Commission; Office of Emergency Services; Office of Historic Preservation; Department of Fish and Game, Region 6; Department of Fish and Game, Region 5; Department of Water Resources; California Highway Patrol; Caltrans, District 11; Caltrans, District 8; Cal Fire; Department of Toxic Substances Control; State Water Resources Control Board, Division of Water Quality

Date Received 06/06/2008 **Start of Review** 06/06/2008 **End of Review** 07/21/2008

Governor's Office of Planning and Research (July 22, 2008)

Response to Comment 8-1

The letter acknowledges receipt of the Draft EIR by the State Clearinghouse, and indicates that the Clearinghouse circulated the Draft EIR for agency review. No response to the comment is necessary.

W21

July 2, 2008

Ashley Mitchell
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Comment 9

RE: Notice of Availability of a Draft Program EIR for the Public Safety Enterprise Communications (PSEC) Project

Dear Ms. Mitchell:

The Riverside County Waste Management Department (Department) has reviewed the Draft Environmental Impact Report (DEIR) for the above-mentioned project. The PSEC consists of the installation of approximately 50 radio tower sites throughout Riverside County, one of which is proposed for installation on the Mecca II Landfill site. The DEIR has thoroughly and accurately depicted environmental issues associated with the Mecca II Landfill site and the installation of a 100-foot radio communications tower. With respect to overall solid waste impacts to regional landfills, the Department concurs with the findings in the DEIR that states the tower sites will generate only a negligible amount of solid waste and that the project's impact will be less than significant (DEIR pg. 4.16-4).

Thank you for the allowing us the opportunity to comment on the DEIR. Feel free to call me at (951) 486-3351 if you have any questions regarding the above comments

Sincerely,



Ryan Ross
Planner

DOC#68276

08 JUL 11 PM 12:29

9-1

Riverside County Waste Management Department (July 2, 2008)

Response to Comment 9-1

The County appreciates the Department's attention to this project and its assistance in facilitating project development at the Mecca Landfill site.



Riverside County Habitat Conservation Agency

A Joint Powers Authority

July 16, 2008

Comment 10

RCHCA
Board of Directors

City of Corona
Eugene Montanez
Vice-Chair

City of Hemet
Robin Reeser Lowe

City of Lake Elsinore
Bob Schiffner

City of Moreno Valley
William H. Batey II

City of Murrieta
Gary Thomasian

City of Perris
Mark Yarbrough
Chairperson

City of Riverside
Mike Gardner

County of Riverside
Supervisor Bob Buster

City of Temecula
Maryann Edwards

Executive Director
Carolyn Syms Luna

General Counsel
Karin Watts-Bazan
Deputy County Counsel

Ms. Ashley Mitchell
County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Re: PSEC Project (SCH 2008021126)

Dear Ms. Mitchell:

The Riverside County Habitat Conservation Agency (RCHCA) is the agency that implements the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP). The RCHCA has the following comments on the Draft Program Environmental Impact Report:

1. Both Exhibit 4.4-3 and Table 4.4-3 should show both Estelle Mountain A and B sites as being within the SKR Reserve Area and requiring focused surveys for SKR. **10-1**
2. Table 4.4-10 should reflect that both Estelle Mountain A and B sites are within the SKR HCP Reserve and Fee Area. **10-2**
3. In Appendix A, for both Estelle Mountain (A) and Estelle Mountain (B), the following additions should be made:
 - a. **Overview** should state that the site is located within the Lake Mathews Estelle Mountain SKR Reserve. **10-3**
 - b. **Land Ownership and Applicable Habitat/Land Management Plan** should acknowledge that the sites are located within a reserve area under the SKR HCP. In this same section in the discussion of **Commercial Power Access**, it should be noted that the RCHCA would want underground power installation. Poles and lines present a concern for the potential for wildland fire.
4. In the discussion of the SKR HCP, the last sentence of the last paragraph (page 4.4-8) should state that the location of replacement acreage is subject to approval by the USFWS, CDFG, and the Riverside County Habitat Conservation Agency (RCHCA). **10-4**
5. The discussion of security lighting controlled by motion sensor should acknowledge the potential for impact to nocturnal animals and address minimization of the impact. **10-5**

Thank you for the opportunity to provide comments on the proposed PSEC Project. Please feel free to contact the RCHCA if you have any questions.

Sincerely,

Carolyn Syms Luna
Executive Director

CSL:GB:kh

Riverside County Habitat Conservation Agency (July 16, 2008)

Response to Comment 10-1

Both of the Estelle Mountain sites are actually located upon isolated parcels administered by the Bureau of Land Management (BLM) and as such are not part of the SKR Reserve Area. The BLM is not a signatory to the SKR HCP. Therefore, the BLM will be required to initiate a Section 7 consultation process with the U.S. Fish and Wildlife Service prior to approval of the project on their lands. Development at the site will also be required to undergo analysis under NEPA as part of BLM's development approval process.

Response to Comment 10-2

See Response to Comment 10-1, above.

Response to Comment 10-3

The description of the project sites in Appendix A is accurate in regards to land ownership and applicable habitat and land management plans (see Response to Comment 10-1, above). In regards to commercial power access to the site, the County will work with the RCHCA for any commercial power provisions that could impact adjacent lands and property owners, including the RCHCA.

Response to Comment 10-4

See Response to Comment 10-1, above.

Response to Comment 10-5

Security lighting at the site will be triggered by a motion sensor that will typically only be triggered by maintenance personnel that might have to access the site during nighttime hours. One light would be mounted on the outside wall of the equipment shelter adjacent to the entry door. The equipment shelter itself would be placed within the fenced perimeter of the communication compound. The lights would be down shielded and screened to minimize any light bleeding onto adjacent areas. Impacts from the lights will be negligible, especially if one considers the minimal amount of time that the lights will actually be triggered. For obvious reasons, the County would prefer to retain this feature, since it provides for the safety of its maintenance personnel who might be called out to visit a site during an outage or other emergency. Considering how infrequently these lights will be used, the County does not believe that this arrangement would be overly disruptive to nocturnal animals or any other receptors in the area.

Response to Comment 10-6

The County appreciates the RCHCA's interest in this project, and looks forward to its continued involvement as development of the project proceeds.

WARREN D. WILLIAMS
General Manager-Chief Engineer



W42

1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.floodcontrol.co.riverside.ca.us

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

July 22, 2008

Ms. Ashley Mitchell
Riverside County
Department of Facilities Management
Post Office Box 789
Riverside, CA 92502-0789

Comment 11

Dear Ms. Mitchell:

Re: Notice of Availability of a Draft
Program Environmental Impact Report
for the Public Safety Enterprise
Communications Project

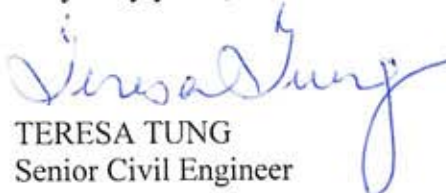
This letter is written in response to the Notice of Availability of a Draft Program Environmental Impact Report (DPEIR) for the Public Safety Enterprise Communications Project. The proposed project would expand the County's radio tower network from the current 25 sites to approximately 70 sites. The proposed towers will primarily be located within Riverside County; however, some sites will be located in San Bernardino, San Diego and Orange counties.

11-1

The Riverside County Flood Control and Water Conservation District has no comments at this time.

Thank you for the opportunity to review the DPEIR. Please forward any subsequent environmental documents regarding the project to my attention at this office. Any questions concerning this letter may be referred to Jason Swenson at 951.955.8082 or me at 951.955.1233.

Very truly yours,


TERESA TUNG
Senior Civil Engineer

c: TLMA
Attn: David Mares

JDS:mcv
P8\120115

08 JUL 28 AM 7:2

Riverside County Flood Control and Water Conservation District (July 22, 2008)

Response to Comment 11-1

The County appreciates the District's interest in this project.

From: Brewer, Marc
Sent: Mon 6/16/2008 2:57 PM
To: EIR
Subject: PSEC Project

Comment 12

Afternoon:

During my initial review of the project I noted a tower is proposed for Box Springs Mtn. However, you have not provided information for the site on

12-1

Table 1. Could you please provide the tower information.

Thank you

Marc Brewer

Senior Planner

Riverside County Regional Park and Open Space District

951-955-4316

Riverside County Regional Park and Open Space District (June 16, 2008)

Response to Comment 12-1

The information requested in the commentor's email was made as requested. The County appreciates the District's interest in this project.



CITY OF BLYTHE

DEVELOPMENT SERVICES DEPARTMENT

235 North Broadway - Blythe, California 92225

W2

Phone (760) 922-6130

FAX (760) 922-6334

Comment 13

To: County of Riverside
Department of Facilities Management

From: Development Services Department

Date: 6/9/2008

Re: Mailing Address

Please note that this office is not at 440 South Main Street and update your records. Thank you.

13-1

City of Blythe Development Services Department (June 9, 2008)

Response to Comment 13-1

The comment is informational in nature and does not require a response. The County appreciates the City's interest in this project.



COMMUNITY DEVELOPMENT DEPARTMENT
"Enhancing Quality of Life"

(951) 736-2262

400 S. Vicentia Avenue, Corona, California 92882

www.discovercorona.com

(951) 279-3550 FAX

June 16, 2008

Comment 14

County of Riverside
Department of Facilities Management
ATTN: Ms. Ashley Mitchell
P.O. Box 789
Riverside, CA 92502-0789

RE: Draft Program Environmental Impact Report Regarding the Public Safety Enterprise
Communication (PSEC) Project

Dear Ms. Mitchell:

The City of Corona appreciates the opportunity to respond to the Draft Program Environmental Impact Report (DEIR) for the Public Safety Enterprise Communication (PSEC) project which is intended to update Riverside County's communication network. Although the City of Corona realizes the importance of such facilities, it is also important to ensure that the facilities are located in a manner that meets that county's goals and needs while minimizing any impact to existing communities. As such, our comments are listed below.

14-1

- The city requests that the project incorporate appropriate landscape screening along the boundaries of the project site to aide in buffering the proposed communications facility from the adjacent sensitive land uses to the south and north and those across Buena Vista Avenue to the east. The "Corona" location is located adjacent to and across from residentially zoned and developed properties. A proposed lattice tower with a height of 80 feet is not compatible with the aforementioned land uses.
- An alternative location could be considered approximately .50 miles north within an industrial area where the use would be more compatible. It should be noted that the area north of State Route 91 is located within the Airport Safety Zone D (Primary Traffic Patterns and Runway Buffer Areas) thereby requiring the review of any facility located north of State Route 91 by the Airport Land Use Commission. However, it is the City's position that the latter is a more suitable location.

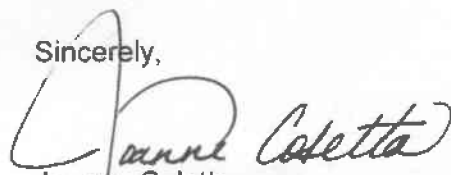
14-2

14-3

Thank you for considering our comments. If you have any questions, please call me at 951-736-2262.

14-4

Sincerely,


Joanne Coletta
Deputy Director
CC: Reading File

City of Corona Community Development Department (June 16, 2008)

Response to Comment 14-1

The County appreciates the City's interest in this project. The County is committed to implementing the project in the most sensitive manner feasible while still meeting the objectives of the project and the public's need for a reliable emergency services communication network. The proposed project is intended to benefit all residents of the County, including the County's emergency service cooperators (i.e. the City of Corona) and residents that live in incorporated areas that are served by those cooperators.

Response to Comment 14-2

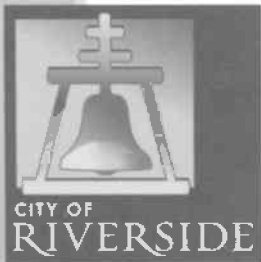
Page 3-14 of the DEIR outlines some of the aesthetic treatments that will be incorporated as appropriate at each tower site. It is the County's desire to construct and operate these facilities with the minimal amount of visual impact possible. Unfortunately, radio coverage requirements may require that some of these facilities be placed in areas where visual impacts may be more noticeable. This particular site was selected because it provided the required radio coverage, was located in a previously disturbed area with which it was compatible (the CNUSD maintenance yard, which is essentially a light industrial facility and storage yard), and was located on lands under the control of an owner that was willing to assist the County in implementation of the project. The County believes that this site presents the best compromise in regards to the difficult challenge of placing a communication tower in an urban area.

Response to Comment 14-3

The County considered alternate locations for placement of this facility. However, ultimate placement was constrained first and foremost by coverage requirements, followed by environmental and acquisition constraints. It has generally been the County's policy to avoid placement of towers within Airport Land Use Plan areas, unless no other feasible alternative exists. In this case, a feasible alternative does exist at the selected location.

Response to Comment 14-4

The County appreciates the City's interest in this project, and looks forward to the City's cooperation as the project moves forward.



Community Development
Department
Planning Division

W36

July 23, 2008

County of Riverside
Department of Facilities Management
ATTN: Ms. Ashley Mitchell
P.O. Box 789
Riverside, CA 92502-0789

Comment 15

**RE: DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT -- PUBLIC
SAFETY ENTERPRISE COMMUNICATION PROJECT**

Dear Ms. Mitchell,

Thank you for the opportunity to comment on the above-noted project, a Draft Program Environmental Impact Report (DPEIR) for the Public Safety Enterprise Communication (PSEC) Project that intends to expand the County's existing radio network for fire and law enforcement agencies, from an existing 20 sites to 70 sites Countywide. The project includes, on one of the 70 sites, an approximately 80-foot tall tower (Arlington) within the City of Riverside, near the intersection of Hole Avenue and County Circle Drive. The tower will be located within a major County administrative complex.

The City supports the County's proposed expansion of the existing radio tower network for fire and law enforcement agencies. After reviewing the DEIR, the Planning Division offers the following comments for your review and consideration:

- City Planning staff applauds the County's effort to design the proposed tower in a manner that allows for the future collocation of additional communications equipment and is appreciative of the availability of the proposed tower for use by other governmental agencies, including the City of Riverside.
- So as to ensure the safety of airport/aircraft operations given the proposed tower's location and height, Planning staff, in consultation with the City's airport staff, recommends that a Notice of Construction or Alteration (Form 7460) be submitted to the Federal Aviation Administration for review.
- The project DEIR (Appendix A: Candidate Site Descriptions -- Arlington) identifies a residential dwelling approximately one-hundred (100) feet east of the proposed tower. Pursuant to the Department of Housing and Urban Development -- Federal Housing Administration (FHA), if a "...property is within 300 feet of a stationary, storage tank

08 JUL 24 PM 12:08
15-1

15-2

15-3

15-4

containing more than 1,000 gallons of flammable or explosive material, the site is ineligible" for a FHA sponsored loan (FHA Loan Handbook, 4150.2 Chapter 2-11, Subsection M – Stationary Storage Tanks). Planning staff recommends that appropriate steps be taken by the County to notify the respective property owner of such a limitation.

15-4
(cont.)

Planning staff appreciates your continued collaboration and looks forward to continue working with you. Please forward copies of all revised plans, staff reports, and environmental documents, as they pertain to this project for review. Should you have any questions regarding this letter, please contact Moises A. Lopez, Associate Planner, at (951) 826-5264 or by e-mail at mlopez@riversideca.gov.

15-5

Sincerely,



Ken Gutierrez, AICP
Planning Director

cc: Ronald Loveridge, Mayor
Riverside City Council Members
Brad Hudson, City Manager
Michael Beck, Assistant City Manager
Tom DeSantis, Assistant City Manager
Scott Barber, Community Development Director
Mark S. Ripley, Airport Director
Steven Reneker, Chief Information Officer
Tedd Laycock, City of Riverside Fire Chief
Russ Leach, City of Riverside Chief of Police
Steve Frasher, Chief's Adjutant / Public Info Officer
Anthony Coletta, Emergency Services Manager
Michael Brandman Associates, 621 E. Carnegie Drive – Suite 100, San Bernardino, CA
92408

08 JUL 24 PM 12:08

City of Riverside Community Development Department (July 23, 2008)

Response to Comment 15-1

The County appreciates the City's interest in the project. The proposed project is intended to benefit all residents of the County, including the County's emergency service cooperators (i.e. the City of Riverside) and residents that live in incorporated areas that are served by those cooperators.

Response to Comment 15-2

The County looks forward to continued cooperation with the City. Collocation of communication equipment with its cooperators is an important element of the PSEC project, and the County hopes that the project will benefit all of the residents of the County, including those that live and work in incorporated portions of the County.

Response to Comment 15-3

The County is aware of FAA requirements regarding sites within areas frequented by aircraft. The County is committed to abiding by all appropriate FAA regulations, where applicable.

Response to Comment 15-4

The City's recommendations in this regard will be taken under consideration by the County as it moves forward with the project.

Response to Comment 15-5

The County appreciates the City's continued cooperation on this important project.



W37

City of Temecula

Planning Department

43200 Business Park Drive • Temecula, CA 92590 • Mailing Address: P.O. Box 9033 • Temecula, CA 92589-9033
(951) 694-6400 • FAX (951) 694-6477

July 23, 2008

County of Riverside
Department of Facilities Management
Attn: Ms. Ashley Mitchell
PO Box 789
Riverside, CA 92502-0789

Comment 16

Subject: Response to Draft Program Environmental Impact Report for the PSEC Project

Dear Ms. Mitchell:

Thank you for the opportunity to comment on the Public Safety Enterprise Communications Program EIR. Our comments are specific in nature and address the redundant candidate sites know as "Margarita MWD and SDSU"; one of these sites will be chosen as the permanent tower site pending further evaluation. The Margarita MWD site is located within the City of Temecula in an area designated by the General Plan as "Public Views of Significant Natural Features" Policy 5.1 of the General Plan Community Design Element calls for the City of Temecula to "Work with the County of Riverside to protect the surrounding hillside areas form inappropriate grading and development that affects the visual backdrop of the valley".

16-1

Given the aesthetic impacts of the proposed 75 foot Margarita MWD tower and the microwave dishes, we would argue for the selection of the alternative SDSU site. The Draft EIR notes that the SDSU site has an existing tower while the MWD site is relatively undisturbed save for a large access road and excavation scar. We realize that there is no effective mitigation to disguise a tower but locating next to an existing tower is somewhat more aesthetically acceptable.

The City of Temecula would like to be notified of any public hearing or informational forums related to this project so that we might have an opportunity to present testimony or comments.

16-2

Sincerely,

Debbie Ubnoske
Director of Planning

Cc: City Council
Shawn Nelson, City Manager
Robert C. Johnson, Assistant City Manager
Aaron Adams, Assistant City Manager

08 JUL 24 PM 12:07

City of Temecula Planning Department (July 23, 2008)

Response to Comment 16-1

Final selection of the Margarita site remains undetermined. A series of site constraints are present at both of the candidate locations (Margarita MWD and Margarita SDSU). The SDSU site is the preferred location, but access to the site is problematic and involves a variety of issues that have yet to be resolved. The MWD site presents challenges in regards to MWD's 96-inch water line that runs near the proposed site. The site also presents potential impacts to aesthetics, as pointed out in the Draft EIR and the City's comments, as well as potential impacts to cultural resources.

Given these constraints, it is likely that the County may need to alter its proposed location at the MWD site. The County is involved in discussions with MWD to find a location that will not impact their pipeline operations. This revised location may lessen or even eliminate the impacts to aesthetics and cultural resources that are likely to arise if the tower is developed at the currently proposed location.

As noted in the Draft EIR, this issue remains unresolved. The County is aware that relocation of the site will require additional analysis under CEQA, either in the form of an addendum to the Program EIR, or through the completion of an Initial Study/Mitigated Negative Declaration tiered off of the Program EIR.

Response to Comment 16-2

The County appreciates the City's interest in the Margarita site. The County is committed to implementing the project in the most sensitive manner feasible while still meeting the objectives of the project and the public's need for a reliable emergency services communication network. The City's continued involvement and input is welcomed as this project moves forward.



W 39 / E 56
Community Development Department
Planning Division
14177 Frederick Street
P. O. Box 88005
Moreno Valley CA 92552-0805
Telephone: 951.413-3206
FAX: 951.413-3210

July 23, 2008

Ashley Mitchell
County of Riverside
Department of Facilities Management
PO Box 789
Riverside, CA 92502-0789

Comment 17

Re: Public Safety Enterprise Communication (PSEC) Project
Comments on Draft Environmental Impact Report (SCH No. 2008021126)

Dear Ms. Mitchell:

The City of Moreno Valley has reviewed the referenced Draft Environmental Impact Report (DEIR). As indicated in our March 10, 2008 letter in response to the Notice of Preparation, the proposed Timoteo site presents the potential for impacts upon or within the City of Moreno Valley. With the added disclosure in the DEIR (page 1-2) that this programmatic EIR may be used to clear future, as yet unidentified sites, the City of Moreno Valley's comments on the DEIR also address these future projects.

17-1

Timoteo Site

Our comments on the NOP requested additional information regarding the scope and location of the proposed improvements at this site. After reviewing the DEIR, the following deficiencies with the project description and analysis have been identified and must be addressed in the Final EIR.

Comment 1, Project Description. The DEIR identifies the proposed tower location, but provides no information regarding substantial additional improvements required to provide access and power to the site. There is no information regarding the proposed width and surface finish of the access road and no discussion of the significant grading that would likely be required in the severe terrain at this location. Information is similarly lacking as to proposed electrical service improvements. The document is unclear as to whether beacon lights will be required and does not address the nature of fuel modification treatments that will be required at this location within a Very High Fire Hazard Area. Finally, the text at page 1-50 indicates the proposed tower heights may change. These deficiencies and uncertainties in the project description do not provide a sufficient understanding of the proposed improvements to allow for meaningful analysis. Neither reviewers nor the decision-makers are presented with enough information to clearly understand the nature of the proposed improvements or the potential impacts. Preferably, these details should be disclosed at this time and the required analyses provided in a recirculated, revised Draft EIR. If the disclosure and analysis are to be deferred, the EIR

17-2

08 JUL 24 PM 4: 04

should include a clear commitment to public review of a subsequent document once the more detailed information and analysis is available.

17-2
(cont.)

Comment 2, Project Description. The Project Description identifies tower site dimensions as 65 feet by 65 feet (Section 3.5-1, page 3-3); however, the air quality analysis is based upon a site area of 100 feet by 100 feet (Appendix F, Section 4.1, page 34). This discrepancy should be clarified, with disclosure of any necessary adjustments to the impacts and significance conclusions.

17-3

Comment 3, Aesthetics. The project description (page 3-24) indicates use of white metal roofing for equipment shelters. While this treatment is beneficial for energy efficiency, it would represent a sharp contrast to the existing natural setting at the Timoteo site. The EIR should address potential visibility of the roof.

17-4

Comment 4, Aesthetics. The description of site visibility (Table 4.1-1, page 4.1-12) seems to consider vantage points from the north and east, ignoring the substantial views and potentially affected public to the south of the site. Please see Comment 8, below.

17-5

Comment 5, Aesthetics. The statement that the site is not visible from Redlands Boulevard (Table 4.1-2, page 4.1-27) seems contradictory with the information presented in Photograph 6 in the Candidate Site Description for this site. Redlands Boulevard is clearly visible in the view looking from the site. This discrepancy should be addressed with disclosure of any necessary adjustments to the impacts and significance conclusions..

17-6

Comment 6, Aesthetics. The discussion of aesthetic impacts at page 3-14 refers to basic types of aesthetic treatments that may be considered, but there is no commitment to evaluate or implement these approaches in the proposed mitigation measures. This discrepancy should be addressed, with disclosure of any necessary adjustments to the impacts and significance conclusions.

17-7

Comment 7, Aesthetics. At page 3-24, the DEIR indicates the Timoteo final road design will be in accordance with the mitigation measures; however there are no mitigation measures relevant to the potentially significant aesthetic impacts included in the mitigation summary (Table 1-4). There is also no commitment to subsequent documentation for this important aspect of the project that is not addressed in the DEIR as circulated. If disclosure of the nature of the proposed improvements and analysis of the associated impacts are to be deferred, the EIR should include a clear commitment to public review of a subsequent document once the more detailed information and analysis is available.

17-8

Comment 8, Aesthetics. The conclusion that impacts at this site are less than significant (Table 4.1-2, page 4.1-27) is not supported by substantial evidence in the record and does not reflect the totality of improvements at this location (i.e., the deferred road and power improvements and the extensive grading that will certainly be required). The indicated 2300 foot elevation for the tower (Appendix A, Timoteo Candidate Site Description, page 1) is above the ridgeline elevations for the foothills to the south of the site (elevations typically between 2240 to 2260) that are the dominant vista from within the City of Moreno Valley. The proposed 100-foot-tall tower may, in fact, be visible above the existing ridgeline. This potential impact should be

17-9

addressed in the EIR, or the County should provide a firm commitment to processing of a subsequent environmental document with further public review.

17-9
(cont.)

Comment 9, Aesthetics. The simple discounting of any feasible mitigation for aesthetic impacts (Table 1-4, page 1-51) is contrary to CEQA practice to first avoid and minimize, and then, mitigate impacts (CEQA Guideline Section 15021). Avoidance and minimization techniques should be addressed in the EIR, for both the identified sites and the further analysis/future sites. It seems that simple mitigation measures are also available—for instance, painting tower elements a color that is compatible with dominant colors in the surroundings.

17-10

Comment 10, Biological Resources. The Timoteo site is located on conserved lands owned by the County conservation authority. The EIR should disclose any restrictions of the existing conservation status of the site, describe the conservation objectives for the applicable Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) cell(s), and address any other MSHCP conservation objectives applicable to this site.

17-11

Comment 11, Biological Resources. The information presented in the main text and the appendices of the DEIR suggest that analysis was limited to the proposed tower location and a 50-foot buffer around the tower site (see General Habitat Assessment, Appendix A, Box Springs Site, Local Vicinity Area Map). Omission of the related access and electrical service improvements ignores an important aspect of the proposed project and potential impacts at this site. Impacts of the complete improvements at this site should be addressed in the EIR, or the County should provide a firm commitment to processing of a subsequent environmental document with further public review.

17-12

Comment 12, Biological Resources. The very brief acknowledgement of the applicable MSHCP criteria cell and survey requirements fall far short of the consistency analysis that is required to be addressed in conjunction with CEQA and project approval processes. The DEIR is also silent to the Joint Project Review process required for projects within the MSHCP Criteria Area. The consistency determination should be addressed in the EIR, or the County should provide a firm commitment to processing of a subsequent environmental document with further public review.

17-13

Comment 13, Biological Resources. The DEIR concludes there would be no impacts to jurisdictional waters at this location. While this may be the case for the tower site, review of aerial photographs and the USGS topographic map suggest that access and/or electrical service improvements may impact jurisdictional resources that may also be subject to the Riverine/Riparian policies under the MSHCP. Potential impacts in this regard should be addressed in the EIR, or the County should provide a firm commitment to processing of a subsequent environmental document with further public review.

17-14

Comment 14, Geology and Soils. The Timoteo site is characterized by highly unstable soil conditions (Badland) and is in proximity to known faults. The knowledge of these existing conditions warrants detailed analysis at this time. The conditions potentially affecting this site are beyond the normal circumstances that are addressed by standard practices referenced in the DEIR and may require special considerations in site design that would be evident in the physical appearance of the improvements. If the required investigations, analysis and project

17-15

08 JUL 24 PM 4: 04

description refinements are deferred, the County should provide a firm commitment to processing of a subsequent environmental document with further public review.

17-15
(cont.)

Comment 15, Land Use. The DEIR is silent to evaluation of consistency with the County General Plan, and with aspects of the City of Moreno Valley General Plan that were raised in the City's comment letter on the NOP. Notwithstanding the claim that the County enjoys "sovereign immunity" from provisions of other agencies' plans (Section 4.9.4, page 4-9.8), the EIR should be revised to identify the applicable Riverside County General Plan land use and zoning designations for each location and to address the following Riverside County General Plan policies:

- LU11.1 – defines policies to be considered when projects are located in an area that contains natural slopes, canyons or other significant elevation changes, including minimizing alteration of natural landforms, minimizing hazards from erosion and slope failures, and restricting development on ridgelines
- LU 13.1 and 13.3 – regarding development in the viewshed of scenic corridors
- LU 20.1 and 20.2 – regarding development within the Open Space-Rural designation
- LU 25.5 – requires consideration of surroundings and visual impacts of public facilities
- S 2.1 – requires geologic studies for critical structures within 0.5 miles of earthquake faults
- S 2.4 – requires investigation of liquefaction hazard in area of susceptible sediments for critical facility projects
- RCBAP 11.1 – protects scenic highways from change that would diminish aesthetic values
- RCBAP 13.1 – protects visual and biological resources in the Reche Canyon/Badlands area
- RCBAP 20.1 – requires adherence to policies related to hillside development, slope, and slope instability hazards

17-16

Alternatives

Comment 16. The DEIR relies on the site selection process conducted in identifying the candidate sites as the alternatives analysis. On its face, this approach does not constitute a valid CEQA alternatives analysis and as presented, the extremely condensed nature of the site selection information is meaningless. CEQA Guidelines Section 15126.6 directs that alternatives analysis is to be focused upon options that would reduce the significant impacts of a proposed project. The EIR must be revised to include a meaningful alternatives analysis, or to include a commitment to meaningful alternatives analysis as part of subsequent documents, that will be made available for public review. Considering the potentially substantial nature of the as yet undefined impacts associated with the access and electrical service improvements for the Timoteo site, the Alternatives Analysis should be presented in a subsequent document, with further public review.

17-17

Comment 17. For the Timoteo site that is of concern to the City, the location of the 11 alternate sites should be disclosed to provide the reviewer with the minimum amount of information needed to evaluate and consider the County's conclusion. Please also provide more descriptive detail regarding the "line of sight" criteria (Section 6.1.4, page 6-2), with specific identification of

17-18

08 JUL 24 PM 4:06

the associated siting constraints for this location (e.g, which neighboring sites must be in line-of-sight and what transmitter elevation is required to accomplish this).

17-18
(cont.)

Programmatic Format/Deferred Analysis

Comment 18. The DEIR (Section 1.7.1, page 1-49) refers to the programmatic nature of the analysis and the intent for subsequent analysis of several sites for which design has not been finalized, including the Timoteo site. The intent of the term "subsequent" is not clearly defined. At page 3-25, the discussion of electric power improvements simply notes that additional survey work will be required and that any improvements will be required to abide by the mitigation measures (which include none related to the aesthetic impacts that are the primary issue with an above-ground pole line in the natural setting at the Timoteo site). The DEIR also makes repeated reference to performance criteria that will be applied to future improvements and sites (for instance see page 3-24 under Road Access); however, we could not find any performance criteria in the DEIR. The County must commit to circulated subsequent reviews, to ensure the opportunity for further public review of the potentially significant consequences of the as yet unidentified improvements. Considering the highly visible nature of the Timoteo site and the sharp contrast to existing conditions, the subsequent analysis should incorporate use of photosimulations or similar techniques to illustrate the impacts of the proposed improvements.

17-19

Future Sites

Comment 19. The DIER (pages 1-2 and 2-3) indicates that the programmatic analysis and mitigation framework may be utilized to clear additional sites that are not identified in the document and that these future clearances may be conducted as an addendum process with no further public review. The programmatic structure of the DEIR as presented is essentially a screening analysis and regulatory summary. Use of the broad mitigation framework as presented without further public review in a subsequent document would circumvent the basic purpose of the CEQA process. The County must provide a firm commitment to processing of a subsequent environmental documents with further public review. The City requests notification of any future actions or subsequent documents involving tower sites or related improvements within the City of Moreno Valley corporate limits or sphere, or that may be visible from the City's corporate limit or sphere.

17-20

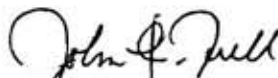
We look forward to the opportunity to review your response to these comments in the revised DEIR or Final EIR. Should you have any questions or concerns, please contact Kathleen Dale at (951) 413-3228.

17-21

Sincerely,



Kathleen Dale
Associate Planner



John C. Terrell, AICP
Planning Official

08 JUL 24 PM 4:04

City of Moreno Valley Community Development Department (July 23, 2008)

Response to Comment 17-1

The County appreciates the City's interest in this project. The County is committed to implementing the project in the most sensitive manner feasible while still meeting the objectives of the project and the public's need for a reliable emergency services communication network. The proposed project is intended to benefit all residents of the County, including the County's emergency service cooperators and incorporated jurisdictions, such as the City of Moreno Valley, where the County is contracted to provide fire protection and law enforcement services.

Most of the City's comments concern the Timoteo site, which is located north of the City within unincorporated Riverside County. This site is vital to meeting the County's obligation to provide emergency services to the public as it will provide voice and data coverage to the Badlands area, particularly Redlands Boulevard. Radio coverage along Redlands Boulevard is currently unreliable or nonexistent. This heavily-traveled roadway is relatively hazardous and therefore requires frequent responses by emergency service personnel. The area is also prone to regular wildfire events, and firefighters responding to incidents in the Badlands area are currently unable to communicate effectively. Providing coverage to this area is a top priority of the PSEC project. As many residents of Moreno Valley use Redlands Boulevard on a regular basis, and since the Badlands area directly abuts portions of the City's northern boundary, the City and its residents will directly benefit from the Timoteo site.

Due to the broken terrain of the Badlands, providing adequate radio coverage is exceptionally challenging. Other constraints include access and construction issues, acquisition challenges, and environmental factors. The County evaluated 11 different candidate locations before selecting the proposed site. This is far more than any of the other 47 tower sites proposed for the PSEC project. The Timoteo site presents unique challenges that will require cooperation from all interested parties if adequate emergency services are to be provided to the public not only in this part of the County but within the City of Moreno Valley itself.

Response to Comment 17-2

The City should be aware that this Draft EIR is a programmatic document that is intended to assess project implementation on a fairly broad scale. It is also intended to allow for project-level and site-specific analysis where adequate information is available. Nearly all of the proposed sites within the Draft EIR were able to be evaluated at a site-specific level, and all aspects of site development were thoroughly analyzed in the EIR for these sites. Several of the sites, however, presented unique constraints or other developmental challenges that precluded an all-inclusive evaluation that assessed all aspects of project implementation (i.e. access roads and power provisions). Some of these issues may take many months or even years to resolve, and the entire project of 48 sites would be delayed due to unresolved issues at a handful of the sites. During this delay, the public would continue to be served by inadequate emergency services communication coverage in many portions of the County. Rather than delay the entire project, the County determined that a programmatic evaluation approach,

with clearly defined performance criteria for subsequent assessment, be undertaken to allow the project to move forward. Provisions within the CEQA Guidelines, specifically Section 15168(c), provides for this flexibility.

The Timoteo site is one of those sites that will require subsequent analysis, and this fact is clearly identified in the Draft EIR (see pages 1-24 through 1-26, and 3-25 through 3-26, and the Timoteo site description in Appendix A, which discusses road and power requirements at this site). Section 1.7.1, “Issues to be Resolved” on page 1-49 discusses these issues particularly as they pertain to the Timoteo site. On that page, the Draft EIR states:

Nearly all of the sites have existing road access as well as availability of commercial power immediately adjacent. Some of the sites, however, will require the construction of new roads and/or powerlines. The designs for these improvements have not been finalized. Specific sites where these issues remain unresolved include Black Eagle, Black Jack, Estelle Mountain, Paradise, Spring Hill, and Timoteo. Additional information on these issues can be found in the individual site descriptions included in Appendix A of the DEIR. The intention at this point will be for those sites to undergo subsequent environmental review once these items have been finalized. The proposed actions would be subject to the mitigation measures and the performance criteria presented in the DEIR, or as determined in the subsequent environmental document if it is determined that construction of roads or power lines may result in environmental impacts not foreseen in the DEIR.

As can be gathered from the above text, it is the County’s intention to conduct subsequent CEQA review within the context of the Program EIR and as per Section 15168 of the CEQA Guidelines for all future development that was not specifically assessed in the EIR. Mitigation requiring this additional analysis is presented in the EIR (see mitigation measures relating to biological resources, cultural resources, etc.). The EIR and the requirements of CEQA relating to Program EIRs presents specific direction regarding this subsequent analysis, and it is expected that separate Initial Studies will be required for those several sites that may require further assessment. Given the unique challenges presented at the Timoteo site, this site will undoubtedly be one of those sites. The County is committed to adequate analysis and public review for all aspects of this project, and will abide by all of the requirements of CEQA for those few sites that may require additional work outside of what was assessed in the Draft EIR. The County invites participation by the City or any other agency, organization, or individual that wishes to participate in this process. As was stated earlier, providing coverage in this part of the County presents unique challenges that will require cooperation from all interested parties if adequate emergency services are to be provided to the public not only in this part of the County but within the City of Moreno Valley itself.

Response to Comment 17-3

The air quality analysis assessed a slightly larger area to provide for a worst-case analysis of potential impacts during the construction phase of the project. If anything, project impacts in regards to air quality will likely be less than that identified in the air quality analysis.

Response to Comment 17-4

Equipment shelters will have flat roofs, and therefore the roofs will not be visible unless viewed from above. Since the shelters will typically be located on topographic highpoints, it would be extremely unlikely that any viewer (except perhaps a person viewing the site from an aircraft) would be able to place him or herself in a position where they would be able to see the roofs. Therefore, the roofs will not be visible and there will be no aesthetic impact in this regard.

Response to Comment 17-5

Due to the site's position within the Badlands, it is unlikely that a significant portion of the tower will be visible from the residential areas south of the project site. At most, residents in these areas will likely only see the top of the tower above the ridgelines of the Badlands. Persons viewing the site from further south would likely see more of the tower, but the tower would be sufficiently distanced from the viewer to render the disruption to the viewshed as negligible.

The criteria in this instance is not whether the tower will be visible from portions of the City. The criteria is whether or not the change in views is significant. Owing to the site's location and its distance from areas where it could be seen, it is the County's assertion that the change in views are not significant.

Response to Comment 17-6

The EIR does not say that the site is not visible from Redlands Boulevard. It states that it is "situated in such a manner that it will be largely obscured by the surrounding hills and will *for the most part* (emphasis added) not be visible from Redlands Boulevard or the surrounding area." This statement is accurate. Persons traveling north on Redlands Boulevard will be able to see the tower for several seconds as they pass southeast of the site. By any reasonable measure, this does not constitute a significant impact. The description in the EIR and the significance conclusion is accurate and does not require adjustment.

The City may be interested to know that an earlier candidate (Candidate J) was rejected from further consideration because it was highly visible from Redlands Boulevard, and persons traveling the roadway would have had the tower in view for most of their journey through the Badlands. Instead, the proposed site was selected because it could meet the County's coverage needs while minimizing aesthetic impacts to the greatest extent feasible. Despite the City's assertions, the County has made great effort to minimize the aesthetic impacts of the proposed project while balancing the public's need for an effective and reliable communication network that meets the needs of emergency service providers and the residents of the County.

Response to Comment 17-7

Project design features that are described in the project description are not mitigation and are not presented as such. Mitigation is properly defined as measures that the project proponent intends to implement beyond that which is already proposed or required. To attempt to pass a design feature or a standard condition as mitigation is meaningless and insincere. For that reason, the design features presented on page 3-14 are specifically not presented as mitigation. The County is committed to implementing the project in the most sensitive manner feasible while still meeting the objectives of the project and the public's need for a reliable emergency services communication network.

Response to Comment 17-8

As stated earlier in Response to Comment 17-2, the Draft EIR is a programmatic document that will require further analysis for future impacts that may not have been considered in the programmatic document. The EIR and the requirements of CEQA relating to Program EIRs presents specific direction regarding this subsequent analysis, and it is expected that a separate Initial Study will be required for the Timoteo site. The County is committed to adequate analysis and public review for all aspects of this project, and will abide by all of the requirements of CEQA for any site that may require additional work outside of what was assessed in the Draft EIR.

Response to Comment 17-9

See Response to Comments 17-5 and 17-8.

Response to Comment 17-10

The County remains open to any suggestions regarding aesthetic treatments, but at this time does not present any treatment as mitigation simply because the feasibility of adequate implementation remains unknown. As was stated in the Draft EIR in several sections (i.e., pages 3-13, 4.1-2, and 4.1-29), the County has expended significant resources through consultants and discussions with product vendors to investigate other alternatives to lessen the aesthetic impact of the project. At this time those alternatives are not viable, and the EIR provides extensive discussion as to why existing stealth treatments are not feasible. The "simple" treatments suggested by the City, such as painting the towers to match their surroundings, present their own problems. Painted towers, for instance, can contaminate the surrounding area as paint chips off during weathering, creating "dead zones" around the towers. In areas where this treatment has been applied to electrical power lines, etc., significant contamination and harm to wildlife has occurred, and most land management agencies now prohibit the practice (USFS, etc.). For this reason, the industry has adopted the standard of plain galvanized steel for lattice-type towers. Over time this material weathers to a grayish sky-colored hue, requires minimal maintenance, and creates no contamination impacts.

Response to Comment 17-11

The County is in consultation with the RCA regarding use of their lands and has to date enjoyed full cooperation from the agency. The RCA is aware of the critical nature of this project and has been assisting the County with project development and processing through the MSHCP for the approximately 25 sites that are located within the boundaries of the MSHCP. The regulatory

framework of the MSHCP is fully outlined in the Draft EIR (see pages 4.4-1, 4.4-31 through 4.4-38, and 4.4-46 through 4.4-48). Mitigation measures related to MSHCP compliance are provided as Mitigations Measures BR-5a, BR-5b, and BR-5c. The Timoteo site is also located within the fee area for the Stephen's Kangaroo Rat HCP, and the applicable regulatory framework and requirements for that HCP is discussed on pages 4.4-7 and 4.4-25. Mitigation related to the HCP is provided as Mitigation Measure BR-5g. The Draft EIR provides a complete discussion of both plans and how requirements within those plans apply to the Timoteo site and any other proposed site that falls within the boundaries of the plans. Reiteration of those requirements in this response is not necessary.

Response to Comment 17-12

As stated earlier in Response to Comments 17-2 and 17-8, the Draft EIR is a programmatic document that will require further analysis for future impacts that may not have been considered in the programmatic document. The EIR and the requirements of CEQA relating to Program EIRs presents specific direction regarding this subsequent analysis, and it is expected that a separate Initial Study tiered off of the Program EIR will be required for the Timoteo site. Expanded biological and cultural resource surveys will also be required for any project-related activities outside of the area originally surveyed. Mitigation measures requiring additional biological resource surveys for any area not surveyed in the original habitat assessment is provided as Mitigation Measure BR-1c, which reads as follows, with certain portions bolded for emphasis:

*If any construction related to the proposed project, **such as access roads**, is anticipated to occur outside of the area surveyed for the June 3, 2008 Habitat Assessment Report, then additional habitat assessments shall be conducted by a qualified biologist prior to development to evaluate potential impacts. If these expanded surveys find that sensitive biological resources are present in the area to be impacted, then appropriate measures consistent with applicable laws and policies in effect at the time of the survey shall be undertaken to avoid or mitigate identified impacts. If the expanded surveys do not find sensitive biological resources in the area to be impacted, then development may then commence unimpeded within the parameters of applicable laws and policies governing such development.*

A similar mitigation measure is provided in the Draft EIR for cultural resources (see Mitigation Measure CR-1a). The County is fully aware that follow-up surveys will need to take place for additional areas that may be impacted during access road improvements and/or power line installation, and has made firm commitments throughout the Draft EIR to assure that this additional analysis takes place.

Response to Comment 17-13

Please note Mitigation Measure BR-5a which details requirements related to necessary consistency analysis and other aspects of MSHCP authorization. The measures state conclusively that development of any site within the MSHCP area must be found consistent by the RCA. The County

has made a firm commitment to following the requirements of the MSHCP and has been working with the RCA in regards to processing for each of the sites that fall within the MSHCP boundaries.

Response to Comment 17-14

The follow-up biological resource surveys mandated in Mitigation Measure BR-1c include as standard protocol a jurisdictional assessment component. If access roads or power line runs have the potential to impact jurisdiction features or riverine/riparian habitats, these impacts must be avoided or mitigated as per existing law and regulation.

Response to Comment 17-15

The County is aware of the geotechnical constraints that may be present at the Timoteo site and in other portions of the County. As per standard engineering protocols, extensive geotechnical analysis will be undertaken at each site prior to development. This analysis will include soil borings and other tests to determine physical properties of the sites. These findings will be used to define specific engineering and construction requirements at each site. These requirements are typically confined to areas of foundation design that do not have an effect upon the physical appearance of the tower structure. Rather, the design criteria may be implemented through deeper excavations, deeper foundations, special soil treatments, or specially reinforced concrete in the tower footings. As with any project, all designs must be approved by appropriate building and design authorities prior to development.

Response to Comment 17-16

The proposed Timoteo site is not located within the City of Moreno Valley's boundaries, nor is it within the City's Sphere of Influence. A determination of project consistency with the City's General Plan is not necessary since the project site is not within an area that is under the jurisdiction of the General Plan.

In regards to the County of Riverside's General Plan, on page 4.9-8 the Draft EIR provides a general discussion of General Plan intents and policies regarding the provision of fire and law enforcement services. Provision of these core services is a basic function of County government and all aspects of the proposed project are consistent with the County's mandate to provide those services.

Response to Comment 17-17

The Draft EIR does not rely on the site selection process or the discussion of the over 150 candidate locations assessed for this project as the sole basis for its alternatives analysis. If the City had read further, it would have seen that the Draft EIR presented a full range of alternatives that were analyzed to determine if they could lessen the project's environmental impacts. The Alternate Locations Alternative was only one component of the County's analysis. The Draft EIR also assessed an alternative based on alternative technologies, another on utilization of the existing cellular telephone network, another which looked at the possibility of using fewer but taller towers, and still another based on the possibility of using smaller towers in greater quantities to achieve project objectives. The alternatives analysis presented in the Draft EIR was thorough and complete.

Response to Comment 17-18

The County would be pleased to meet with the City of Moreno Valley to discuss the 11 candidate locations that were assessed for the Timoteo site. A number of the candidates were located on lands where the owner was not willing to sell or lease their property. Others were rejected on aesthetic grounds. By far the most important constraint facing the provision of emergency communications in the Badlands region is difficulty in achieving coverage in areas where the need for coverage is identified as critical. Redlands Boulevard through the Badlands is an area where current coverage is lacking and is critically needed. As stated in the Draft EIR, the physical characteristics of radio science place specific physical constraints on where a facility can be located while still meeting service needs. Critical areas will simply not be covered if a tower is not located where it can transmit a signal to the desired area. The proposed Timoteo site meets the coverage needs of the project and presents the best balance in terms of minimizing environmental impacts while still meeting project objectives.

In regards to “line of sight” criteria, it is important to recognize that a radio network is a connected system of transmitters and receivers that rely upon each other to convey signals to other parts of the network. Signals are transmitted between towers via microwave dishes that require direct line of sight to communicate. Communication facilities cannot operate in a solo configuration unless every user on the system can be served by one tower. In an area as vast as the County, one tower is simply not feasible to provide communications to the entire County. In addition, an emergency services communication system must be equipped with some level of redundancy to allow for outages, maintenance, and other service interruptions.

The City has asked for clarification on the “line of sight” requirement discussed on page 6-2 of the Draft EIR. An example would be a law enforcement officer responding to a traffic stop along Redlands Boulevard. Were the officer to require backup assistance, for example, the officer would transmit from his/her patrol car or handheld unit directly to the Timoteo tower. That signal would then be relayed via microwave to the County’s Box Springs site and from there would be relayed to one of several dispatch facilities in the area. The Timoteo site provides a line of sight connection to Box Springs and thus to dispatch, where backup assistance would be called up to provide assistance to the officer in need. Without the Timoteo site, there is no line of sight to dispatch and thus the backup assistance cannot be summoned. Again, redundancy is critical, and the Timoteo site would also require line of sight to other towers in the network through which the signal could be sent to dispatch. Specific engineering aspects of the project in regards to transmitter height and interconnectivity are dependant upon location and specific constraints imposed on system design by the properties and limitations of radio science. Obviously, these design determinations are technical in nature and are not easily understood by the layperson. If the City desires more information on this aspect of the project than is presented here, the PSEC team would be pleased to provide any information the City might require.

Response to Comment 17-19

This comment has already been adequately addressed in previous responses, most notably in Responses to Comments 17-2, 17-8, 17-10, and 17-12. Mitigation measures proposed in relation to future work and future surveys contain specific directions and performance measures within them to ensure that all applicable requirements are met. The County is fully aware that follow-up surveys will need to take place for additional areas that may be impacted during access road improvements and/or power line installation, and has made firm commitments throughout the Draft EIR to assure that this additional analysis takes place.

Response to Comment 17-20

This comment has already been adequately addressed above in Response to Comment 17-19.

Response to Comment 17-21

The County appreciates the City's interest in this project. The provision of adequate emergency services to the residents of Riverside County, and the need for enhancements to the safety and effectiveness of the County's emergency service providers is of critical importance. The County appreciates the City's cooperation and assistance in this regard.

From: Ebarra, David
Sent: Wed 6/25/2008 2:56 PM
To: EIR
Cc: Force, James
Subject: Box Springs Mountain Site

Comment 18

My name is David Ebarra. I work for the City of Moreno Valley Telecommunications. In reading the attached section, what exactly is meant by replacing the tower and shelter? Does it involve demolishing the old building and tower or building a new tower and shelter on a different location on Box Springs Mountain? If the latter is the case what would be the deposition of the old tower and shelter.

[<http://psec.co.riverside.ca.us/docs/eir/Appendix_A/Box%20Springs.pdf>](http://psec.co.riverside.ca.us/docs/eir/Appendix_A/Box%20Springs.pdf)

I can be reached at the following telephone numbers.

David Ebarra
Telecommunications
City of Moreno Valley
14177 Frederick St.
Moreno Valley, Ca 92552

V: 951-413-3413
C: 951-529-8485
F: 951-413-3429

18-1

City of Moreno Valley Telecommunications Services (June 25, 2008)

Response to Comment 18-1

The new Box Springs facility will be built adjacent to the existing County site. The County intends to retain the existing tower and shelter. Since the Box Springs site is an important hub in the County's communication system, the existing tower and shelter may be used as a redundant facility at the Box Springs location.

Collocation of communication equipment with the County's governmental cooperators is an important element of the PSEC project. There may be opportunities for other governmental entities, including the City of Moreno Valley, to collocate equipment at PSEC sites. The County hopes that the project will benefit all of the residents of the County, including those that live and work in incorporated portions of the County.

08 JUN 13 AM 10: 04

EDGEMONT COMMUNITY SERVICES DISTRICT

POST OFFICE BOX 867

RIVERSIDE, CALIFORNIA 92502

W4

June 11, 2008

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Comment 19

To Whom It May Concern:

The address for Edgemont Community Services District has changed.

Old Address:
Edgemont Community Services District
P.O. Box 2024
Riverside, California 92516-2024

NEW Address:
Edgemont Community Services District
P.O. Box 867
Riverside, California 92502

19-1

If you have any questions, you can reach me at (951)784-2632. Thank you for assistance with this change.

Sincerely,


Jessica Pfalmer

EDGEMONT COMMUNITY SERVICES DISTRICT
P.O. BOX 867
RIVERSIDE, CALIFORNIA 92502-0867
MAY 13 2008

Edgemont Community Services District (June 11, 2008)

Response to Comment 19-1

The comment is informational in nature and does not require a response. The County appreciates the District's interest in this project.

July 18, 2008

ATTN: Ashley Mitchell
County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Comment 20

Subject: Public Safety Enterprise Communications (PSEC) Project (SCH 2008021126)

Dear Ms. Mitchell:

On June 26, 2008, the Board of Directors of the Tenaja Community Services District adopted a resolution opposing the placement of a communication tower at the selected location. We are informed, moreover, that property owners are circulating a petition opposing this project.

20-1

The District's major concerns relate to access to the site which is a steep, narrow, winding road not suitable for commercial use during the process of constructing a new tower. In the process of constructing the tower, moreover, heavy trucks will be passing over Corona Cala Camino to the detriment not only of the District, but more particularly of the property owners who built and pay for the maintenance of the road.

20-2

As you may or may not know, Redondo Mesa already has an existing tower on Assessors Parcel Number 932-060-031. This would mean the District would have two towers only one parcel away from each other. An additional tower, as proposed, further adversely impacts all the residences in the area and could depreciate the value of and interfere with the beneficial use and enjoyment of their property.

20-3

We believe that the negative impact of the new tower far outweighs any benefits and respectfully request that the project be denied at the proposed location.

20-4

If you have any questions, please contact the undersigned.

Sincerely,
Tenaja Community Services District


Arlene Miller
Board Secretary

Enclosures: Copies of the Petition Opposing new Tower

Petition In Opposition to the New Proposed Communication Tower Facility Construction on the top of Redonda Mesa

Name	Address	Community
DON FENAROLI	23663 PEPPERLEAF ST	TENAJA
HERB MASSINGER	39300 REDONDA MESA RD	MURRIETA / TENAJA
Wen Orrell	18020 Tenaja Rd	Tenaja
NADIA JOKIVIO	43905 ANITA ST.	TENAJA
DALLA GRAY	18282 MARBRUE ABONITA	TENAJA
Karen Mary	18282 Marbrue Abonita	Tenaja
Jane Kelly	43325 Camino de las Brisas	Tenaja
Ruben J. Patale	43311 V.A. VOLCANO	Tenaja
Don Matek	43311 VIA VOLCANO	TENAJA
Paul D. Freeman	42120 Northland Ct.	Tenaja
ARON. COFFMAN	19300 Tenaja Rd.	Tenaja
WALTER FREEMAN	18475 Avenida de Camelia	Tenaja
JANET BOWEN	" " " "	"
Deborah Pierce	20625 Sierra Cloud.	Tenaja CA
Scott Schellin	17525 AINSLEY CT	TENAJA, CA
Carolyn L. Freeman	20815 Avenida de Camelia	Murrieta
Bob E. Freeman	" " " "	"
William A. Plummer	44025 Tenaja Rd	Murrieta

08 JUL 22 PM 12:34

Petition In Opposition to the New Proposed Communication Tower Facility Construction on the top of Redonda Mesa

Name	Address	Community
JADEY PIERCE	20625 SIERRA ELENA	TENAJA
Adrian Edmundo	18221 Lerro Rd CA 92562	TENAJA
Cynthia Cornelius	17990 Tenaja Rd CA 92562	Tenaja
Amanda Namersky	19555 Avenida la Pasa	Tenaja
Cory Sher	19480 Calle Teresa Murrieta	92562
Jeanne Namersky	19555 Avenida la Pasa	92562
Virginia Williams	42018 Calle Pino Rd	
Neil + Patricia Smart	18330 Lions Lair Ct Tenaja	
Russ Patras	39340 Redonda Mesa Rd. Murrieta CA 92562	
STACI FRANZKE	43905 ANITA APT B	MURRIETA, CA 92562
KAT RITTIRADACHAN	44682 LACOSTA RD	MURRIETA CA 92562
Jany Hahn	43455 CORONA CALA Camino Murrieta	CA 92562
Kathy + Austin Linsley	43180 Corona Cal Camino Murrieta	92562
JIM GRANT	42600 AVENIDA ESCALA	MURRIETA TENAJA
Parce Fletcher	42169 Calle Corneta	Murrieta 92562
TRAIL PATERSON	42256 CALLE CORRIENTE	MURRIETA 92562
WM BENSYL	41955 CALLE Corriente	murrieta CA 92562
Paul Brunet	18491 AVE DE CAMALIA	Murrieta CA 92562
Randy Bantell	16145 Tenaja Rd.	Murrieta Ca 92562

Petition In Opposition to the New Proposed Communication Tower Facility Construction on the top of Redonda Mesa

Name	Address	Community
Michael Jaha	18001 Tenaja Road	Tenaja
Jeff Williams	18267 Marbrise Abanita Dr.	Tenaja
Jackie Fenaroli	23663 Pepperleaf	Murrieta
Lawrence P. Cutner	19620 Tenaja Rd	Murrieta 92562
Donna Cutner	" " "	" "
Yuko Williams	18267 Marbrise Abanita Dr.	Murrieta
Keith Butler	18275 Serengeti Dr.	Murrieta, CA 92562
Penny Butler	18275 Serengeti	Murrieta CA 92562
Melinda Terich	19603 Avenida Presa	Murrieta CA 92562
Michael Terich	19603 Avenida Presa	Murrieta CA 92562
Joe Picchiottino	18665 Tenaja	Murrieta CA 92562
GERT LAFASO	43200 TENAJA RD.	MURRIETA, CA. 92562
EDWARD LAFASO	43200 TENAJA RD	MURRIETA, CA. 92562
SHARON PICCHIOTTINO	18665 TENAJA RD.	MURRIETA, CA 92562
Phillip Edmundson	18321 Cerro RD.	Murrieta, C.A. 92562
Roberto E Chuso	18020 Tenaja Rd	" " 92562
Gurno Santiago	18955 Calle Juanito	Murrieta CA 92562
Bill & Linda Moorhead	19490 Calle Juanito	" " "
Richard & Cery SHEL	19480 CALLE TENESA	MURRIETA CA 92562
CHARLACE P. BOSTIAN	17171 CALLE DE DIETEL	MURRIETA CA 92562
TOM TOMUNSON	43825 PASO ESPINAZO	TENAJA MURRIETA CA 92562
Kathy Worthey	43455 Calle Collado	Murrieta CA 92562 Tenaja
Bill Worthey	43455 Calle Collado	-Murrieta 92562 Tenaja
Elizabeth Bostian	17171 Calle de Dietel	Murrieta, CA 92562
DIANE PLUMMER	44625 TENAJA RD	" " "
Susan Frummer	42140 Northland Ct	Murrieta, CA 92562
KEN NELSON	42205 Calle Baido	Murrieta CA 92562

08 JUL 22 PM 12:34

Tenaja Community Services District (July 18, 2008)

Response to Comment 20-1

The comment is informational in nature and does not require a response.

Response to Comment 20-2

During its due diligence review of the site, the County assessed the existing access road to the top of the mesa, and determined that it is adequate and safe in regards to conveying construction equipment to the site. The types of equipment used to construct the tower would likely be no more than that used to construct the homes that are currently located on the mesa. In fact, the amount of site preparation required at the tower site will be minimal, so the amount of heavy equipment required at the site will also be minimal. Therefore, any impacts to area roadways are expected to be negligible.

Response to Comment 20-3

The County investigated the existing tower and contacted the owner regarding its use. However, the tower facility is being used as a residence and is not available for use by the County. Moreover, the existing tower does not meet the structural standards or configuration characteristics that are necessary for the County's project. Therefore it is not a feasible option for the County's project.

At this time, no light beacons are believed to be needed for this site, but the ultimate determination of any lighting requirements will be made by the FAA per their regulations. The tower that is proposed to be built by the County would be positioned adjacent to the existing water tank. The manner of positioning would lessen the aesthetic impact of the tower. The EIR also determined that since the mesa already houses a communication tower (the aforementioned facility discussed above), the addition of an additional tower will not significantly alter the existing visual environment. The existing tower is by far the most prominent visual element on the mesa, and will continue to be even with the addition of the County's far less obtrusive facility. As discussed in the EIR, it is the County's assertion that the proposed facility will not significantly alter the existing visual environment and that the community's concerns in this regard are not warranted.

Response to Comment 20-4

The County appreciates the community's interest in this project, and understands their concerns. The County disagrees, however, with the assertion that the project's negative impacts outweigh its benefits. Perhaps the community is not fully aware of the severe lack of radio coverage that currently confronts law enforcement and firefighting personnel who operate in the southwestern portion of the County. This area has seen tremendous growth in the last decade, and emergency responders working in the area are unable to communicate effectively. The area is subject to regular wildfire events, and the potential for large scale catastrophic wildfires in this portion of the County is very high. Firefighters are currently not able to communicate effectively amongst themselves or with other responders during these events. Even during routine operations, fire and law enforcement personnel are regularly not able to transmit a signal out of the area to call for backup, additional resources, or to coordinate their efforts. This project will have direct and substantial benefits for the thousands of

residents who live in this portion of the County. Those benefits far outweigh the less than significant visual impacts that may arise from the proposed tower at the Redondo Mesa site.

W29/E52

Menifee Valley Historical Association

30141 Antelope Rd., #D-133

Menifee, CA 92584

menifeevalleyhistorical@earthlink.net

July 23, 2008

Via Email to eir@co.riverside.ca.us

County of Riverside
Department of Facilities Management
ATTN: Ms. Ashley Mitchell

Comment 21

Re: Public Safety Enterprise Communication Project (the "Project")
Draft Program EIR

Ladies and Gentlemen:

The Menifee Valley Historical Association is a non-profit public benefit organization whose purposes include preservation of the impressive agricultural and mining legacies of Menifee Valley, educating the public of significant on-going effects of that approximately 100 square mile area historically known as Menifee Valley, and protecting all of scenic highways. We note that while different names may now apply to specific sections of our vast geographic heritage, we continue jointly to be a cohesive and strong influence within Riverside County that dates back to its formation in 1893 when Menifee Valley, even though not incorporated and not even platted, placed second in the hotly contested vote to determine location of the county seat. Menifee Valley residents have since first modern development beginning about 1880 highly prized this valley's unobstructed views of the valley floor ringed by mountains.

21-1

Careful review of comments made on the NOP from the Menifee area note only one: that telephoned by Opal Hellweg of Supervisor Stone's office of receipt of "a complaint regarding the Quail Valley Site." No specifics were stated. That fact, by itself, should have been sufficient to have raised the question: Was this community sufficiently informed?" Our organization's answer is that our community clearly was not informed of the Project. And the process toward incorporation as a city was in an active state at the time, with persons and entities that should have been high on the list of those notified known to Project proponents. The fact that *one* organization out of many was tardily informed does not constitute sufficient notice to a sizeable community of a significant change proposed to its highly valued aesthetic environment cannot simply be ignored. Public outreach in this Project was so lacking that we believe the Project should be required to re-circulate its NOP.

21-2

Even though our organization was not previously advised of NOP concerning this Project we are pleased to now present comments that we believe should be of concern to the Project as reflected in the Draft Environmental Impact Report.

**21-2
(cont.)**

The Project identifies two sites within historic Menifee Valley (Menifee and Quail Valley) and an adjacent site (Homeland). An additional site (Lake Elsinore at) may also affect our area depending on height of final tower built.

21-3

**Final height of NONE of these towers should require
strobe lights under FAA regulations.**

Generally, all sites are proposed to be self-supporting 3-legged towers with multiple radio transmitters and multiple microwave discs as well. Each site is to contain an equipment building adjacent to the tower with gated 8-foot chain-link fencing topped with 1-foot barbed wire. There is no provision for either coordination of architectural style with adjacent County facilities or for any landscaping.

21-4

**Coordination of architectural style of equipment
building and appropriate screening landscaping should
be required.**

Specifically, sites are discussed below:

Menifee site, west of existing County Fire Station 68 at intersection of Murrieta Rd. on Wickerd Road approximately 1 mile south of Scott Rd/Bundy Canyon Rd.

Site "is in a semi-rural [and estate-acreage] development area where similar structures currently do not exist. Proposed tower would become a dominant visual element within the area...[creating] substantial [permanent] change to the existing visual element."

Aesthetics, 4.1-22. Words in [] added from other segments of the DEIR.

Menifee Local Vicinity Topographic Map dated 04/2008 and Local Vicinity Aerial Map dated 2005 are deceptive as to number and location of housing. Whether intentional or not, these maps fail to indicate by footnote or any other means that another department of Project proponent (Riverside County) had approved development plans for geometric suburban growth in this precise area. Indeed, Photograph 5 for Menifee Candidate Location facing south includes the sign announcing commencing development of 1+acre executive homesites directly across Wickerd Rd from the proposed site. So, in fact, the site is surround by residential development on four sides – not just three as stated.

21-5

Significantly, the DEIR fails to acknowledge that each of the green hillocks denoted on Meniffee Local Vicinity Topographic Map dated 04/2008 contains hillside homes for which a large component of value is the unobstructed view of the full Meniffee Valley ringed by mountains. And there is no larger aerial photograph that shows the full extent of hillside homes on all surrounding mountains that share the same views. A large component of value for all of the homes in Meniffee Valley is the aesthetic one of its irreplaceable views. Negative impact of permanent loss of aesthetic value merits more than a mere shrug of the shoulders and conclusion that since "No feasible mitigation has been identified" we'll just have to ask for Overriding Considerations."

N0! There are alternatives, and the residents of this community deserve consideration of them. For example:

- a) If disguises applied to cell towers are not appropriate to those towers proposed here, put creative engineering minds together to devise a disguise technique that is appropriate and can be adapted to serve in the "approximately half" of instances of towers that negatively impact visual aesthetics throughout Riverside County.
- b) The Meniffee site had an alternate location (see Table 6-1) that was rejected due to "...costs associated with acquisition, construction or mitigation." Where is this rejected location? What were the specific reasons for rejection? Of course County will save money by using land it already owns on Wickerd Rd. at Station 68: but at the expense to residents of this very sizeable community of permanent and irreversible loss of value of a major aesthetic component of its very identity?

The 60,000+ residents of Meniffee deserve better, and we as an organization on behalf of all residents of Meniffee request further analysis, discussion and work with the City and its residents.

Quail Valley site, on ridge overlooking Quail Valley/Canyon Lake

Site is "immediately adjacent to a large water tank and [disguised] monopole, but this 3-legged structure will be more sizeable."

Aesthetics, 4.1-22. Words in [] added from other segments of the DEIR.

The DEIR is deceptive in regard to this site by failing to in any manner acknowledge that County had approved more than 2000 homes to be built in the Audie Murphy Ranch development directly in sight of this ridge. Audie Murphy development was approved prior to beginning of this Project and undergoing groundwork throughout

**21-5
(cont.)**

21-6

08 JUL 24 AM 7:27

the duration of this Project. For sake of brevity we incorporate the concepts stated above in this discussion as they apply.

The 60,000+ residents of Meniffee deserve better, and we as an organization on behalf of all residents of Meniffee request further analysis, discussion and work with the City and its residents.

**21-6
(cont.)**

Homeland site, north of existing County fire station

Site adjacent to a designated or eligible State Scenic Highway 74 requires special consideration. It is not sufficient to say the impact will be significant and ignore protections required by statute and County's own General Plan concerning designated and eligible scenic highways.

21-7

Set-back for any structure this height is required to be minimum of 660 feet from nearest edge of right-of-way of scenic highway.

Lake Elsinore Site

This site may affect Meniffee depending on height of final tower built.

21-8

We request to be kept informed and permitted to further comment should there be an actual effect.

The Meniffee Valley Historical Association, on behalf of its members and residents of the incorporating City of Meniffee, thanks the Project proponents for serious consideration of our thoughts and requests. We request to be kept advised and included as the Project goes forward.

21-9

Respectfully,

MENIFEE VALLEY HISTORICAL ASSOCIATION

By Barbara Spencer, President

Menifee Valley Historical Association (July 23, 2008)

Response to Comment 21-1

The comment is informational in nature and does not require a response.

Response to Comment 21-2

The County issued a Notice of Preparation (NOP) for the project on February 25, 2008. Copies of the NOP were provided to the Office of Planning and Research (State Clearinghouse) for issuance to state agencies. The NOP was also mailed to recorded property owners of parcels located in the vicinity of the proposed sites. The number of property owners that were sent the NOP totaled over 2,500. The NOP was also mailed to relevant federal, state, and local agencies, responsible and trustee agencies, local governments, private organizations, and other interested parties based on the standard mailing list compiled for such purposes by the County of Riverside Planning Department. The list was comprised of approximately 700 addresses. An identical notification process was followed to announce the release of the Draft EIR. A Notice of Availability was also published in area newspapers. The County has made a more than reasonable effort to inform the public and other interested parties of this project.

Response to Comment 21-3

The project will be required to abide by all applicable FAA regulations. Some of the towers may require strobe lights as per FAA regulations, such as those over 200 feet in height or in areas where they could present a hazard to aviation if not appropriately marked. The FAA makes these determinations, not the County.

Response to Comment 21-4

Page 3-14 of the DEIR outlines some of the aesthetic treatments to equipment buildings, fencing, and landscaping that will be incorporated as appropriate at each tower site. It is the County's desire to construct and operate these facilities with the minimal amount of visual impact possible.

Response to Comment 21-5

The EIR's description of existing conditions and surrounding land uses at the Menifee site is accurate. Additional development in the project area has been proposed for some time, but it is unclear when, if ever, these development projects will actually commence. Regardless, the purpose of the project is to provide adequate emergency services communication coverage for all of the County's residents, both current and future. All will directly benefit from the proposed project. Although the Menifee site may cause some level of aesthetic impacts due to the amount of existing and possible future residential development in the area, it is the County's belief that the public benefits of the project far outweigh the identified impacts to aesthetic resources. These structures will provide better coverage for the emergency services upon which all County residents rely.

As discussed in the EIR on page 3-13, there are no feasible alternatives to disguise the towers at this time. The County is well aware of the aesthetic impacts that will arise as part of this project. Significant resources have been expended and will continue to be expended to investigate other

alternatives to lessen the aesthetic impact of the project, but at this time those alternatives are not apparent, and the EIR provides extensive discussion as to why existing stealth treatments are not feasible.

The alternate location mentioned in the comment is located approximately one mile south of the selected site but was rejected due to the fact that the property owner was not willing to sell or lease the property to the County for purposes of the proposed project. The site also presented aesthetic impacts that were similar to the selected site. It has been the County's policy with this project to avoid condemnation of property whenever possible, especially when another feasible alternative location is available. The selected site is the feasible alternative. The selected site also provides better radio coverage and better meets the project's objectives.

Response to Comment 21-6

The County's view regarding possible future development in this area has already been discussed above in Response to Comment 21-5. It is the County's belief that the Quail Valley site will not create a significant impact in regards to aesthetics. This finding was based on the fact that there is a large water tank approximately 100 feet from the proposed tower location, as well as an existing monopole cellular communication tower that is somewhat poorly disguised as a pine tree. An aboveground power line also runs along the ridge adjacent to the proposed site along the property line. Therefore, the County determined that the proposed tower would not substantially alter the visual environment at this location. It is also worth mentioning that the proposed facility will provide much needed emergency communication services to the Canyon Lake area, which is an area where such services are currently lacking. The proposed structure will provide better coverage for the emergency services upon which all County residents rely.

Response to Comment 21-7

As indicated on the maps and photographs provided in Appendix A of the EIR, the Homeland site is situated more than 1,400 feet from SR-74.

Response to Comment 21-8

The Menifee Valley Historical Association is invited to continue its participation as the project moves forward. While the Association is now on the project mailing list and will therefore receive all future mailings and communications regarding this project, it is advised that the Association contact the County Planning Department and asked to be placed on their mailing list as well. This will assure that the Association is kept informed of future proposed County projects.

Response to Comment 21-9

The County appreciates the Menifee Valley Historical Association's interest and comment regarding the proposed project.

W31/E54



ATTORNEYS AT LAW

18101 Von Karman Avenue
Suite 1800
Irvine, CA 92612
T 949 833 7800
F 949 833 7878

Carollyn B. Lobell
D 949 477 7604
clobell@nossaman.com

Refer To File # 000013-0910

July 23, 2008

VIA ELECTRONIC MAIL AND U.S. MAIL

County of Riverside
Department of Facilities Management
Attn: Ms. Ashley Mitchell
P.O. Box 789
Riverside, CA 92502-0789

Comment 22

**Re: California Environmental Quality Act (CEQA) Comments on Draft Program
Environmental Impact Report (DEIR) for Public Safety Draft Enterprise
Communications (PSEC) Project**

Dear Ms. Mitchell:

This firm represents the Rancho Carrillo Homeowners Association (RCHOA), an organization of 75 homeowners who reside in the secluded mountain neighborhood of Rancho Carrillo—an in-holding of private land that is surrounded on all sides by the San Mateo Canyon Wilderness of the Cleveland National Forest (CNF). (See CNF Map of Lands in Vicinity of Rancho Carrillo Tower site [attached hereto as Exhibit A]; U.S. Forest Service, Land Management Plan—Part 2 Cleveland National Forest Strategy (2005) [hereinafter CNF LMP] pp. 55-57, 72 [“Rancho Carrillo is surrounded by the wilderness in the southwestern part of the (San Mateo) Place.”].) Members of the RCHOA, for a myriad of reasons—as explained in detail herein—are opposed to the Riverside County (County) proposal to build a 140-foot communications tower (Rancho Carrillo Tower or Tower) on the edge of their neighborhood (and within approximately 150 feet of the nearest Rancho Carrillo residential lot). The analysis of the PSEC Project (Project), as currently described in the DEIR for the Rancho Carrillo Tower site, violates not only CEQA, (Pub. Resources Code, § 21000 et seq.), but also potentially violates a variety of federal statutes—to include the Wilderness Act (16 U.S.C. §§ 1131 et seq.), the National Forest Management Act (NFMA) (16 U.S.C. §§ 1600 et seq.), the Endangered Species Act (ESA) (16 U.S.C. §§ 1531 et seq.), and the National Environmental Policy Act (NEPA) (42 U.S.C. §§ 4321 et seq.).

22-1

08 JUL 24 AM 7:28



The members of RCHOA understand generally the need for the Project. However, the proposed Rancho Carrillo Tower imposes such a disproportionate burden on RCHOA Members—depriving them of the very essence of what they moved to Rancho Carrillo to obtain¹—that they feel compelled to oppose the siting of the Rancho Carrillo Tower (particularly where other more suitable alternative Tower sites are readily available). RCHOA is grateful for the opportunity to comment on the DEIR. Because the DEIR is so expansive in its scope (covering individual projects at approximately 75 different new and existing tower sites across hundreds of miles and vastly varying geography/climate), our comments on the DEIR are bifurcated. Programmatic concerns are relayed first, followed by site specific comments pertaining to the Rancho Carrillo Tower site. RCHOA believes, as explained in detail herein, that the DEIR is deficient under CEQA at both the programmatic and the project specific level.

22-2

I. PROGRAMMATIC CONCERNS WITH THE DEIR:

A. The Expansive Scope of the DEIR Precludes the Public From Meaningfully Reviewing and Understanding the Environmental Impacts of the Project

The Project DEIR attempts to do too much in one CEQA document, and in so doing, accomplishes very little of what it sets out to do in a legally defensible manner. It attempts to cover, in one CEQA document, 75 different radio tower construction or reconstruction projects (sub-projects) each of which requires significant modifications to the physical environment on some of the most pristine mountaintops and ridgelines in Southern California. The DEIR spans all of vast Riverside County and includes proposals for towers in portions of San Diego, Orange and San Bernardino Counties as well. The areas affected by the Project contain vastly different ecosystems, resources, and land uses. Because of the DEIR's broad geographic and climatological scope, programmatic analysis in the DEIR results in treating some impacts from very different environments as if they were the same. For example, construction of a tower on a disturbed and barren mountaintop in a sparsely vegetated desert may have limited effect on native flora and fauna while creating a great deal of impact in the context of air quality by disturbing soils and facilitating sand transport. In contrast, the identical tower on a thickly vegetated chaparral ridgeline may have little to no impact on air quality while creating highly significant impacts on resident flora and fauna—particularly given the possible impact of wireless communications facilities on insect and animal behavior in close proximity to tower

22-3

¹ The Rancho Carrillo neighborhood, previously known by its Spanish Land Grant name of Verdugo Potrero, is located approximately 7.5 miles from the Ortega Highway and is accessed by a private road that traverses lands of the San Mateo Canyon Wilderness. It is a largely self-sufficient community—having its own mutual water company and volunteer fire department (both of which are imperiled by the proposed Project). Though Rancho Carrillo has electricity and telephone service, all cables are buried and there are no street lights—thus enhancing the overall aesthetic quality of residing in, and at peace with, the surrounding San Mateo Canyon Wilderness.



facilities.² Likewise, a tower with an air conditioning unit and a stand-by generator may create de minimis noise impacts in an urbanized area, but the same equipment will cause a highly significant impact in a pristine wilderness area where every man-made sound is magnified. Chapter 4 of the DEIR, the impacts analysis section, errs in wrongly assuming, in the absence of substantial evidence in the record (and identification of the relevant environmental baseline), that environmental impacts will occur at each site in a uniform manner.³

By shoehorning 75 distinct projects into one far-flung EIR, the County failed to perform perhaps the most essential task required by CEQA—accurately informing the public of the likely environmental effects of the proposed action. (See *Emmington v. Solano County Redevelopment Agency* (1987) 195 Cal.App.3d 491, 503.) CEQA serves the important function of enabling the public to make its own “independent, reasoned judgment” about a proposed project. (California Environmental Quality Act Guidelines⁴, Cal. Code Regs., tit. 14, § 15201.) As the California Supreme Court has observed, “[i]f CEQA is scrupulously followed, the public will know the basis on which its responsible officials either approve or reject environmentally significant action, and the public, being duly informed, can respond accordingly to action with which it disagrees. . . . The EIR process protects not only the environment but also informed self-government.” (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 392 [internal citations omitted].)

The proper remedy for the County’s circulation of a programmatic DEIR that fails to satisfy the basic informational requirements of CEQA is the recirculation of a restructured DEIR. (Guidelines § 15088.5, subd. (a)(4).) RCHOA suggests that in restructuring its CEQA compliance strategy, the County only combine those sub-projects that are geographically and ecologically similar. Thus, the Rancho Carrillo Tower site could be combined with other chaparral dominated sites such as Redondo Mesa and Avocado Flats. In such a “regional” programmatic analysis, projects with similar design features are far more likely to produce similar environmental impacts—thereby giving the public a more realistic assessment of baseline conditions and likely impacts on a programmatic basis.

B. The DEIR Fails to Provide an Adequate Environmental Setting—Preventing Evaluation of Environmental Impacts

CEQA requires that each EIR contain a thorough environmental setting section that provides the public an accurate “description of the physical environmental conditions in the vicinity of the project.” (Guidelines, §§ 15063, subd. (d); 15125, subd. (c).) An adequate

² (See note 12 and accompanying text, *infra*.)

³ As discussed in Section II, *infra*, the terse one page discussions of the individual tower sites in Appendix A do little to identify and analyze the site specific environmental impacts omitted from proper discussion in Section 4 of the EIR.

⁴ All subsequent citations to the California CEQA Guidelines, Cal.Code Regs., tit. 14, § 15000 et seq., are referenced henceforth as “Guidelines.”

22-3
(cont.)

22-4



environmental setting facilitates public understanding of baseline conditions across the project area, and allows agency decision-makers to compare the various identified impacts from each alternative against the status quo. It is largely impossible to know which impacts are "significant" and which alternative in an EIR is the most environmentally benign alternative in the absence of an adequate environmental setting that informs the comparison of alternatives. (See Guidelines § 15125; *Galante Vineyards v. Monterey Peninsula Water Management District* (1997) 60 Cal.App.4th 1109, 1121-1122.)

The DEIR contains no stand-alone "environmental setting" section and makes little or no effort to identify or otherwise describe environmental baseline conditions across the 75 sub-projects contained in the DEIR. (See, e.g., DEIR at p. 4.8-1 ["No water-quality data were acquired as part of this DEIR and, therefore, no site-specific data are available to characterize existing surface water-quality conditions for the project areas. Those sites not in urban areas are natural in composition and are presumably lacking in contaminants or other characteristics that could be problematic."].) The limited discussion of baseline conditions which does exist occurs primarily in Section 4.0 of the DEIR—where approximately one paragraph (or less) is devoted to terse summaries of "existing conditions" for each identified environmental impact. However, even these summaries provide little or no facts about current conditions on the ground regionally or at the various tower sites. As but one of many examples of inadequate baseline identification, Section 4.14 of the DEIR discusses "existing conditions" in the context of impacts to "Recreation" as follows:

*Sites will be built on parcels that currently consist of vacant land. .
Residential structures, places of business, or other facilities
currently do not exist at any of the sites. There are no recreational
facilities associated with any of the sites.*

(DEIR at p. 4-14.1.)

This description of the environmental setting in Section 4.14 conveys essentially no information about background recreational use on or around the tower sites. It is hardly surprising that none of the mountaintops and ridgelines proposed for tower sites currently house jungle gyms or teen recreation centers. If the lots were not vacant, they would not be candidates for a tower in the first instance. However, it is beyond question that all sorts of recreation takes place in and around ridges and mountain tops in Southern California.⁵ Hikers climb up to mountaintops to enjoy the view, birdwatchers may utilize vistas to observe wildlife—particularly in wilderness areas, and mountain bikers may ply local trails. The more pristine and beautiful the site, the more that recreational uses are likely to occur, and all of these recreational uses could be curtailed in their entirety with the construction of massive radio towers and associated facilities. But these baseline recreational uses are simply ignored in the DEIR—leaving the

⁵ Indeed, the Forest Service Lucas Canyon hiking trail commences in close proximity to the Rancho Carrillo Tower Site. (DEIR at Appendix A, p.1.)

22-4
(cont.)

08 JUL 24 AM 7:28



public with the unsupportable conclusion that no recreational uses at all take place at any of the 50 "new" proposed tower sites.

The failure to properly identify baseline conditions in a meaningful environmental setting section is hardly unique to the Recreation impacts section of the DEIR. It permeates the entire document leaving the reader with little idea of exactly what the "environmental cost" of each tower site will be. This programmatic failure to follow CEQA is not surprising given the unwieldy scope of the programmatic DEIR. Describing the environmental setting for 75 different projects—each of which, standing alone, could arguably require the preparation of an EIR—is indeed a difficult task, but it is a burden of the County's own creation. Unfortunately, the DEIR's failure to provide an adequate environmental setting at the programmatic level is not remedied at the project specific level since the analysis of each tower site in Appendices A and B contains only a rudimentary description of each proposed tower site of approximately one page for each site. Thus, as presently drafted, the DEIR contains no mechanism for a reader to identify which impacts are significant—frustrating the public from meaningfully comparing the various alternatives in order to ascertain which alternative is environmentally superior. (See *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 724-729.)

The County should prepare and recirculate DEIR[s] along the more sensible scope recommended in Section I.A *supra*. These revised DEIRs should contain proper stand-alone environmental setting sections and meaningfully disclose baseline conditions in the areas that are subject to the environmental effects of tower construction.

C. The DEIR Contains an Inaccurate Project Description

An EIR must contain an accurate project description that meaningfully informs the public of the material aspects of the project[s] at hand. An accurate project description allows the public, and the agency, to make informed decisions regarding a project's foreseeable environmental consequences. (*City of Santee v. County of San Diego* (1989), 214 Cal.App.3d 1438, 1454-55; *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 193 ["A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost."]; Guidelines, § 15063, subd. (a)(1).) The omission or inaccurate description of material components of the Project on a programmatic basis undermines the validity of the DEIR's impacts analysis because the true nature of the Project's effects remained obscured from public review, and the effects evaluated are only a subset of the total impact on the environment. (See *McQueen v. Board of Directors of Mid Peninsula Regional Open Space District* (1998) 202 Cal.App.3d 1136, 1143-1144.)

The DEIR's finding that all but one of the impacts of the programmatic project are "less than significant" is suspect because it appears that numerous material aspects of each tower site,

22-4
(cont.)

22-5



as described in Section 3 of the DEIR, are either unknown⁶ or are inaccurately described in the Project Description. For example, Table 3-1 at DEIR 3-11 indicates construction of a 100-foot tower at the Rancho Carrillo Site while the site specific discussion of the Rancho Carrillo Tower in Appendix A indicates that the tower may in fact be 140 feet tall—a 40 percent discrepancy yielding potentially far greater aesthetic and safety implications (see discussion at II.A and I, *infra*). Likewise, the Project Description indicates power line extensions will be 25 to 300 feet, when in reality tower sites such as Rancho Carrillo will require 500 feet or more of new power line. (Compare DEIR at 3-25 [“Of the remaining sites, all but four sites (Black Eagle, Black Jack, Estelle Mountain, and Timoteo) have commercial power immediately adjacent, and provision of power to these sites will require a simple extension from existing sources. These short power runs will vary in length from 25 feet to 300 feet”] with DEIR Appendix A at p.2 [“Commercial power is available at the base of the hill at the end of Fox Springs Road, approximately 500 feet from the site.”].) The Project Description is also based on a false assumption that all roads will be available for use by the County to construct and maintain the towers, when in reality many of these roads (or at least segments thereof), such as the privately owned road at issue for the proposed Rancho Carrillo site, are privately owned or are located on federal land where increased vehicular traffic may be prohibited.⁷ Thus, the Project Description in Section 3.0 should have included discussion of the requirement to acquire easements and build roads, and Section 4.0, the Environmental Impact Analysis, should have included an assessment of the environmental impacts associated with necessary road building. Finally, the area of land disturbance and clearing will be much larger than suggested in the Project Description for many of the proposed tower sites. The Project Description suggests that tower sites will be limited to “65 feet by 65 feet . . . or about half the size of a small residential subdivision lot.” (DEIR at p. 3-3.) However, at sites where wildfires are a significant danger, perhaps a majority of tower sites, the DEIR acknowledges in a separate section that the County will “require the maintenance of fuel modification zones and defensible space around any structure that is located in the fire prone area.” (DEIR at p. 4.7-9.) Fuel modification zones require the removal of native vegetation and typically require buffers of between 100-200 feet around particular structures. Yet, the Project Description entirely ignores the impact of fuel modification zones—thereby obscuring the true footprint of most tower sites from the view of the public and agency decision-makers.

22-5
(cont.)

⁶ The DEIR contains numerous examples where the actual physical change to the environment at each individual tower site remains unknown. As one of many examples, the DEIR does not tell us the characteristics of the tower that will be placed at each site (see DEIR at 3-13 [“The communication equipment installed on each tower will vary depending on the specific coverage requirements for each site.”]), nor does it reveal the type of foundation (and impervious surface) likely to be placed at each site (Ibid. [“Soils tests and other investigations will be performed at each site to determine the specific foundation requirements at each site.”]).

⁷ See, e.g., Section II.F, *infra*, for a discussion of the requirements of the CNF LMP and the general prohibitions of the Wilderness Act.



These are but a few of the numerous examples where the Project Description in the DEIR is internally inconsistent and fails to accurately portray the true scope of environmental degradation that is likely to result from implementation of the Project. CEQA requires the County to draft an accurate Project Description and recirculate a revised DEIR for public review. (See *County of Inyo*, supra, 71 Cal.App.3d. at p. 193 ["An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR."]; Guidelines § 15088.5, subd. (a)(4).)

22-5
(cont.)

D. The EIR Fails to Quantify and Mitigate For Growth Inducing Impacts

In addition to assessing the direct physical effects of a project, a lead agency must evaluate all reasonably foreseeable indirect physical changes in the environment that are likely to be caused by the project. (Guidelines, § 15064, subd. (d).) Indirect effects are reasonably foreseeable physical impacts caused by the project, yet removed in time or distance from the project. (Guidelines, § 15358, subd. (a)(2).) An analysis of indirect effects must include consideration of the growth-inducing impact of a proposed project—to include discussion of aspects of the project that will "remove obstacles to population growth." (Guidelines, § 15126.2(d).)

Section 7.1 of the DEIR avers that significant growth inducing impacts will not result from the programmatic project because "[t]he project will not increase access to potentially developable properties" and "[d]evelopment of the proposed project will not provide other infrastructure improvements . . . that would accommodate future growth." Assuming that the County is correct in its assessment that the Project will not directly facilitate development (which RCHOA does not concede), the County cannot credibly argue that the construction and reconstruction of 75 radio tower sites throughout Riverside County does anything other than "remove an obstacle to population growth." Large scale development cannot occur in the absence of basic emergency services. Thus, in remote areas where radio signal is lacking or non-existent, it is highly unlikely that significant new population growth will occur. The DEIR indicates that currently sixty percent of the County has radio coverage sufficient to support emergency services. Upon completion of the Project, the area of radio coverage will be ninety-five percent. (DEIR at 1-9.) It is reasonably foreseeable that many remote private landholdings—particularly in pristine mountainous areas—will now have access to emergency services, when before they did not, thereby potentially removing a substantial obstacle to development and indirectly facilitating significant indirect adverse effects on the environment. The DEIR was required to describe and implement feasible mitigation that would assure that growth inducing impacts of the programmatic project would be less than significant or explain why such mitigation was not feasible or appropriate under the circumstances. (Guidelines, §§ 15126.2, subd. (d); 15126.4, subd. (a).)

22-6

08 JUL 24 AM 7:28



E. Inadequate Analysis and Mitigation of Cumulative Effects

CEQA requires a mandatory finding of significance and an EIR if a project has possible environmental effects that are individually limited but “cumulatively considerable.” Cumulatively considerable means that “the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” (Guidelines, § 15065, subd. (a)(3); Pub. Resources Code, § 21083, subd. (b)(2); see also *San Joaquin Raptor/Wildlife Rescue Ctr. v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 622.) In assessing cumulative effects, the lead agency must consider two questions: whether the cumulative impact of all related projects is significant, and whether the impacts of the specific project are cumulatively considerable. (Pub. Resources Code, § 21083, subd. (b); Guidelines, § 15064, subd. (h)(1).) If substantial evidence in the record shows that a specific project will have potential impacts that are cumulatively considerable notwithstanding compliance with the mitigation program that is imposed to address the cumulative problem, an EIR must be prepared and the significant effects identified. (*Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 115.)

One of the remarkable propositions in the DEIR is its conclusion that 75 sub-projects—each of which standing alone might require preparation of an EIR—on some of the most aesthetically pleasing and ecologically sensitive lands in Southern California, will produce less than cumulatively considerable impacts for all effects other than aesthetics.⁸ The DEIR reaches this surprising (and unsupported) conclusion by making two errors.

First, it applies an inaccurate project description (see Section I.C, *supra*) to narrowly construe the types of impacts that are likely to flow from construction of the 75 sub-projects. (See, e.g., DEIR at p. 5-3 [“The principal consideration in regards to cumulative impacts to biological resources is the small size of each of the project sites. The typical size of a PSEC project site will be approximately 65 feet by 65 feet, or about half the size of a small residential lot. Cumulatively, the approximately 50 sites being proposed adds up to only about 5 acres total across the 4.6 million-acre County.”].) This particular passage does not reveal, however, that many (if not most) of the proposed tower sites will require fuel modification zones and

⁸ (See DEIR at p. 5-9 [“The proposed project will not create cumulatively considerable impacts relative to agricultural resources, air quality, biological resources, cultural resources, geology and soil, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, or utilities.”].)



infrastructure modifications/extensions that will greatly increase the likely footprint and total acreage disturbed.⁹

Second, the DEIR entirely fails to identify past, current and future projects that might combine with the 75 sub-projects under review. It could have readily done so—though the effort might have taken some time due to the inappropriately broad scope of the DEIR—by evaluating projects of the Forest Service, Bureau of Land Management and other pertinent land managers, in and around the proposed tower sites, and then comparing the likely effects of the other non-PSEC projects against those addressed in the DEIR. But the DEIR never makes the effort—a violation of CEQA. In the next iteration of the DEIR, the County must identify other past, current and reasonable foreseeable future projects and evaluate them against the likely effects (premised upon an accurate project description) of the sub-projects addressed in the DEIR. (Guidelines, § 15065, subd. (a)(3).)

22-7
(cont.)

II. THE DEIR'S CONCLUSIONS REGARDING SIGNIFICANT IMPACTS AT THE RANCHO CARRILLO TOWER SITE ARE UNSUPPORTED BY SUBSTANTIAL EVIDENCE IN THE RECORD

An EIR must identify and focus on the possible significant effects of a proposed project. (Guidelines, §§ 15126, subd. (a); 15126.2, subd. (a); Pub. Resources Code, § 21100, subd. (b)(1).) Lead agencies are required to adopt feasible mitigation measures (or environmentally superior alternatives) that substantially lessen or avoid otherwise significant adverse environmental impacts. (Pub. Resources Code, §§ 21002, 21081, subd. (a).) The DEIR, as applied to the Rancho Carrillo Tower site, fails to identify, discuss and effectively mitigate highly significant impacts that are likely to flow from the construction of the Tower at Rancho Carrillo. The most egregious deficiencies are identified in the paragraphs below.

22-8

A. Inadequate Analysis and Mitigation of Aesthetic Impacts:

As the EIR recognizes, the Project will have significant impacts on aesthetics at the programmatic level. Mountaintops all over Southern California will be marred by unsightly radio towers—disrupting viewsheds and natural vistas. However, the impacts on aesthetics are particularly severe at the Rancho Carrillo Tower site. Construction of the Tower at Rancho Carrillo can be anticipated to “have a substantial adverse effect on a scenic vista . . . substantially damage scenic resources . . . substantially degrade the existing visual character or quality of the site and its surroundings . . . and create a new source of substantial light or glare which would

22-9

⁹ Even assuming the County's estimate of total disturbed acreage in DEIR Section 5 to be accurate, the five acres to be disturbed contain some of the most beautiful vistas in the County and are home to extensive recreation and wildlife uses.



adversely affect day or nighttime views in the area.” (Guidelines, Appendix G at I.(a)-(d).) Thus, aesthetic impacts are indeed significant.

As previously indicated, the Rancho Carrillo Tower site is on, and entirely surrounded by, wilderness lands of the CNF. (See Exhibit A.) The tower site contains natural habitat for countless native plants and animals. (See DEIR, Appendix A at p. 1 [“[T]he site itself is located in an area of very dense chaparral that is essentially undisturbed. Plant species on the site include chamise, black sage, hoary-leaf ceanothus, scrub oak, laural sumac, deerweed, sticky monkey flower, chaparral nightshade, poison oak, and sawtoothed goldenbush. Young coast live oak trees are also present on the site.”].) Indeed, on the date of the County’s visit to the Rancho Carrillo site for habitat assessment purposes, the biologist noted “[w]ildlife activity was high during the survey. Wildlife species observed include mourning dove (*Zenaida macroura*), common raven (*Corvus corax*), Anna’s hummingbird (*Calypte anna*), western scrub jay (*Aphelocoma californica californica*), wrentit (*Chamaea fasciata*), and mountain chickadee (*Poecile gambeli*).” (DEIR, Appendix B at p. 1). Residents of Rancho Carrillo, and members of the general public who hike on the adjacent Lucas Canyon Trail, are currently able to enjoy to enjoy beautiful views from the hilltop where the Tower is proposed. Construction of the tower and attendant fuel modification zone will kill most of the flora and fauna currently on the site in a 100 foot (or greater) arc and largely preclude viewing of the vistas from the hilltop. Moreover, Rancho Carrillo has no streetlights—by design—in order to enhance viewing and enjoyment of the evening sky and environment. The motion sensitive security spotlights planned for the Tower will likely be triggered by persons walking down the road in order to view the night-time wilderness sky from the hilltop. Wildlife can also be expected to trigger the security lighting—ruining the nighttime aesthetics for the entire Rancho Community and users of the San Mateo Canyon Wilderness.

Three feasible mitigation measures could potentially lessen the impact on aesthetics¹⁰—at least at the Rancho Carrillo site, but the DEIR fails to adequately explain why these measures are infeasible.

First, if there is simply no other feasible site for the Tower in Southwestern Riverside County—a proposition upon which RCHOA strongly disagrees (and for which there is no credible evidence in the record)—then the tower should be “stealthed” as discussed (but rejected) in the DEIR (DEIR at p. 1-50.) Indeed the DEIR includes a photograph of a radio tower camouflaged to look like a Forest Service lookout tower. While a radio tower is undesirable at the current site no matter what it looks like, the adverse aesthetic effects will be less if the tower appears to be something that people would expect to see in a national forest—such as a fire tower. The DEIR avers that it cannot commit to stealthing as mitigation because the materials used to stealth the tower could catch fire. However, the towers will be surrounded by a fuel modification zone which should protect the stealth materials. Additionally, any fire that gets close enough to damage the stealth materials is likely to damage the tower structure in any event since the 2,000 gallon propane tank is likely to explode (sending metal fragments flying), and the

¹⁰ (See Guidelines §15126.4, subd. (a)(1).)



structure that houses the HVAC unit is likely to burn causing the communication equipment to over-heat. (See DEIR at p. 3-14.) The vulnerability of the current site to fire also argues strongly for selection of an alternative location.

Second, the security lights should be removed. Rancho Carrillo made a conscious decision to omit streetlights from its community, and the motion sensors are likely to be frequently triggered by passing hikers, water company personnel accessing the water tank, and/or wildlife—causing unnecessary light pollution on designated wilderness lands. There will be no security personnel within 15 miles of the site in any event (40 miles for Riverside County security personnel), so it is not clear what benefit exactly the County hopes to obtain by the installation of the security lights. Someone intent on mischief could continue damaging the tower without any realistic fear of law enforcement intervention whether the security lights are on or off.

22-9
(cont.)

Both of these suggestions are feasible mitigation measures/alternatives that would reduce the significant environmental effects at the proposed Rancho Carrillo Site. The County must explain, with substantial evidence in the record, why the DEIR has not implemented such mitigation at Rancho Carrillo in order to reduce the significance of aesthetic effects. (See Guidelines §§ 15126.4, Subd. (a); 15126.6, subd. (f)(2) [alternatives that substantially lessen environmental effects must be considered in EIR].)

B. Inadequate Analysis of Impacts on Biological Resources:

The DEIR suggests that impacts on biological resources will be less than significant after implementation of mitigation. (DEIR at pp. 1-51 to 1-56.) However, putting aside the dubious assertion that the biological effects of programmatically building/reconstructing high radiation emitting radio towers on 75 mountain-tops and ridgelines (in some of the most pristine and ecologically sensitive lands in Southern California) could ever be mitigated below a threshold of significance, there is insufficient evidence in the record to support the DEIR's conclusion of less than significant impacts at the Rancho Carrillo Tower site.

22-10

1. Potentially Substantial Adverse Effect on Sensitive and Special Status Species

Appendix B of the DEIR admits that the Rancho Carrillo Site contains pristine native vegetation and is teeming with wildlife. (DEIR, Appendix B at p. 1.) As previously discussed in Section II.A, these sensitive biological resources will be destroyed by construction of the Rancho Carrillo Tower. Appendix B implies that such destruction of habitat is not significant because of its assertion that there are no state or federally listed threatened/endangered species (or their habitat) to be found at the proposed Tower site. However, Appendix B provides no explanation or evidentiary basis for its conclusion regarding state or federally protected species. No studies are cited; no account of survey methods are given. In any event, the environmental effects at Rancho Carrillo (and likely many other proposed tower sites) are potentially significant because

22-11



the habitat at the tower site is suitable for several species listed as "Sensitive" or "Watch" by the U.S. Forest Service.¹¹ (Accord Guidelines § 15380, subd. (b)(2)(B) [CEQA must consider effects on "rare" as well as state/federally listed threatened or endangered species].) The DEIR's assertion that such impacts are insignificant because they do not affect the habitat of federal or state listed species is inconsistent with the CEQA Guidelines. (See, e.g., Guidelines, Appendix G at IV.(a).)

22-11
(cont.)

2. Failure to Analyze the Adverse Effect of Radio Frequency Radiation on Flora and Fauna at Tower Sites

In any event, the DEIR fails at the Rancho Carrillo Tower site (and at every other proposed PSEC site) to consider and analyze the impact of increased radio frequency radiation on flora and fauna in the vicinity of the Tower. The scientific literature contains significant evidence that radio towers may be harmful to wildlife,¹² and while the County was not required to perform exhaustive research on the subject of wildlife radiation impacts, it was not authorized to ignore the potential impacts altogether. (See generally Guidelines §§ 15142-15147; Cf. *Berkeley Keep Jets Over the Bay Comm. v. Board of Port Comm.* (2001) 91 Cal. App. 4th 1344, 1367 [lead agency should not use scientifically outdated information].)

22-12

3. Adverse Effects on Local Policies and Regional Conservation Plans Designed to Protect Biological Resources

The DEIR asserts that provided the Rancho Carrillo Tower complies with the pertinent federal agency conservation plan, here the CNF LMP, significant adverse effects to biological resources are not anticipated. (DEIR at p. 1-56.) Accordingly, as a mitigation measure, the DEIR requires all tower sites on federal lands be "reviewed by the [federal] agency prior to site development and found to be consistent with the agency's applicable resource management plan." (*Ibid.*) However, putting aside the question of whether such "deferred mitigation" can be relied upon as a basis for the DEIR's conclusion of non-significant effects,¹³ showing

22-13

¹¹ (DEIR, Appendix B at 1 ["The study area has suitable habitat for San Diego (coast) horned lizard (*Phrynosoma coronatum blainvillii*), San Miguel savory (*Satureja chandleri*), Parry's tetracoccus (*Tetracoccus dioicus*), chaparral nolina (*Nolina cismontane*), all USFS Region 5 Sensitive List species; and northern red diamond rattlesnake (*Crotalus ruber ruber*), a USFS Region 5 Watch List species."].)

¹² (See Flavelle, *Cellular phone uses linked to bee deaths*, Toronto Star (Apr. 18, 2007) p.1; Loscher and Kas, *Der Praktische Tierarz* (1998) pp. 437-444 [study by University of Hanover (Germany) Veterinary School researchers indicating dairy cows kept in close proximity to cellular tower for two years experienced reduction in milk production and abnormal changes in behavior and physiology].)

¹³ (See *Defend the Bay v. City of Irvine*, (2004) 119 Cal. App. 4th 1261, 1275 [deferral of mitigation is impermissible when the agency "simply requires a project applicant to obtain a biological report and then comply with recommendations that may be made in the report."].)



consistency with the CNF LMP will not be possible for the County at the Rancho Carrillo Tower site. The CNF LMP forbids "communication sites" on lands designated as "wilderness" areas. (CNF LMP at pp. 4, 10.) And, as indicated clearly in Exhibit A, the proposed Tower site is indeed on designated wilderness lands. Thus, this mitigation measure, upon which the County relies for a finding of "less than significant" impact, simply cannot be implemented by the County. Moreover, the DEIR asserts that the Western Riverside Multiple Species Habitat Conservation Plan (WRMSHCP) is inapplicable to tower sites on federal lands, so the conservation and mitigation measures in that plan cannot be cited the County as evidence of suitable "replacement" mitigation for the inconsistency with the CNF LMP.

**22-13
(cont.)**

Accordingly, before the EIR can be considered adequate under CEQA, the County must: revise the DEIR for the Rancho Carrillo site to add enforceable mitigation designed to address likely impacts on Forest Service "sensitive" and "watch" species; study and mitigate for likely impacts on flora and fauna at the Tower site associated with radio frequency radiation; and demonstrate how impacts on biological resources will be less than significant notwithstanding demonstrated inconsistency with the CNF LMP and the land use designations contained therein.

4. Adverse Effects of Lighting on Wildlife

The lighting proposed for the Rancho Carrillo Tower has the potential to adversely affect wildlife. Studies have shown that adverse behavioral changes in birds and other wildlife can occur with only minimal additions of artificial lighting. Given the abundance of wildlife documented in and around the Tower site, it can be anticipated that the motion sensitive lighting will be frequently triggered. The DEIR neither acknowledges nor proposes mitigation to address this potentially significant effect on biological resources.

22-14

C. Inadequate Analysis and Mitigation of Effects on Geology and Soils

The DEIR asserts that the Project will not cause significant impacts on Geology and Soils, and therefore concludes that no mitigation is required. However, this conclusion is not supported by substantial evidence in the record as applied to the Rancho Carrillo Tower site. The County's finding of less than significant impacts is premised upon its assertion that "all towers will be constructed with a sufficient buffer or fall zone between it and any adjacent residential structures to allow for a complete tower collapse without the danger of the tower falling on a habitable residential structure." (DEIR at p. 4.6-8.) However, the Tower will be located approximately 150-200 feet from Lot 37—an undeveloped residential lot containing an existing pad in the Rancho Carrillo community. The owners of Lot 37 intend to develop the lot consistent with pertinent land use regulations, and once developed the structure would presumably lie within the trajectory of a falling tower. Thus, the premise underlying the finding of less than significant impacts (see *ibid.*) is inapplicable to the Rancho Carrillo Tower site. The Tower is also just downhill from the water tank that is the sole source of water supply (and firefighting water) for the Rancho Carrillo Community. The Rancho Carrillo community, like most of Orange and Riverside County, is seismically active. Were the tower to fall during an earthquake, a possibility the DEIR admits (*ibid.*), pieces of the tower might reasonably be

22-15



expected to fall downhill on Lot 37 and the nearby Lot 38—exposing the residents therein to “risk of loss, injury or death.” (Cf. Guidelines, Appendix G at VI.(a).)

Additionally, according to schematics provided by the County, the proposed Tower site appears to be 100 feet or less from the community water tank. Were the tower, or even a piece of the tower, to fall during an earthquake, or during periods of high winds (which may reach 70-80 miles per hour at times) at Rancho Carrillo, the falling material could be reasonably anticipated to crush or rupture the water tank—causing flooding of down gradient properties and preventing the Rancho Carrillo Volunteer Fire Department from fighting fires that might be caused by an earthquake.

The DEIR also fails to disclose what measures will be taken to ensure that clearing and grading of the Tower Site does not have adverse effects on the structural integrity of the water tank. The proposed site for the Tower appears to be immediately down gradient—at a fairly steep slope—from the large and heavy water tank. Given the enormous weight of the tank, the steepness of the slope, the possibility for seismic activity, and the close proximity of anticipated clearing and grading to the tank’s foundation, there appears to be a very real threat from the construction of the Tower to the future structural integrity of the Tank. Risk of subsidence to nearby structures is a potentially significant effect that the DEIR was required to evaluate before selecting the Rancho Carrillo site. (See Guidelines, Appendix G at VI.(c).) Its complete failure to do so is a violation of CEQA.

To summarize, potential damage to the water tank and nearby residences from construction of the Tower at Rancho Carrillo is further evidence of the risk of loss, injury or death associated with the Tower. Effects on soils and geology, such as those described herein, are indeed a potentially significant impact at the Rancho Carrillo site for which the DEIR offers no possible mitigation—a violation of CEQA. (See Pub. Resources Code, §§ 21002, 21081, subd. (a).)

D. Inadequate Analysis and Mitigation of Likely Safety Hazards

The DEIR asserts that the Project will not cause significant impacts on Hazardous Materials and Safety, and therefore concludes that no mitigation is required. (DEIR at p. 1-60.) However, this conclusion is not supported by substantial evidence in the record as applied to the Rancho Carrillo Tower site. In addition to the risks associated with the possible collapse of the Tower and subsidence of the water tank, previously described in Section II.C. *supra*, the Tower also has the potential to impair the effectiveness of the community’s emergency response plan and to create “significant risk of loss, injury or death involving wildland fires.” These are potentially significant effects of the proposed action for the which DEIR identifies no mitigation. (See Guidelines, Appendix G at VII.(g), (h).)

The Tower has the potential to impair Rancho Carrillo’s emergency response for two reasons. First, as previously discussed, if the tower were to fall in its current location it could potentially cause the nearby water tank. Rancho Carrillo’s sole source of water, to rupture—

**22-15
(cont.)**

22-16

08 JUL 24 AM 7:29



thereby preventing the Rancho Carrillo Volunteer Fire Department from using the tank to fight fires in accordance with its emergency response plan.¹⁴ Second, Rancho Carrillo has been considering the addition of a second water tank in or around the vicinity of the Tower Site as part of its emergency response plan in order to improve its firefighting capabilities in the event of a severe wildland fire. Construction of the Tower at the proposed site will likely preclude construction of the second water tank, thereby further impairing implementation of Rancho Carrillo's emergency response plan.

The Tower has the potential to cause or exacerbate the likelihood of significant loss injury or death for the reasons previously stated immediately above and in Section II.C, *supra*. The Tower at its current location could damage the water tank—precluding local firefighting capability. Moreover, as discussed in the comment letters of several residents of Rancho Carrillo, the 2000 gallon propane tank proposed for the Tower site is at precisely the location of previous wildland fires—making it an explosion risk, and a component of the Project that will exacerbate wildfire risk.

These are potentially significant effects that flow from the construction of the Rancho Carrillo Tower site. The DEIR should have identified them as such, and prescribed suitable mitigation accordingly. (See Pub. Resources Code, §§ 21002, 21081, subd. (a).)

E. Inadequate Analysis and Mitigation of Hydrology and Water Quality

The DEIR essentially concludes that any water quality impacts will be less than significant—across 75 different sites, many of which may drain to waters that are listed as “impaired” under the Section 303(d) of the Federal Water Pollution Control Act¹⁵—provided the County obtains coverage under a construction general permit and prepares a stormwater pollution prevention plan (SWPPP). (DEIR at p. 1-60.) While this premise (impacts are less than significant) in and of itself is wholly unsupported by substantial evidence in the record, it is particularly so for this DEIR where the water quality section of the DEIR admits that no water quality data was compiled or even considered. (See DEIR at p. 4.8-1.) How can the County know if it will “violate any water quality standards or waste discharge requirements,” (see CEQA Guidelines Appendix G at VIII.(a)), when it has no baseline water quality data? Without an understanding of the conditions of local surface waters and the types of best management practices (BMPs) to be utilized at particular construction sites, the County will have no meaningful mechanism to evaluate the effectiveness of the SWPPP in preventing water quality violations.

¹⁴ Of course, destruction of the water tank would also deprive Rancho Carrillo of its sole source of water supply—yet another significant impact the DEIR fails to discuss or mitigate.

¹⁵ (33 U.S.C. § 1313(d).) Approximately ninety percent of assessed waters in California do not meet all of their designated water quality standards. (See U.S. Environmental Protection Agency, Assessment Data for the State of California Year 2004 <[http://iaspub.epa.gov/waters10/w305b_report_control.get_report?p_state=CA&p_cycle=\[as of July 20, 2008\].](http://iaspub.epa.gov/waters10/w305b_report_control.get_report?p_state=CA&p_cycle=[as of July 20, 2008].)>)

22-16
(cont.)

22-17



Appendix A of the DEIR provides no information about receiving water quality in the vicinity of the Rancho Carrillo site, nor does it explore the types of best management practices to be employed during construction in order to prevent erosion and leaching of pollutants. Furthermore, it does not explain how compliance with the general construction permit will be obtained. Normally sediment from a large construction site alone is a matter of potential significance vis-à-vis water quality because of concerns with turbidity in receiving waters—particularly on hillside construction sites such as the one at Rancho Carrillo. Neither Appendix A, nor Section 4.8 (programmatic water quality analysis) contain discussion or evaluation of potential post-development surface water quality impacts that may result from the construction of the Tower. There is no analysis of potential pollutants that the Project may contribute to surface runoff, no evaluation of the potential for those pollutants to adversely affect surface waters, and no discussion of structural treatment and source controls that will be implemented with the Project to avoid, minimize and reduce water quality impacts.

22-17
(cont.)

In the absence of such analysis, the DEIR's conclusion that water quality impacts at the Rancho Carrillo site, and at similar tower sites, will be less than significant is unsupported by substantial evidence in the record.

F. Inadequate Analysis and Mitigation of Adverse Land Use Impacts

The DEIR asserts that there are no significant adverse environmental effects on land use and planning associated with the Project, and at some of the tower sites covered by the PSEC, and this is probably a true statement. However, at the Rancho Carrillo site, a small private inholding surrounded by designated wilderness lands, the likely impact of a 140 foot tower on land use planning could hardly be more severe. As discussed in Section II.B.3, *supra*, the CNF LMP does not allow communication sites in wilderness areas, and pertinent Forest Service maps indicate that the Tower site is indeed on designated wilderness land. Even if the proposed undisturbed Tower site is somehow exempt from wilderness classification, as the County seemingly believes, a 140 foot radio tower and surrounding fuel modification zone is wholly inconsistent with the land use planning goals for Forest lands in the vicinity of the San Mateo Canyon Wilderness¹⁶, particularly at the proposed Tower site which is less than a mile from the junction of three different hiking trails. (See Exhibit A.)

22-18

The placement of the Tower at Rancho Carrillo arguably violates both the CNF LMP and the Wilderness Act itself. (See 16 U.S.C. § 1133(c) [precluding "structures" in designated

¹⁶ (See, e.g., CNF LMP at p. 57 ["**Desired Condition:** The San Mateo Place is maintained as a predominantly naturally evolving landscape . . . The valued landscape attributes to be preserved over time are a mosaic of chaparral and coastal sage scrub, . . . expansive vistas that accentuate the impression of remoteness; and the undeveloped character of the land especially in those areas visible from important trail and road corridors."] See also *id.* at 29 ["Managers expect to consider new special-uses only when they cannot be reasonably accommodated on non-National Forest System lands. Maintaining open space is expected to be given priority over accommodating urban needs."].)



wilderness areas unless “subject to existing private rights.”.) Accordingly, the County was required to identify the impact as potentially significant and propose feasible mitigation (or choose an alternate site).

**22-18
(cont.)**

G. Inadequate Analysis and Mitigation of Noise Impacts

The DEIR asserts that noise impacts will be less than significant without mitigation on a programmatic basis because generators will only run for short periods of time (outside of emergency circumstances) and will be located inside equipment shelters where noise will be further muffled. As to noise during the construction phase, the County defies logic by concluding that since it owns the projects under construction, and governmental agency capital improvement projects fall outside the ambit of the Riverside County noise ordinance, any construction noise impacts will be less than significant.¹⁷ (DEIR at p.1-37.)

While construction noise may be less than significant in urban environments where ambient noise from traffic permeates, the noise of construction in forests and undisturbed mountain tops can be overwhelming. At Rancho Carrillo, the construction of the Tower will likely be heard for many miles adversely affecting the very core of the wilderness experience for the public and residents of Rancho Carrillo alike, a highly significant impact which the County should have identified (and mitigated) in accordance with Guidelines Appendix G at XI.(d). While the County’s construction of the various towers may be exempt from the County noise ordinance, exemption from a noise ordinance does not “mitigate” otherwise significant impacts to below a level of significance for purposes of CEQA. Noise impacts from construction of the Tower at Rancho Carrillo will be highly disturbing and orders of magnitude above existing noise levels. Accordingly, the DEIR was required to identify the significant impact and mitigate where feasible.

22-19

H. Inadequate Analysis and Mitigation of Impacts on Public Services/Utilities

As previously referenced in Sections II.C and D, *supra*, the Rancho Carrillo Tower is likely to preclude construction of needed water infrastructure at Rancho Carrillo and imperils the Community’s sole source of water supply. Additionally RCHOA members are concerned that the radiowaves from the Tower in very close proximity to the community water tank may interfere with the electronic signals that currently pass between the tank and the Rancho Carrillo groundwater wells—potentially wreaking havoc on management of the water system. Rancho Carrillo has no practical alternative to the solar radio system it currently uses to coordinate operations in the tank and groundwater wells because there is no telephone or utility service to provide a substitute means of communication.

22-20

¹⁷ The County offers no authority in support of this puzzling assertion. Indeed, the Riverside County noise ordinance is beside the point. Noise levels could be entirely consistent with the ordinance and still constitute significant effects, and noise levels that violate the ordinance could be deemed less than significant for purposes of CEQA under certain circumstances.



Questions have also been raised as to whether construction of the Tower will interfere with (or rupture) the pipelines that currently transport water from the tank to the Community. The pipelines are located in close proximity to the proposed Tower site—though the DEIR does not provide enough information on the exact location of the Tower for RCHOA to know for certain if there will be direct encroachment. These are yet further illustrations why the Tower is such an exceptionally poor fit at the proposed site.

22-20
(cont.)

I. Inadequate Analysis and Mitigation of Impacts on Recreation

As explained in great detail in Section I.B. *supra*, the Rancho Carrillo Tower is likely to have a very significant effect on recreation because of its proximity to, and visual impairment of, hiking, wildlife viewing and other outdoor activity in the vicinity of the proposed Rancho Carrillo Tower site. The same is likely true for many of the other mountain top sites described in the DEIR. The DEIR must identify how these impacts will be mitigated below significance based on substantial evidence in the record or explain why such mitigation is not feasible.

22-21

J. Inadequate Analysis and Mitigation of Traffic/Circulation Impacts

The DEIR concludes that traffic impacts from the Project will be less than significant in the absence of any prescribed mitigation. (DEIR at 1-61.) However, at Rancho Carrillo, this assessment is not supported by substantial evidence in the record. The road that leads from Ortega Highway to the proposed Tower site is approximately 7.5 miles long and privately owned for much of its length. Its upkeep is funded by RCHOA and its members. The road is very narrow with limited visibility, and it is not kept up to the safety standards of public roads. The primitive condition of the road could potentially be an obstacle for construction equipment and other large vehicles that attempt to transit the road before and after construction of the Tower site. Traffic on the road is currently very limited—by design. During the construction phase there could be as many as 20 additional vehicle trips a day—thereby causing an “increase in traffic, which is substantial in relation to the existing traffic load” over the short term. (See Guidelines, Appendix G at XV.(a).) Moreover, many of these additional vehicles, as previously referenced, would be heavy trucks and earth-moving equipment that are likely to damage RCHOA’s privately held road—yet another significant impact. The road is Rancho Carrillo’s lifeline to the outside world, and damage to the road would leave members of the community stranded.

22-22

The increase in motor vehicle use is particularly significant on wilderness lands—which the Tower site will occupy—because motor vehicles use is generally prohibited in wilderness areas (subject to existing private rights—such as those held by landowners at Rancho Carrillo). (See CNF LMP at p.3; 16 U.S.C. § 1133(c).) Thus, traffic is indeed a potentially significant effect at Rancho Carrillo (and likely other remote sites) and should have been the subject of more thorough analysis and feasible mitigation measures in the DEIR.

It is worth noting that the County does not currently have a right of access across the private road that leads to the proposed Tower site. RCHOA members, forty of whom own title

08 JUL 24 AM 7:29



to land underlying the road itself (rather than simply an easement to use the road), have expressed extreme reluctance to granting access rights to the County because of anticipated adverse effects on traffic, safety, aesthetics, neighborhood character, and the potential for damage to Rancho Carrillo's road infrastructure. Therefore the County will likely need to construct an entirely different road (or pertinent segments thereof)—through federal lands—if it wants access to the Tower site. Obviously, the construction of a new road will have highly significant impacts on traffic and circulation (and lead to a host of other significant environmental effects).

22-22
(cont.)

III. THE DEIR FAILED TO BASE ITS ALTERNATIVES ANALYSIS UPON SUBSTANTIAL EVIDENCE IN THE RECORD

A DEIR must describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the project objectives but would avoid or substantially lessen any of the significant effects of the project. (Guidelines § 15126.6, subds. (a), (d).) While a lead agency need not consider every conceivable alternative, it must publicly disclose its reasoning for selection and non-selection of alternatives. (*Ibid.*)

While RCHOA has no quarrel with the PSEC DEIR alternatives analyzed at the programmatic level per se, the alternatives analysis is entirely deficient vis-à-vis selection of the Rancho Carrillo Tower site. This is so for a number of reasons. First, while the DEIR does consider an "Alternative Locations Alternative" and asserts that over 150 candidate sites were considered before narrowing the choices down to the 50 "new" sites currently under analysis in the DEIR, the alternatives section of the DEIR provides the reader with no basis for its selection or non-selection of particular sites (other than a cryptic graph that reveals essentially no information about the site specific criteria applied). (See DEIR at pp. 6-3 to 6-9.)

An EIR must provide the public with a basic understanding of the alternatives considered and rejected (see generally *Laurel Heights*, *supra*, 47 Cal.3d at 392), but here the DEIR simply tells readers that amorphous "other sites" were rejected because they were not "accessible or acquirable" or because they would have impacted "sensitive biological or cultural resources." (DEIR at p. 6-9.) However, the Rancho Carrillo site suffers from these very same "deficiencies." The site is on wilderness lands at the end of a 7.5 mile primitive road that is privately owned for much of its length, and the County has not obtained access rights from RCHOA members, nor permission to build from the Forest Service. The proposed Tower site could hardly be less accessible, and sensitive biological resources are in fact found at the proposed site. (See Section II.B *supra*.) Another criterion apparently utilized by the County was cost. (DEIR at p. 6-3.) But given the cost the County will likely incur to condemn access rights to the site (if it is legally able to do so) across several miles, and the cost to run power 500 feet or more to the current proposed Rancho Carrillo site, it would seem that the cost at Rancho Carrillo would be comparable or greater than other sites. Of course RCHOA can only guess, because the DEIR *does not reveal what other sites were considered as alternatives to the Rancho Carrillo site.*

22-23

08 JUL 24 AM 7:29



and it does not explain why each of them was rejected. Instead, the County invites readers to take the County at its word that the sites selected are truly the only feasible sites available. CEQA simply does not allow this. (Guidelines § 15126.6, subd. (d) ["EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."].)

The County must identify each alternative site considered (and rejected) in a recirculated DEIR, and provide the specific basis for rejecting each alternative site. The chart on page 6-6 of the DEIR is entirely inadequate under CEQA. It reveals only that six additional sites were considered (somewhere) and one or more of the following cryptic factors (Inadequate Coverage, Acquisition, Cost, Aesthetic Constraints, Biological Resources Constraints) were utilized to rule out each potential alternative site. (DEIR at p. 6-6.) While RCHOA cannot comment on the practicality of obtaining adequate radio coverage from the Rancho Carrillo site, it can say that all of the other factors utilized to rule out other sites, apply with equal force at Rancho Carrillo. The Rancho Carrillo sitelike cannot be "acquired" by lease from the Forest Service without violating the Wilderness Act and the CNF LMP. Costs will be high (e.g., condemning access rights, adding 500 feet or more of utility lines, creating and maintaining a suitable wildfire buffer). Aesthetic impacts could not be more significant (see Section II.A *supra*), and Forest Service sensitive and watch list species may inhabit the biologically sensitive Rancho Carrillo site. CEQA requires more credible evidence in the record to support the County's decision—particularly where, as here, the same criteria used to rule out other sites apply with seemingly equal (or greater) force at the site selected. (See Guidelines § 15151 [EIR must contain "sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences."].)

Though the DEIR does not tell them one way or another, RCHOA members have been advised by County staff that one of the other sites considered but rejected was Sitton Peak. This location, purported to have been the County's "first choice," is a few air miles to the northeast of the Rancho Carrillo Tower site, and its construction would have little to no impact on the Rancho Carrillo community. It is also, as County staff have conceded to members of the RCHOA, superior to the Rancho Carrillo site in a number of material ways. First, Sitton Peak sits at an elevation of 3,273 feet (as opposed to Rancho Carrillo's 2,300 feet) and would therefore have a better ability to "see"¹⁸ and communicate with other radio towers because of the increased height—potentially obviating the need to place towers at El Cariso and Rancho Carrillo (and saving the County a great deal of money by allowing construction of one tower instead of two). Second, unlike the Rancho Carrillo site, Sitton Peak is not located on wilderness lands and construction of a tower at Sitton Peak would not appear to violate the CNF LMP. Sitton Peak too is accessible by road to the immediate south of the summit, but unlike Rancho Carrillo, it is not in the immediate vicinity of a residential community, is not surrounded by wilderness area, and is not likely to aesthetically impair the experience of wilderness hikers on three different

¹⁸ (See DEIR at Section 6.1.4 [towers must be able to electronically "see" other towers in network].)

22-23
(cont.)

08 JUL 24 AM 7:29



Forest Service hiking trails. Though local power supply would not appear to be available at Sitton Peak, the County has the capability to operate the site with a generator—as they have proposed at other sites that are part of the PSEC.

The recirculated DEIR requested herein should involve a thorough analysis of Sitton Peak as an alternative site along with an analysis of other potential locations. Perhaps the County is correct and Rancho Carrillo is the least infeasible of all the potential candidate sites, but it is still infeasible. If the County wishes to continue forward with Rancho Carrillo as its selected alternative, then it needs to provide substantial evidence in the record why other sites are not more suitable, and thoroughly explain how it intends to comply with the Wilderness Act and other federal statutes¹⁹ invoked in a proposed Forest Service outlease on highly sensitive public lands

**22-23
(cont.)**

IV. CONCLUSION:

We thank you again for the opportunity to comment on the DEIR and look forward to the County's recirculation of a DEIR that either adequately addresses an alternative site to Rancho Carrillo or mitigates the impacts of the Tower at Rancho Carrillo below the threshold of significant effects. (See suggested mitigation measures recommended in Section II.A. *supra*.) RCHOA is willing to work with the County and other public officials in finding suitable alternative locations (or configurations) for the proposed Rancho Carrillo tower that achieve similar benefits without imposing undue aesthetic, ecological, safety, and socio-economic burdens on the Rancho Carrillo community and the wilderness that surrounds it.

22-24

¹⁹ As the DEIR acknowledges, the Forest Service will need to comply with NEPA and its own internal regulations governing outleases to non-federal entities before it can even entertain the County's request to utilize Rancho Carrillo as a communications site. (DEIR at 1-36 to 1-37.) The Forest Service will need to demonstrate (and will likely have great difficulty doing so) how the proposed outlease—seemingly entirely inconsistent with the wilderness lands that surround the Tower site—can nevertheless be deemed consistent with the CNF LMP and the NFMA (see 16 U.S.C. §§ 1600 et seq.). Consultation under the ESA may also be required. (See 16 U.S.C. §§ 1531 et seq.)

Ms. Ashley Mitchell
County of Riverside
July 23, 2008
Page 22



If you have any questions or concerns about the matters expressed herein, please feel free to contact me at (949) 833-7800 or by e-mail at clobell@nossaman.com. You can also contact Jeremy Jungreis of our office at (949) 477-7635 or by e-mail at jjungreis@nossaman.com.

**22-24
(cont.)**

Very truly yours,

Carollyn B. Lobell
of Nossaman LLP

Jeremy N. Jungreis
Of Counsel
for Nossaman LLP

CBL/rrg

08 JUL 24 AM 7:29

Rancho Carrillo Homeowners Association (Represented by Nossaman, LLP) (July 23, 2008)

Response to Comment 22-1

The County appreciates the RCHOA's interest in this project. The PSEC project team has been working with the RCHOA and members of the Rancho Carrillo community for some time, and it is hoped that an agreeable solution can be found to meet the desires of the community while still providing the emergency services radio coverage that is currently inadequate in the southwest portion of the County. As has been conveyed to the RCHOA, the proposed tower is not just intended to provide coverage to the residents of Rancho Carrillo, but also to a large portion of southwestern Riverside County, including a portion of the Ortega Highway that currently lacks coverage and which has approximately 70,000 vehicle trips per week within the coverage area. Additionally, there will be coverage on the private road that enters the Rancho Carrillo community.

The County looks forward to continuing its cooperation with the community. The County must take issue, however, with the RCHOA's assertion that the Draft EIR violates CEQA and various federal statutes. As will be discussed later in this response to comments, the Draft EIR is sufficient in regards to compliance with CEQA and applicable federal statutes.

Response to Comment 22-2

The RCHOA should be aware that the nearly 50 new communication sites proposed for the PSEC project are distributed throughout the County and are proposed in many different types of communities and natural surroundings. The "burden" of the project is distributed amongst many of the County's citizens, and the Rancho Carrillo community is not being asked to share this burden in a disproportionate manner. While the County recognizes the community's concerns and the potential impacts associated with the project, the Rancho Carrillo site is in many ways no different from any number of locations and communities where towers are proposed. The principal objective of the project is to provide adequate emergency service radio coverage to emergency service providers in the field. Locations for towers were determined based on their ability to meet the coverage requirements necessary to meet that objective. The principals of radio and microwave science impose constraints on where towers can be located while still meeting coverage requirements. This is particularly true in the more remote areas of the County where radio coverage is currently inadequate due to changes in topography such as the Rancho Carrillo area. These constraints do not discriminate between wealthy or less affluent communities, or between areas that are scenic and those that are not, and the PSEC project proposes towers within a whole range of communities and environmental settings.

In each situation, the County has tried to minimize environmental impacts to the greatest extent feasible while still meeting the requirement that emergency service personnel be able to effectively communicate with one another during execution of their duties. These duties range in severity from everyday routine operations like traffic stops, to life and death situations involving auto accidents, shootings, lost hikers, catastrophic wildfires, and earthquakes. Emergency service personnel in this

County have been seriously injured and killed due to inadequate communication coverage, and timely responses to changing emergencies have limited law enforcement and fire fighting effectiveness. The seriousness of this situation cannot be overstated, and remedying this problem is everyone's burden.

Response to Comment 22-3

As stated on page 2-1 of the Draft EIR, the programmatic approach of the Draft EIR was applied based on specific direction from the CEQA Guidelines regarding projects very much like the PSEC project. Section 15168(a) of the CEQA Guidelines states that a Program EIR is appropriate for projects which are "... a series of actions that can be characterized as one large project and are related either:

1. Geographically;
2. A logical part in the chain of contemplated actions;
3. In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or
4. As individual activities carried out under the same authorizing statutory or regulating authority and having generally similar environmental effects which can be mitigated in similar ways."

Section 15168(b) of the CEQA Guidelines further states: "Use of a Program EIR can provide the following advantages. The Program EIR can:

1. Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
2. Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis;
3. Avoid duplicate consideration of basic policy considerations;
4. Allow the Lead Agency to consider broad policy alternative and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and
5. Allow reduction in paperwork."

Despite the RCHOA's assertions, each of the proposed tower facilities are very similar in nature in that they will generally all have the same types of impacts, such as: 1) they all will generally disturb and occupy the same amount of space; 2) they all will generally have the same appearance with only minor variations; 3) construction and operation of each site will be carried out in a similar manner regardless of location, and the impacts associated with construction and operation at each site will be essentially identical; and 4) all must abide by applicable local, state, and federal rules and regulations concerning acquisition, entitlement, approval, construction, and operation. In other words, a Program EIR is particularly appropriate for a project of this type.

Further in the RCHOA's comments (see comment 22-5), the RCHOA criticizes the County's programmatic approach with the rather extraordinary statement that each of the project's tower locations "could arguably require the preparation of an EIR". Any reasonable person would see that this assertion is entirely untenable. The amount of ground disturbance at each tower site is extremely small (worst-case approximately 100 by 100 feet square). In fact, it is very likely that construction of any one of the residential structures within the Rancho Carrillo community itself would create a greater footprint and thus have a greater impact in terms of ground disturbance and other impacts, and no one would ever suggest that an EIR be prepared for such an undertaking. Stand-alone EIRs for each of the PSEC sites would be an exercise in meaningless redundancy since development at each of the sites will create essentially the same types of impacts. Further, stand-alone documents would serve to piecemeal the project in that each site would be considered independently of all the rest and thus a cumulative impact analysis would be avoided. No doubt, had such an approach been implemented, the RCHOA would have accused the County of piecemealing the analysis and would be demanding that a *programmatic* document be prepared. Regardless, the programmatic approach to this project is clearly indicated and the County was wholly correct in pursuing it. The Draft Program EIR prepared for the project fully meets the requirements of CEQA in that it accurately identifies, assesses, and presents the environmental impacts associated with the project. It provides the public with meaningful information that allows them to "respond accordingly to action with which it disagrees." The information and analysis contained in the EIR is entirely adequate and the RCHOA's assertions otherwise are based more on opinion than fact, and RCHOA's comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR. Recirculation of a revised document is clearly not necessary and would only serve to unnecessarily delay implementation of this vital project.

Response to Comment 22-4

The Draft EIR and its associated technical appendices comprise nearly 1,500 pages of informational material designed to provide readers with a comprehensive picture of baseline conditions and potential environmental effects of the proposed project. The majority of that material is specifically devoted to descriptions and assessments related to each of the individual project sites. The County made the determination early on that if it attempted to incorporate every informational aspect of each of the 50 sites into the main text of the document, the result would be an enormous tome of information that would be unmanageable in its extent and essentially incomprehensible. Such a document would be cumbersome to both decision-makers and the public. It was therefore determined that a summary approach in the main document was the only workable means of presenting the baseline information and environmental findings in an understandable form. As stated throughout the EIR, readers interested in a particular site were referred to the appendices where more detailed information was presented. Appendix A provided individual environmental setting presentations for each site, and also provided maps, aerial photographs, and representative photos taken both of and from the sites. The individual writeups presented information that accurately conveyed the "physical and environmental conditions in the vicinity of the project" [CEQA Guidelines Section 15063(d)].

The individual site descriptions presented information related to location, surrounding land uses, topography and vegetation, land ownerships and applicable management plans, existing road access, and availability of commercial power. Each of these descriptions was succinct and to the point in precisely the manner prescribed in the CEQA Guidelines, where it is stated “The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternatives” [CEQA Guidelines Section 15125(a)]. As required by the CEQA Guidelines, the environmental setting descriptions for the sites presented the “baseline physical conditions by which a lead agency [may] determine whether an impact is significant” [CEQA Guidelines Section 15125(a)]. By reviewing the narrative discussion and the exhibits contained in the individual site description for a particular site, a reader is able to gain an understanding of a great many environmental factors, including: 1) the overall nature of the site in terms of disturbance and relative environmental values; 2) surrounding land uses and the site’s place within those existing uses; 3) the landforms and vegetation on the site and within the surrounding area; 4) the ownership status of the site and surrounding properties; and 5) applicable management plans or other requirements that could direct or influence development on the site. Based on this information, a reader can comprehend and understand the existing environmental setting. When paired with information in the project description, the reader can then understand the likely impacts of the proposed project at each individual site. This approach and the information contained in the Draft EIR is fully compliant with the requirements of CEQA.

In regards to this comment’s discussion of recreational impacts, the RCHOA should be aware that analysis of recreational impacts in the Draft was based directly on the Thresholds of Significance Guidelines contained in Appendix G of the CEQA Guidelines. The Guidelines require assessment in terms of uses that may require the provision of additional recreational facilities and/or overuse of existing facilities. It does not require the analysis alluded to in the RCHOA’s comments. The County received no request to assess these impacts during circulation of the Notice of Preparation for the project. Therefore, analysis within this context is beyond the scope of the Draft EIR.

This discussion, however, does present the opportunity for the County to clarify what appears to be a misconception by the RCHOA regarding the nature of the sites proposed for development by the PSEC project. In various places throughout the RCHOA’s comment letter, it is stated that the project proposes to place towers in “pristine wilderness areas” or “on some of the most aesthetically pleasing and ecologically sensitive lands in Southern California” and so on. These characterizations are in no manner accurate. As described in the Draft EIR, fully half of the proposed sites are located within or immediately adjacent to existing “antennae farms” where one or more communication towers are already present, such as the facilities proposed for Elsinore Peak, Santiago Peak, and others. Six more sites are located directly within urban areas, such as the towers proposed in the City’s of Corona, Riverside, and others. Nearly all of the remaining sites are located within areas that have been subjected to extensive disturbance or are located adjacent to other structures such as water tanks, high tension powerlines, windmill farms, or roadways. One of the sites is even located at a County landfill. Less than five of the proposed sites are located in areas that could reasonably be considered

“pristine,” and even that number is generous. None of the proposed sites, including the Rancho Carrillo site, is located within a designated wilderness area. The RCHOA’s claim that these sites possess significant recreational values is vastly overstated. Indeed, the Rancho Carrillo site itself cannot be included in this list of “pristine” locations, despite the RCHOA’s assertions to the contrary. The proposed site is located adjacent to a massive water tank that is accessed by a roadway that passes immediately adjacent to the proposed site, and like the Rancho Carrillo Community, it is outside of the designated Wilderness. The Rancho Carrillo residential development of roads, homes, and outbuildings is readily visible to the west of the site and all of the associated features of a semi-rural residential community are within a stone’s throw of the project site. While the site may be relatively pleasant when compared to an urban environment, it is in no way “pristine” and this characteristic is representative of all but a handful of the PSEC sites.

Response to Comment 22-5

The comment states that the Draft EIR contains an inaccurate project description and that material aspects of the site are inaccurately described. The issue of tower height at the Rancho Carrillo site being either 100 or 140 feet in height is addressed in Table 3-1 where the height is given as 100 feet. The County is uncertain where the reader saw the 140 feet figure. A careful review by the County of the Draft EIR and its appendices did not locate a reference to that height. In regards to the issue of power line extension, existing power can be extended underground to the tower site either within the water line easement between Fox Springs Road and the water tank or within the road easement to the water tank. A less ground-disturbing alternative could be to construct an above ground power line above one of these easements, but in keeping with the community’s desire to avoid above ground power lines this possibility is not likely to be implemented.

With regard to access to the site on the existing road into the Rancho Carrillo neighborhood, in the absence of a public safety road easement, the County would negotiate with the RCHOA for the right to access the site for construction and maintenance, so no new roads are envisioned. Finally, in the area of land disturbance and how much vegetation would have to be cleared for fuel modification, this amount would be minimal for the following reasons: 1) the proposed site is adjacent to the existing road to the water tank and the existing waterline easement which are currently maintained clear of vegetation. The area around the water reservoir itself is kept clear of vegetation, so actual new fuel modification and maintenance of the cleared area would be limited to the area immediately around the tower site. As shown in the aerial photograph included in Appendix A of the Draft EIR for the Rancho Carrillo site, this area is minimal.

Response to Comment 22-6

Of all of the issues raised in the RCHOA’s comments on the proposed project, the assertion that residential development will not occur in areas without emergency service communication coverage is certainly the most ironic. Rancho Carrillo itself is a residential development that is located in an area where there is presently no emergency radio coverage except for very limited coverage by Cal Fire. Emergency service providers responding to an incident in the Rancho Carrillo area currently

have no reliable capability to communicate except by landline. Law enforcement officers, for example, cannot call for backup from their patrol cars or from their handheld units. Firefighters cannot coordinate their efforts without the use of satellite telephones or the installation of temporary repeaters. Despite this situation, the lack of emergency service communication coverage certainly has not kept the residents of Rancho Carrillo from developing their properties and living in an area without adequate coverage.

This situation occurs throughout southern California, and is not just limited to small, isolated communities like Rancho Carrillo. There are many large housing tracts in the County that have been constructed in areas without adequate coverage. In fact, the County is not aware of a single project, whether it be a single residence or a massive housing tract, that has not been developed because of inadequate emergency communication coverage. Clearly, inadequate coverage has not impeded growth in the County. The assertion that the project will somehow encourage growth into remote areas is clearly without merit based on a simple review of the current situation in the County, as well as an assessment of the situation in the Rancho Carrillo community itself. Growth into these areas is already occurring on a massive scale, and this public service project is an appropriate and necessary response to that growth. The PSEC project is a costly effort to address this ongoing pattern of rural development.

Response to Comment 22-7

Much of the RCHOA's discussion in this comment is based on its inaccurate perception that the PSEC project intends to place scores of communication towers "on some of the most aesthetically pleasing and ecologically sensitive lands in Southern California" (to quote the RCHOA's letter). As previously presented above in Response to Comment 22-4, this assertion is completely without merit and it would appear that the RCHOA is attempting to distort the true nature of the project. To reiterate the County's response to Comment 22-4, and as described in the Draft EIR, fully half of the proposed sites are located within or immediately adjacent to existing "antennae farms" where one or more communication towers are already present. Six more sites are located directly within urban areas. Nearly all of the remaining sites are located within areas that have been subjected to extensive disturbance and/or are located adjacent to other structures such as water tanks, high tension powerlines, windmill farms, or roadways. One of the sites is even located within a County landfill facility. These locations are not, as the RCHOA's comments assert, "some of the most beautiful vistas in the County" nor are they "home to extensive recreation and wildlife uses." In all, less than five of the proposed sites are located in areas that could reasonably be considered "pristine," and even that number is generous. Some perspective on impacts can be gained from the understanding that the PSEC project directly affects about 25 acres in a County of approximately 4.6 million acres.

Not surprisingly given the facts presented above, what the analysis in the Draft EIR found is that the level of impact at each of the proposed sites and the cumulative impact of the overall project is truly negligible. Even when combined together, the impacts that will be created during the construction and

operation of all of the tower locations is remarkably small. The only possible exception to that fact is aesthetic impacts, which the EIR plainly acknowledges.

As explained in the Draft EIR on page 5-1, there are two accepted methods that can be utilized to address cumulative impacts. The first method is identifying individual projects that may contribute to cumulative impacts. In this manner, each project's impact can be found to be considerable when viewed in connection with the effects of past, current, and probable future projects. The second method is identifying the potential cumulative impacts from a universal standpoint in comparison with the proposed project. Universal comparison is considerable when viewed in connection with the effects of past, current, and probable future projects within an area-wide region (i.e., County or State).

The "universal" method is consistent with the recent CEQA court case "Communities for a Better Environment vs. California Resources Agency" (2002) which also relied on "San Franciscans for Reasonable Growth vs. County and City of San Francisco" (1984) for guidance. For purposes of the EIR prepared for the PSEC project, the County adopted the second or "universal" method, since the PSEC project is a County-wide project covering the 4.6 million-acre County and other peripheral areas. Clearly it would be infeasible to inventory every past, present and future project in the County, as the RCHOA suggests in its comments. Rather, the County relied on the project's context within the broader region, especially as it would relate to the placement of communication towers, of which there are hundreds, if not thousands, across the County. The only reasonable outcome of this analysis is that the project is, in fact, not cumulatively significant.

This issue underlines the fact that the RCHOA seems to want it both ways, first by asserting that the scope of the EIR is too broad, and then by asserting that the EIR did not look broadly enough. In one comment the RCHOA suggests that the County should have prepared *separate EIR's*, but then another comment *in the same paragraph* asserts that the EIR is deficient because it didn't look at everything. What becomes apparent when reviewing the RCHOA's comments is not so much that there is really anything wrong with the EIR. Rather, the real issue is that the RCHOA *just doesn't like the project*. The RCHOA is certainly free and encouraged to have and voice their opinions. However, someone simply not liking a project is not a credible reason for denying a project which has benefits to the larger public, especially a project that is vital to the safety of all of the County's residents and the emergency responders that serve them.

Response to Comment 22-8

A review of the Draft EIR will reveal that the document accurately identifies, assesses, and presents the environmental impacts associated with the project, as required by CEQA. As discussed in these responses to the RCHOA's comments, the information and analysis contained in the EIR is entirely adequate.

Response to Comment 22-9

As discussed above in Response to Comments 22-4 and 22-7, the County does not propose to develop a project that will result in a situation where "mountaintops all over Southern California will be

marred by unsightly radio towers” (to quote the RCHOA’s comments). The County has already responded to this assertion and will not reiterate those comments here, except to say that the RCHOA’s claim that most of the sites are in any way “pristine” is vastly overstated.

The Draft EIR makes no claim that the tower at the Rancho Carrillo site will not result in a significant aesthetic impact under CEQA. The EIR freely acknowledges that placement of a tower at that location will substantially alter the existing visual environment. The issue before the County, however, is whether or not the benefits derived from placing a tower at that location will outweigh the identified environmental impact. At this point, the County certainly believes that the project’s benefits far outweigh the impacts. The project will not only benefit the residents of Rancho Carrillo through the provision of emergency communication coverage, but it will also provide coverage to portions of the busy (and hazardous) Ortega Highway, which is traversed by thousands of vehicles each day. It will also provide coverage in the more remote areas of the Cleveland National Forest, where fire danger is extremely high and firefighters and search and rescue teams working on incidents in the area are currently unable to effectively communicate. The County believes that its duty to its citizens and the emergency service personnel who serve them is to provide effective emergency communications to all areas of the County that require it. The proposed project, of which the Rancho Carrillo facility is but a part, is the fulfillment of that obligation.

The RCHOA states in its comments in several sections that the Rancho Carrillo site is located within designated Wilderness. This is not accurate, and this fact has been confirmed by land and special use personnel with the U.S. Forest Service. The Rancho Carrillo tower site, like the community’s water tank, is located on a portion of National Forest lands that is not within Wilderness. When the San Mateo Canyon Wilderness was designated by Congress in 1984, a small triangle of non-Wilderness land immediately adjacent to the non-wilderness private inholdings of Rancho Carrillo was “cherry-stemmed” out of the Wilderness designation to allow for the water tank that was already present at the site. This non-Wilderness component of National Forest land is clearly evident on the USGS map of the area and in the Cleveland National Forest’s recently adopted Land Management Plan. Therefore, the site is emphatically not in a designated Wilderness area, as the RCHOA has claimed.

The RCHOA suggests two alternatives that could be implemented to lessen the visual impact at the site. The first is the application of “stealth” materials to camouflage the site. While the County has expended considerable resources exploring this alternative, it has not been able to determine a way to feasibly apply these treatments in a manner compatible with the specific communications equipment that are required as part of the proposed project. Pages 3-13 and 4.1-29 of the Draft EIR discuss the specific constraints that currently render the use of stealth treatments infeasible for this project. Among other issues, the susceptibility of these products to wildfire heat is a very real constraint, since these products do not have to receive direct exposure to flames to melt or combust and thus potentially render the tower inoperable. Wildfires can create extreme air temperatures that can damage these products even when flames are some distance from the structures. This issue has been widely reported by the cellular telephone industry. Compared to the more common application at

cellular communication sites, stealth treatment is further limited by tower height and the presence of microwave dishes. Therefore, the County has rightly determined and disclosed in the EIR that these products are not suitable for this project.

The RCHOA's claim that the Draft EIR did not consider mitigation for aesthetic impacts is unsupported. Substantial discussion on this topic was presented in the Draft EIR. The very real limitations of the potential mitigation treatments was thoroughly analyzed, and the rationale for the County's decision to not propose these treatments is adequately explained. The RCHOA's claims are based solely on its opinion of how the project should be developed, and do not present substantially new information that has not already been thoroughly analyzed in the EIR.

The RCHOA also raises concerns regarding the 2,000 gallon propane tank that will be placed on the site to fuel the backup generator. The HOA believes that the tank will represent a fire hazard and could explode in the event of a wildfire. This assertion is not accurate, and as the County has indicated in correspondence with the RCHOA, design elements will be incorporated to protect against the possibility of explosion. The tank will have a triple rating by the Fire Marshall, and will be installed below grade in a concrete vault. This design has been used at other communication sites in high fire danger areas (i.e. the County's Santa Rosa Peak site) and has provided more than sufficient protection from explosion risk.

The RCHOA's other suggestion regarding the removal of the motion-sensor activated lighting at the site seems somewhat inconsistent with the fact that existing lighting associated with several residences in the community is located within several hundred feet of the site. Lighting at the site would be triggered by a motion sensor that will typically only be triggered by maintenance personnel that might have to enter the compound during nighttime hours. One light would be mounted on the outside wall of the equipment shelter adjacent to the entry door. The equipment shelter itself would be placed within the fenced perimeter of the communication compound. The lights would be down shielded and screened to minimize any light bleeding to adjacent areas. Impacts from the lights will be negligible, especially if one considers the minimal amount of time that the lights will actually be triggered. For obvious reasons, the County would prefer to retain this feature, since it provides for the safety of its maintenance personnel who might be called out to visit a site during an outage or other emergency. Considering how infrequently these lights will be used, together with the presence of existing residential lighting in the area, the County does not believe that this arrangement creates a significant change to the nighttime environment in the area.

Response to Comment 22-10

The RCHOA's claim in this comment that the impacts to biological resources created by the project could never be mitigated to a level of less than significant is unsupported. Statements in this comment are based solely on opinion and are not supported by factual evidence. Again, the RCHOA's claims in this regard are based on its erroneous claim that the proposed project intends to place towers "in some of the most pristine and ecologically sensitive lands in Southern California." The facts speak

otherwise, and evidence supporting those facts has already been discussed in the County's previous responses to this inaccurate claim (see Response to Comments 22-4, 22-7, and 22-9), as well as in the Draft EIR. Further, the RCHOA seeks to inflate the number of proposed new towers that will be built for the PSEC project. The number is not 75, as the RCHOA states in numerous places throughout its comments. The actual number is 50 new towers, which will augment the county's 25 existing towers, some of which have been in place for decades.

Response to Comment 22-11

The Rancho Carrillo site does not contain unique habitats or sensitive biological resources as the RCHOA claims. The site is composed of a mixed chaparral community that is not unlike similar vegetation found across hundreds of square miles of southern California. The wildlife species living in the area are also typical of those living throughout the region.

The RCHOA also makes the claim that that no studies or account of survey methods are given in the Draft EIR. This is not a factual statement. The Habitat Assessment contained in Appendix B of the EIR presents a complete discussion of the survey methods conducted at each site. Each survey was conducted according to regulatory and professional protocols by qualified biologists with many years of experience (see Section 3 of the Habitat Assessment). The results and findings of the surveys conducted at each site are contained in Appendix B of the Habitat Assessment and are summarized in the main text of the assessment and in Section 4 of the Draft EIR. The Habitat Assessment and the Draft EIR also provide detailed discussion of the regulatory framework associated with endangered, threatened, and other classes of sensitive species at all levels of the regulatory spectrum (see Sections 2, 3, and 4 of the Habitat Assessment and pages 4.4-1 through 4.4-23 of the Draft EIR).

The Habitat Assessment, together with literature reviews, sensitive species database searches, soil surveys, consultations with the U.S. Forest Service, and on-the-ground surveys found no evidence to indicate that the Rancho Carrillo site provides a unique habitat for threatened or endangered species, or that any threatened or endangered species are present on the site.

As for the U.S. Forest Service Region 5 Sensitive List and Watch List species, it is apparent that the RCHOA is not familiar with the requirements associated with these species. Watch List species are species that require monitoring as per the Land Management Plan of each National Forest. These species are not offered any more additional level of protection than any other species. The only requirement is that they and their habitats be monitored. Results of this monitoring will be used in future planning and management efforts once the habitats and ecology of these species is more fully understood. Sensitive List species are subject to a somewhat more detailed review, in that a Biological Evaluation (BE) must be prepared as part of the NEPA process if it is determined that a listed species in fact occurs on the project site. The results of the BE are used by the Forest Service to determine if the Service's discretionary action may impact the species. In the event that a potential impact is identified, the Forest Service can either avoid or mitigate the impact at its discretion. The County conducted surveys for all USFS Watch List and Sensitive List species at all of the sites on

Forest Service lands and found that none of the sites contained any of the listed species. The County's finding of a less than significant impact was based on these findings, and also on the fact that Watch and Sensitive list species are provided with no direct protection under any state or federal law or regulation. The Forest Service will be required to come to its own determination on this issue during their own NEPA analysis, but based on what the County has already determined in its own analysis, it is extremely unlikely that the Forest Service will come to a different conclusion. The analysis and the findings of the Draft EIR in this regard are fully consistent and compliant with the spirit and rule of CEQA.

Response to Comment 22-12

This comment states that the County failed to consider and analyze the impacts of increased radio frequency radiation on flora and fauna in the vicinity of the tower and states that there is significant evidence that radio towers may be harmful to wildlife. However, the literature cited as backup for this statement includes a study of the use of cellular phones on bee deaths and a study of dairy cows kept in close proximity to cell towers on farms in Germany. The County would argue that the impact of radiation on flora would be less than significant because the area in close proximity to the tower would be cleared to adhere to fuel modification requirements. Likewise, this impact would be less than significant to fauna because, unlike dairy cows, the local fauna are wild animals, birds and insects that are not confined to the local area, which can move for miles in any direction without barriers and still be within the same vegetation habitat associated with the local area. Another issue is that the radio tower being proposed is not a cell tower. Equipment on the tower will operate at much lower frequencies than cellular networks, so the two really are not comparable. The Draft EIR and Appendix E of the EIR provide documented evidence based on years of study and broad scientific consensus as to the benign effects of radio facilities like the proposed tower on humans. This same conclusions could easily be extended to wildlife.

Response to Comment 22-13

Due to the fact that the Rancho Carrillo site is located on National Forest System lands, the development path for the Rancho Carrillo site is necessarily a two-stage process. First, as the Lead Agency for the project, the County must assess the project in relation to the County's regulatory requirements, namely CEQA and the County's own development process. Second, construction of the facility must be approved by the U.S. Forest Service, which means it must undergo the Forest Service's own approval process, namely NEPA and the USFS Special Use Permit approval process. For the Rancho Carrillo site, and any other PSEC site located on federal lands, compliance with only one of these processes is not sufficient to allow the project to move forward. Both processes need not occur concurrently, but ultimately both must run their respective course before the project can proceed. Compliance with one process prior to compliance with the other is not deferral, as the RCHOA suggests. Compliance with USFS requirements is valid and appropriate mitigation, because compliance with their processes would lessen the impacts of the project.

Accordingly, the County will submit a Special Use Permit application to the USFS for placement of the Rancho Carrillo site on their lands. The habitat assessment surveys conducted at the Rancho Carrillo site were completed in accordance not just with County requirements, but also at the direction of the USFS based on their requirements. The assessment found no evidence to suggest that the site contains any biological resources that would warrant rejection by either the County or the USFS based on biological resources. Nevertheless, the proposed action must be found to be consistent by the Forest Service with their own policies and regulations, including the Cleveland National Forest Land Management Plan. As part of reaching that determination, the Forest Service must conduct its own NEPA evaluation. The NEPA evaluation will contain a biological resource component within the analysis, and the USFS possesses the discretionary authority to either approve or disapprove the project based on the findings of that analysis. If the USFS disapproves the project based on its own biological resources findings, then the County will not be able to meet the terms of the mitigation measure and the project will not be allowed to move forward. Mitigation measures are designed to lessen a project's impacts to less than significant levels. If the County cannot comply with the measure's requirements, then the impact of the project remains significant and without a Statement of Overriding Considerations the project cannot move forward. A Statement of Overriding Considerations for biological resources is not being proposed because the County has demonstrated that compliance with the proposed mitigation measures will result in an impact of less than significant.

The RCHOA again makes the claim in this comment that the project cannot be found consistent with the Cleveland National Forest Land Management Plan because the proposed site is located within designated Wilderness. The County is fully aware of the prohibitions within the Wilderness Act of placing structures such as the proposed tower within designated Wilderness, and would not have proposed the facility at the proposed location if it were in fact within Wilderness. As already stated in Response to Comment 22-9, the RCHOA's assertion in regards to the Wilderness status of the proposed site is not accurate, and this fact has been confirmed by land and special use personnel with the U.S. Forest Service. The Rancho Carrillo tower site, like the community's water tank, is located on a portion of National Forest lands that is not within Wilderness. When the San Mateo Canyon Wilderness was designated by Congress in 1984, a small triangle of non-Wilderness land immediately adjacent to the private inholdings of Rancho Carrillo was "cherry-stemmed" out of the Wilderness designation to allow for the water tank and access road that were already present at the site. This non-Wilderness component of National Forest land is clearly evident on the USGS 7.5-minute "Sitton Peak" quadrangle map of the area. This map was presented in Appendix A of the Draft EIR. The sites non-Wilderness status is also plainly evident on the maps contained in the Cleveland National Forest's recently adopted Land Management Plan. Therefore, the site is emphatically not in a designated Wilderness area, as the RCHOA has claimed.

Response to Comment 22-14

The County's determination of a less than significant impact from the motion-sensor activated light at the site was largely based on the existing light environment in the immediate area that is created by

the Rancho Carrillo community itself. Lighting associated with several residences in the community is located within several hundred feet of the site, and it can be reasonably assumed that lighting at these residences is illuminated for at least several hours each night. In contrast, lighting at the site would be triggered by a motion sensor that would typically only be activated by maintenance personnel that might have to very infrequently enter the compound during nighttime hours. Night visits by maintenance personnel would only occur on a non-routine basis during equipment malfunctions or other emergencies. Routine visits, estimated at two visits per month, would occur during daytime hours only.

One light would be mounted on the outside wall of the equipment shelter adjacent to the entry door. The equipment shelter itself would be placed within the fenced perimeter of the communication compound. The lights would be down shielded and screened to minimize any light bleeding to adjacent areas, and the motion sensor would be adjusted to minimize accidental triggering by wildlife or passersby. Impacts from the lights will be negligible, especially if one considers the minimal amount of time that the lights will actually be triggered. For obvious reasons, the County would prefer to retain this feature, since it provides for the safety of its maintenance personnel who might be called out to visit a site during nighttime hours. Considering how infrequently these lights will be used, together with the presence of existing residential lighting in the area, the County does not believe that this arrangement creates a significant change to the nighttime environment in the area. The RCHOA's claim to the contrary is without merit.

Response to Comment 22-15

The comment states that the Draft EIR did not adequately evaluate the possibility that the tower could fall on an adjacent house or on the water tank, or that development of the tower site could cause the area where the water tank is located to become geologically unstable because of the risk of subsidence. According to the comment, the lot in question, Lot 37 is currently vacant and is located approximately 150 to 200 feet away from the proposed tower site. The tower is proposed to be 100 feet in height, so if placed in a horizontal position, the tower would not reach the property line. In addition, at such time as the lot is developed, the property owner will be required to abide by the County's requirements for rear, side and front yard setbacks so the difference between the horizontal extent of the tower and any future habitable structure would be more than adequate. No location of the existing Lot 38, also mentioned in this comment has been given but the County assumes that this lot would be further away, because the focus of the comment is on Lot 37. With regard to the proposed tower's proximity to the water tank, the proposed tower site is downhill from the tank site and at least 170 feet away from the water tank. Also, the geology of the area is such that it is characterized as a thin layer of soil over bedrock. So it is not likely that subsidence would occur during a seismic event. Subsidence occurs in loose unconsolidated soils, not a thin layer of soil over bedrock. Finally, with regard to the grading of the site and construction of the tower, the site will be graded and the tower will be engineered to ensure the stability of the tower in adverse conditions including periods of high winds or seismic events. Structural codes and professional engineering

standards are already in place to ensure that the proposed tower is adequately designed and constructed.

Response to Comment 22-16

This comment asserts that the proposed tower has the potential to impair the effectiveness of the community's emergency response plan and to create significant risk of loss, injury or death involving wildfires. This assertion is based on the following: a) the tower could fall on the water tank and rupture it, thereby preventing the volunteer fire department from using the water that would be flowing out of the tank; b) the community is considering an additional water tank in the vicinity of the tower site so construction of the tower site would likely preclude the construction of that second tank; and c) the 2,000 gallon propane tank is in a location where previous wildland fires have occurred.

In response to the first concern, the issue of tower collapse has already been addressed in Response to Comment 22-15. In response to the second concern, the RCHOA has provided no evidence for the assertion that the development of the 65 by 65 foot tower site would preclude the development of an additional water tank in the vicinity. Based on a review of the aerial photo of the site, it would appear that there is more than adequate room in the area to accommodate both the communication tower and an additional water tank without encroaching into the Wilderness Area. The County would certainly work with the community to adjust the location of the tower site to accommodate the option of a second water tank. In response to the final concern, the commentor is directed to Response to Comments 22-5 and 22-9, where the County has previously addressed fuel modification, the design of the proposed propane tank, and maintenance around the tower site.

Response to Comment 22-17

As presented in Section 4.8 of the Draft EIR, the County's determination of a less than significant impact to hydrology and water quality is based on the small size of each of the proposed sites (100 by 100 feet worst-case), the minimal amount of polluting materials that will be located on each site during construction and operation, the presence of existing regulations and standard conditions regarding pollutants and water quality, and prescribed mitigation.

Just by themselves, compliance with standard regulatory conditions for projects of this size and type is sufficient to conclude a finding of a less than significant impact. It is unlikely that any of the residential structures and onsite septic systems present in the Rancho Carrillo community underwent any type of water quality analysis during their construction, or were subjected to any additional requirements regarding water quality beyond those required in a standard building permit. There is nothing particularly wrong with that, and the County only points that out to demonstrate that the types of requirements that the RCHOA implies are required for the project simply are not necessary. The materials used in the construction of a communication site are no more toxic or polluting than those used in the construction and operation of a typical residential structure. In fact, it could reasonably be argued that residential structures introduce even more pollutants to the environment based on the use of fertilizers, pesticides, hazardous household chemicals, motor oils, and other toxic materials during

their construction and operation. Yet, potential pollution from residential structures is regulated solely by compliance with standard conditions imposed during the building permit process and other existing regulations. Runoff of sediment from single residential building lots is also regulated in such a manner.

In contrast, the proposed communication sites present far less potential for either sediment runoff or release of hazardous chemicals than even a modest residential structure. The amount of ground to be cleared is much less, and once operational, the only potentially hazardous substances that will be located on the sites will be propane and a 48-volt microwave battery, which is essentially just a series of automotive-type batteries that are linked together. Again, propane and automotive batteries are also features that are typically present in and around a rural home, and no water quality studies or special permits are required as a condition of their use.

Despite the clearly negligible potential for surface runoff or other types of contamination from the proposed sites, the County did impose a series of mitigation measures upon itself to effectively eliminate the potential for water quality contamination from the sites in the extremely unlikely event that a spill or other such incident would occur. These measures are presented in the Draft EIR as Mitigation Measures HY-1a, HY-1b, and HY-1c. The measures require the County to apply for and obtain a Construction General Permit from the Regional Water Quality Control Board (RWQCB). As a standard condition of the permit process, the County must prepare and submit a Stormwater Pollution and Prevention Plan (SWPPP) with a complete list of Best Management Practices (BMPs) that will be incorporated into the project's design to minimize surface runoff from the sites. Both the SWPPP and the BMPs must be approved by the RWQCB before the permit can be issued.

The mitigation measures also require the County to prepare an Emergency Response Plan (ERP) that must be in place prior to construction or operation at any of the sites. The ERP would provide contingency measures to protect against contamination in the unlikely event of a spill, leak, or upset at any of the project sites.

The Draft EIR adequately discussed and assessed all of the above issues. The RCHOA's claim that it did not is clearly inaccurate, and the Draft EIR is in no manner deficient in this regard.

Response to Comment 22-18

The Rancho Carrillo site is located in an unincorporated portion of Riverside County and is thus subject to the County's General Plan. There is no provision within the General Plan that would prohibit or otherwise restrict the placement of a communication tower at the proposed location.

The RCHOA is correct in its statement that a final determination of consistency with the Cleveland National Forest Land Management Plan (CNFLMP) will need to be made by the U.S. Forest Service prior to their approval of the proposed project. Where the RCHOA errs is in its continued assertion that the proposed site is within designated Wilderness. As stated previously in Response to Comments 22-9 and 22-13, the County is fully aware of the prohibitions within the Wilderness Act of

placing structures such as the proposed tower within designated Wilderness, and would not have proposed the facility at the proposed location if it were in fact within Wilderness. The Rancho Carrillo tower site, like the community's water tank, is located on a portion of National Forest lands that is not within Wilderness. When the San Mateo Canyon Wilderness was designated by Congress in 1984, a small triangle of non-Wilderness land immediately adjacent to the private inholdings of Rancho Carrillo was "cherry-stemmed" out of the Wilderness designation to allow for the water tank and access road that were already present at the site. This non-Wilderness component of National Forest land is clearly evident on the USGS 7.5-minute "Sitton Peak" quadrangle map of the area. This map was presented in Appendix A of the Draft EIR. Therefore, the site is emphatically not in a designated Wilderness area, as the RCHOA has claimed.

As for the RCHOA's claim that the proposed project is otherwise inconsistent with the CNFLMP, this assertion is also in error. The USFS may authorize placement of a facility in this area if there is a demonstrated need that it cannot be accommodated on non-National Forest System lands. In this area, the need for the proposed tower has been well established both in the Draft EIR and in the County's prior comments (see Response to Comments 22-2, 22-9, etc.). As for whether or not this facility can be accommodated on non-National Forest System lands, the answer is obvious. The only such lands in this area so desperately in need of coverage are the private lands of the Rancho Carrillo community itself. Since the RCHOA has vigorously opposed placement of a facility at the fire station (the County's preferred location), the County has had no choice but to pursue the placement of the proposed tower on Forest Service lands. Therefore, it can be concluded that the proposed use cannot be accommodated on non-National Forest System lands and that Forest Service lands are the only feasible option.

It goes without saying that provision of an emergency services communication facility in this area will likely be found compatible with the Forest Service's policies and mission. Forest Service communication in this portion of the Cleveland National Forest is also deficient, and USFS personnel are also imperiled when working in this area during wildfires and other incidents. The need for reliable communication between all emergency service cooperators throughout the County is well-established, and the PSEC project will assist in meeting that need. As a cooperator with mutual aid agreements with the County and many other jurisdictions throughout the region, the Forest Service is well aware of the need for reliable communications in this area. While the decision to approve or disapprove the Rancho Carrillo site is solely at the discretion of the Forest Service, the County anticipates that the project will be found compatible not only with the CNFLMP, but also with the Forest Service's core mission of protecting the natural resources under its stewardship and serving the people that use those resources.

Response to Comment 22-19

This comment asserts that noise from construction of the tower and related facilities will be highly disturbing and would be orders of magnitude above existing noise levels. The County acknowledges that construction activities will generate noise, but it also would note that construction noise would

not be any more severe than that experienced during the construction of a residential structure similar to those in the adjacent Rancho Carrillo community, and mitigation for noise impacts is typically not required for construction of those types of structures. Regardless, the development of the project will be a short term event lasting 60 to 120 days. Noise generation during daylight hours would be intermittent depending on the particular activity, and construction would not be continuous on a daily basis. Much of the site's improvement would be done with a modular equipment, and the site would be more assembled than constructed. It is very unlikely that construction would occur after normal working hours or on weekends. Also, some activities would require time between their completion and the next step in the process. For example, the concrete slab would need time to cure before the tower and related facilities could be placed upon it. Based on these and other facts, the finding in the Draft EIR that the project would create a less than significant impact in regards to construction noise is valid and the RCHOA's claim to the contrary is without substantive merit.

Operational noise would also be minimal and less than significant. The nearest sensitive receptor to the proposed tower site is 700 feet west of and downhill from the project site. The backup generator would be placed inside the equipment shelter and would be effectively muffled and would certainly be inaudible at the location of the nearest sensitive receptor. The onsite HVAC units would be mounted on the opposite wall of the shelter and would face away from the receptor, thus effectively shielding the receptor from HVAC noise. It is also worth noting that other residential structures with their own HVAC units are much closer to the receptor than the proposed tower site. It is much more likely that the receptor will hear noise from their neighbor's or their own HVAC unit than they would to hear HVA noise from the tower site. Clearly, the RCHOA's assertion of a significant noise impact from the proposed project is vastly overstated.

Response to Comment 22-20

This comment states that the analysis and mitigation of impacts on public services and utilities is inadequate. However, the comment actually only addresses the operation of the water tank and pipelines. Therefore, this response is limited to that issue. The comment is twofold: 1) that the proposed tower would wreck havoc on the management of the water system because the tower's radio waves would interfere with the electronic signals passing between the tank and the groundwater wells; and 2) that construction of the tower would interfere with or rupture the pipelines. With regard to the first concern, there is no evidence provided in this comment that the operation of the communication tower would interfere with the communication between the water tank and the groundwater wells. Considering that the County tower and the RCHOA's water tank system operate at widely differing frequencies, the possibility of any interference being realized is practically zero. The water tank and the proposed tower would operate on licensed frequencies that are specifically selected to avoid interference. However, the issue has been raised and the County will discuss this potential problem with its contractors and work with the community to ensure that no interference will occur. With regard to the second concern, it appears that the pipeline between the tank and the community is contained within an easement that is clearly delineated on the aerial photograph in Appendix A. Prior to commencement of construction of the tower facilities, the County's contractor

would determine the location of the existing facilities and avoid them as per standard practice when working in any area where underground utilities might be located.

Response to Comment 22-21

As discussed previously in Response to Comment 22-4, the County did assess recreational impacts within the context of the Thresholds of Significance contained in the CEQA Guidelines. The RCHOA's principal assertions in this regard are based on the misconception that the proposed locations are "pristine" or are regular destinations for recreationists seeking extraordinary outdoor experiences. As discussed previously, this assertion simply is not true, and is particularly inaccurate at the Rancho Carrillo site, which is located adjacent to a massive water tank and existing residential development. The placement of a communication facility at this location will not restrict or inhibit the use of the area for recreation any more than the existing water tank and the gated Rancho Carrillo community itself already has.

Response to Comment 22-22

This comment states that the conclusion that traffic impacts to Rancho Carrillo would be less than significant is not supported by substantial evidence in the record. This claim is based on the assertion that the access road to the community is light duty and is not designed for heavy equipment, and also on the assertion that it is a private road owned by the residents. It is the County's understanding that there is an emergency services easement on the road that provides access to the County fire station in the community and also to National Forest System lands around the community for purposes of resource management and firefighting. In the absence of such an easement, the County would enter into a negotiated acquisition and purchase an easement over the road. As part of this negotiation, the County would offer to fund a portion of the annual road maintenance. With regard to the construction vehicles using the road and causing damage, construction would be short term for a period of 60 to 120 days. The County would be responsible for any damage to the road that could occur during the construction period. After construction is completed, maintenance of the tower facilities would be intermittent, and would only include the use of light duty vehicles that would access the site perhaps once or twice per month.

Response to Comment 22-23

Over 150 candidates were subject to detailed evaluation for the PSEC project. Of these, 50 preferred sites were selected, and the proposed Rancho Carrillo site is one of them. For the sake of clarity, the discussion of alternative locations was summarized in Table 6-1 of the Draft EIR. This summary provides an overview of the number of candidates assessed and the basic rationale for their rejection. It was determined early on that a narrative description and discussion of each of the more than 150 sites assessed for the project would be incomprehensible in its scale. The commentor should be aware, however, that the administrative record for the project is incorporated by reference into the Draft EIR and contains all records and minutes of discussions regarding the site selection process. As required by law, the administrative record is available for review by the public. Any person or

organization, including the RCHOA, desiring information about the site selection process is authorized to view this information.

A total of six candidates were assessed for the Rancho Carrillo site. As has been said in Response to Comment 22-13, Providing coverage in the Rancho Carrillo region is challenged by the fact that a great deal of the area is designated Wilderness and radio towers cannot be built upon lands that are so designated. Necessarily, coverage to the Rancho Carrillo region will be required to be provided by a tower located upon non-Wilderness National Forest System lands or upon private property. This fact places severe limitation on where the tower can be located. The only private lands in the area are within the Rancho Carrillo community itself. Four of the alternatives assessed for the Rancho Carrillo site were on private lands within the community. The first was located at the fire station facility. This was the County's preferred option because electric power is readily available, the ground is level and suitable for building, and environmental impacts, with the exception of aesthetics, would be minimal. However, the RCHOA informed the County that it would not allow a tower at that location. The County then began to look at other parcels within the community, and these sites comprised four of the other alternatives. Again, the RCHOA indicated that it would not allow a tower to be built in the community. The County then investigated the possibility of placing the tower on the non-Wilderness Forest Service parcel adjacent to the water tank. The County also looked at use of multiple sites to provide the same coverage as that from the Rancho Carrillo area. This alternative increased cost, increase impacts and failed to equal the coverage of the Rancho Carrillo site. While the tank site is not the environmentally superior alternative to all of the candidates that were assessed (based on the significant aesthetic impacts), this location presented the only feasible alternative to placing a tower in the community itself. Therefore, this candidate (Candidate F) became the proposed project site.

The Sitton Peak location referred to in the RCHOA's letter was rejected early in the preliminary screening process due to the infeasibility of constructing a communication facility at that location. The wireless communication industry has attempted to develop the Sitton Peak location at various times for more than two decades, but all of the entities that have tried to do so have abandoned their attempts based on lack of road and power access, cost, regulatory issues, and environmental factors. The road leading to the main ridgeline would require substantial improvement and a spur road more than one-quarter-mile in length would need to be constructed to reach the peak itself. Access to the site is problematic due to private inholdings at the lower part of the roadway. There is no commercial power at any point near the site, and providing land line power over several miles of rugged terrain would be cost prohibitive. All of the improvements that would be required to develop the site would create numerous environmental impacts that would be prohibitively costly or infeasible to mitigate. Further analysis would almost certainly uncover even more impacts. On balance, development of a communication site at Sitton Peak would create environmental impacts that would be substantially greater than any of the sites proposed in the Rancho Carrillo area, and costs would be amplified several times over. This site was rejected almost immediately because it was known at the time that there were better options.

Response to Comment 22-24

The County appreciates the RCHOA's comments on the project, and hopes that these responses have clarified the reasons why the Draft EIR came to the conclusions that it did. The County looks forward to working with all of the residents of the Rancho Carrillo community to provide the emergency services radio coverage that all of the area residents, visitors, and public safety employees need.

W 34

Luke Evans
Michael Brandman and Associates
621 E Carnegie Drive, Suite 100
San Bernardino, CA 92408

Comment 23

July 23, 2008

Re: DPEIR – County of Riverside Public Safety Enterprise Community Project

The following comments are submitted on behalf of the Tahquitz Group of the Sierra Club.

Dear Mr. Evans

As I indicated on our recent telephone conversation (07/21/08), the proposed expansion of the county communications system will have many major impacts on the environment, including various Endangered Species, Threatened or Species of Special Concern., particularly in the desert areas east of the Coachella Valley, and more specifically (but not limited to) the Desert Tortoise.

23-1

Of additional concern is the major problem of avian mortality that occurs when birds collide with tower structures. This is very well documented elsewhere and, location, height and lighting should be more thoroughly addressed. There are new guidelines available regarding this issue.

23-2

Another additional major concern is, particularly, the Spring Hill site. This location is in an area that has little or no development (other than the Bradshaw Trail and old mining claims), and will change the perspective and view-shed and, as an attraction, change the current land use of the area. This area has a major natural resource value, and needs all the protection it can get, without major interruptions that this facility will bring. The improved road and increased traffic will make a major change to land use in the area. The erection of a 330' tower at this location cannot be mitigated and should not be permitted. A full review of the need and use of this site needs to be evaluated. The proposed project shows that this situation is "a must", but, is this really "a need"? There is little evidence that this site would, other than placing it in this location, for possible future needs, is necessary at this time.

23-3

Thank you for the opportunity to comment.

Sincerely,

Jeff Morgan, Chair, Tahquitz Group of the Sierra Club

69808 Camino Pacifico, Rancho Mirage, CA 92270. Tel # 760 324 8696

08 JUL 24 AM 11:16

Sierra Club, Tahquitz Group (July 23, 2008)

Response to Comment 23-1

The Draft EIR found that impacts to sensitive species would be less than significant with mitigation. This finding is based largely on the small size of each tower facility (roughly 65 feet by 65 feet) and the relatively disturbed locations where most of the towers are proposed for construction. Mitigation is presented to protect sensitive species from the somewhat negligible impacts associated with project development.

In regards to desert tortoise, the County is aware that it will be required to undergo Section 7 consultation with the U.S. Fish and Wildlife Service for those sites located in critical habitat or in other areas where the project habitat assessment determined that the species could possibly occur. It should be pointed out that focused protocol surveys of these areas undertaken shortly before the Draft EIR was released found no tortoise or sign of tortoise anywhere within the vicinity of these sites. These surveys extended 800 meters beyond each of the proposed tower sites, far outside of the areas that would be impacted by the proposed project. While the findings of these surveys indicate that the sites and their surroundings are not occupied by tortoise, protocols will also require an additional survey prior to construction. Protocol also will require the erection of tortoise exclusion fencing around the construction site to prevent accidental take of tortoise during the construction phase. All personnel working on the project have been trained in protocols to be followed while working in tortoise habitat, and future construction workers and maintenance personnel will also be trained. The County has committed considerable resources to minimizing potential impacts to tortoise and other sensitive species, and it is the County's belief that these and other measures will lessen the project's impact in this regard to less than significant.

Response to Comment 23-2

The County intends to follow U.S. Fish and Wildlife Service guidelines aimed at minimizing and preventing avian mortality. Mitigation requiring compliance with those guidelines is provided in the Draft EIR (see Mitigation Measures BR-3b, BR-3c, and BR-3d). As noted in the Draft EIR, compliance with the Service's guidelines and applicable regulations will result in an impact that is less than significant.

Response to Comment 23-3

The County recognizes the commentor's concern regarding the Spring Hill site. The County acknowledges that the proposed tower at this location will impact the visual character of the area. The County disagrees; however, with the commentor's assertion that a tower at this location is not necessary to meet project objectives and that the site represents a "desire" rather than a "need." Perhaps the commentor is not aware that emergency service personnel presently operate in this area without the benefit of reliable radio communication. Despite the area's remoteness, incidents requiring emergency services, law enforcement in particular, do occur in this area on a regular basis. The area serves as a corridor for the smuggling of illegal drugs and undocumented immigrants. Rescue missions relating to illegal immigration and similar civilian incidents in and around the

Chocolate Mountains Aerial Gunnery Range are also regularly undertaken. It is important to recognize that the need for radio coverage is not restricted to urban areas or other areas where people live, but is in some ways even more critical in the more remote areas of the County. The proposed Spring Hill site will allow reliable emergency communications across a vast area of the County, and can certainly be defined as a “need” for the emergency service personnel who are regularly called upon to offer assistance in this remote area.

July 24, 2008

Ashley Mitchell
County of Riverside Department of Facilities Management
P.O. Box 789
Riverside CA 92502-0789

Re: A Notice of Availability of a Draft Program Environmental Impact Report (DEIR) for
the Public Safety Enterprise Communications (PSEC)

Dear Ms. Mitchell:

Southern California Edison (SCE) appreciates the opportunity to provide comment on the DEIR for the Public Safety Enterprise Communications (PSEC) Project. The project description provided in the Notice of Availability states the project is a proposal to expand Riverside County's radio tower network from the current 25 sites to approximately 70 sites throughout Riverside County and some sites outside of the County, including sites in San Bernardino, San Diego and Orange Counties.

In the event this project impacts SCE facilities or its land related rights, please forward five (5) sets of plans depicting SCE's facilities and associated land rights to the following location:

Transmission Project Management
Southern California Edison Company
300 North Pepper Avenue, Building "B"
Rialto, CA 92376

24-1

Please be advised, if development plans result in the need to build new, or relocate existing, SCE electrical facilities that operate at or above 50 kV, the SCE construction may have environmental consequences subject to CEQA provisions, as implemented by the CPUC. If those environmental consequences are identified and addressed by the local agency in the CEQA process for the larger project, SCE may not be required to pursue a later, separate, mandatory CEQA review through the CPUC's General Order 131-D (GO 131-D) process. If the SCE facilities are not adequately addressed in the DEIR and the new facilities could result in significant environmental impacts, the required additional CEQA review could delay approval of the SCE power line portion of the project for up to two years or longer.

24-2

Once again, we thank you for the opportunity to comment on the DEIR for this project. If you have any questions regarding this letter, please do not hesitate to contact me at (951) 928-8208.

Sincerely,
Louis Davis
Region Manager
Southern California Edison Company

Southern California Edison (July 23, 2008)

Response to Comment 24-1

The County is in direct communication with SCE regarding the design and provision of electrical services to the sites within SCE's service area. SCE's continued assistance with this project is appreciated.

Response to Comment 24-2

The County is aware that additional CEQA assessment may be required for several of the sites where power requirements will be somewhat involved. As stated in the Draft EIR, the County will undertake those assessments as required. However, nearly all of the proposed sites have power either already on site or immediately adjacent, so the analysis in the current Draft EIR will be sufficient to meet the CEQA needs of nearly all of the project sites.

some of the taller towers, some sites would have a significant impact on the change to the nighttime environment. No other unavoidable significant impacts were identified in the DIER.

Public Review Period

The County of Riverside is the Lead Agency under the California Environmental Quality Act, and is holding a public review period of the Draft EIR, during which time the public and interested parties are invited to comment on the Draft EIR for the proposed project. **Please note that the public comment period is June 9, 2008 through July 23, 2008.**

All comments should be directed to:

County of Riverside, Department of Facilities Management, ATTN: Ms. Ashley Mitchell, P.O. Box 789, Riverside, CA 92502-0789

Email: EIR@co.riverside.ca.us

Location Where the Draft EIR May Be Reviewed

The Draft EIR may be reviewed online at <http://psec.co.riverside.ca.us>. Paper copies of the document may also be viewed at the County Library Facilities listed below.

Calimesa Library, Calimesa	Mission Trail Library, Wildomar
Coachella Library, Coachella	Norco Library, Norco
Desert Hot Springs Library, Desert Hot Springs	Palm Desert Library, Palm Desert
Glen Avon Library, Riverside	Rubidoux Library, Riverside
Highgrove Library, Highgrove	San Jacinto Library, San Jacinto
Indio Library, Indio	Sun City Library, Sun City
La Quinta Library, La Quinta	Temecula Public Library, Temecula
Lakeside Library, Lake Elsinore	Thousand Palms Library, Thousand Palms
Lake Tamarisk Library, Desert Center	Valle Vista Library, Hemet
Mecca Library, Mecca	Woodcrest Library, Riverside

Next Steps

To be considered, all comments must be received by the end of the public comment period (**June 9, 2008 through July 23, 2008**). Upon completion of the 45-day public review period, responses to all substantive comments concerning the adequacy of the Draft EIR will be prepared and incorporated into a Final EIR. No sooner than 10 days following the submission of the responses to comments to public agencies, the County of Riverside will hold a public hearing to consider certification of the Final EIR and the related discretionary actions concerning project approval.

COULD YOU PLEASE SEND A LIST OF THE LOCATIONS YOU INTEND TO ERECT THESE TOWERS - THANK YOU

GARY SPRANGER
44605 ADOBE DR
HEMET, CA 92544

08 JUN 13 AM 10:03

Gary Spranger (June 9, 2008)

Response to Comment 25-1

The information requested by the commenter was sent at the time it was requested.

08 JUN 13 AM 10: 03

Subj: HI
Date: 6/11/2008 1:41:12 P.M. Pacific Daylight Time
From: Jpfirechick@aol.com
To: EIR@co.riverside.ca.us

Comment 26

W3

Hi ... My parents received a letter dated June 9, 2008 in regards to the notice of availability of draft program environmental impact report. It was addressed to Responsible and Trustee Agencies/Interested Organizations and Individuals

Why do you think they received this?

**On the address label above their names is
APN: 145210004 ASMT:145210004**

**Name is: Charles W. Harvey and June Harvey
PO Box 7457
Riverside, Ca 92513**

Did everyone receive one of these? Or does this impact their residence?

I could not find a telephone number on the letter to contact someone and your email address was the only one listed.

You can return email me or call my office at 689-2705 I am usually there 10am to 4pm M-F.

26-1

Thank you


Janice Petersen

Vote for your city's best dining and nightlife. City's Best 2008.

Janice Petersen (June 11, 2008)

Response to Comment 26-1

The information requested by the commenter was answered in a response at the time the request was made.



CREATIVE PULTRUSIONS, INC.

39770 Roripaugh Road
Temecula, CA 92591
(760) 267-6582



June 17, 2008

Ms. Ashley Mitchell
County of Riverside
Dept. of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Comment 27

Via email: EIR@co.riverside.ca.us

Ref: Riverside County's Notice of Availability of
a Draft Environmental Impact Report for the
Public Safety Enterprise Communication
Project.

Dear Ms. Mitchell:

I noticed in the Draft Environmental Impact Report and the newspaper article in this morning's *Press Enterprise* that there are several concerns regarding both the environmental impact of the final project and during the construction phase. Additionally, it appears that high reliability of the project is also of paramount concern.

My company manufactures and sells electrical distribution poles and crossarms for the utility industry. In addition to being environmentally friendly (no chemicals to leach into the ground water), our products are highly fire and flame resistant, aesthetically pleasing, and contain no hazardous materials.

They have the additional advantages of being light weight and non-conductive. The lighter weight allows for minimal new road construction and is conducive to installation by helicopter.

The inherent flame resistance can be further enhanced by coating the poles with an intumescent fire retardant. This solution has already been tested in actual brush fires in Southern California.

I would be pleased to provide further information should you or your staff desire it. I would also like to contact the Coordinator at Southern California Edison, if you would provide me with contact information.

I look forward to your reply at your earliest convenience.

Bob Guilliams
Technical Sales Manager

BG/wp

27-1

Bob Guilliams (June 17, 2008)

Response to Comment 27-1

The comment is informational in nature and does not require a response. The County appreciates the individual's interest in the project.

W11

RODDA and ASSOCIATES
ATTORNEYS at LAW



GEORGE RODDA, JR. SBN 56045
grodda2@yahoo.com
DIRECT: 951: 200-9877

AFSHIN AFROOKHTEH SBN 167382
aafrookhteh@cox.net
DIRECT: 949:510-6951

PLEASE REPLY TO:
33440 BARRINGTON DR.
TEMECULA, CA 92592
951: 200-9877; 302-1311 (FAX)

OF COUNSEL:
JULIA WILSON
LICENSED TO PRACTICE IN:
CALIFORNIA
OKLAHOMA
WASHINGTON, D.C.

715 G. ST. SE
SUITE #1
WASHINGTON, D.C. 20003
PHONE (202) 347-2363

June 20, 2008

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Comment 28

Dear Ashley Mitchell

Perhaps you are aware that since the 1950's I have owned the Mt. Reche communications sites. The two buildings and their respective towers and generator, etc. out-buildings served as the San Bernardino/Riverside County emergency back-up communications relay station. San Bernardino County made a purchase offer; however, the site was on land in Riverside County and fell through because of the Joint Powers Agreement between the two counties.

The cement block building with several pods was constructed by using helicopters to bring in the materials, long before I brought the power and roads in. It was the original cable site dream built to serve 4000 "Sunnymead" potential users who were sheltered from Mt. Wilson by Mt. San Jacinto and received no TV signals.

Eight lessee corporate mergers later it serviced 102,000 cable customers. Because, as owner, I received a pro-rata share of each cable customer, it was less costly for the then lessee to put in a fibre optic system. The cement block building has remained idle since that time. All the power and road system for ingress and egress have served only the metal building and towers, leased to Crown Castle as their Lease Number 601460.

There is a third communications site upon which there are no buildings.

28-1

08 JUN 26 AM 10:50

June 20, 2008 letter page two of two pages to
County of Riverside, Department of Facilities Management

Although I will be out of the Continental US until July 3, 2008, I would certainly appreciate any information, maps, EIR, etc. relating only to my three communication sites on Mt. Reche. Please find my Wells Fargo Attorney trust account check #1892 for "not to exceed \$25.00" check to cover any costs in providing this information. Kindly use this letter as your authority to fill in the actual amount.

My "Notice" letter was addressed as follows: "APN 750250001 ... Madge Killion c/o GEORGE RODDA, JR., P.O. Box 309, Corona del Mar, CA 92625". I believe an adjacent communications site c/o GEORGE RODDA, JR. is listed as "American Cable of (somewhere)" and I do not presently recall if the third communications site is a portion of another adjacent parcel. Since moving away, I seldom visit the post office box.

I bought the patent to the entire Mt. Reche area from the USA in the 1950's when Madge's maiden name was "Killion"--before we married in 1959. She deceased January 1, 2004. Since my heart attacks in 2000, I have been unable to keep up on the scores of properties I acquired in the Southland and your County Assessor offers little assistance in address corrections for about 57 of my tax stub parcels in Riverside County.

Please know that I sincerely appreciate any possible assistance your office may provide.

Very truly yours,



George Rodda, Jr.
Copy to Michael Brandman Associates

28-1
(cont.)

08 JUN 26 AM 10:50

George Rodda, Jr. (June 20, 2008)

Response to Comment 28-1

This comment is informational in nature and does not require a response. The information requested by the commenter was sent at the time the request was made.

W12

County of Riverside
Dept of Facilities Management
P.O.Box 789
Riverside, CA 92502-0789

Comment 29

June 20, 2008

Cc: Bob Buster, 1st District, Riverside County Board of Supervisors

Response to PSEC Project regarding Rancho Carrillo Proposed site

Dear Ms. Mitchell:

We oppose the placement of an antenna tower in or adjacent to Rancho Carrillo. There are many reasons why this would be an inappropriate placement which I'll enumerate:

1. The community of Rancho Carrillo is wholly surrounded by U.S. Wilderness Land – the residents have moved to this community for its beauty and the rugged natural terrain. The residents even forego electrical power until 1993 when finally at great expense they brought electricity to the community underground rather than have the scar of overhead power lines. The community also does not have street lighting in order to preserve the natural evening sky and not add to the light pollution. A communications tower would significantly affect the pristine nature of this area and would be in direct opposition to the U.S.Congress mandated San Mateo Wilderness Act which defines this area.
2. Placing this proposed tower in such close proximity to a future building site on Lot 37 would be in essence a government taking of property. The property was just purchased in Feb. 2008 at \$925,000.00 and the spectacular view building site on this lot is located just below the proposed tower site. The tower would destroy the aesthetics of the building pad as well as the concomitant noise, lights and traffic that would effectively reduce the value of this lot.
3. Access to the proposed site would be across private land – the roads in Rancho Carrillo are owned solely by the property owners. The county does not assist the community with road maintenance of these private roads and any additional motorized traffic would create more wear on our roads. The burden of maintaining these roads is very onerous for the community and our road assessments are high to cover this cost. It is highly unlikely that all 40 to 50 or so property owners that own to the middle of our main or off shoot community roads would grant this easement.
4. The proposed tower would be a waste of money for it has been noted that the tower radio frequencies would not be compatible with Orange County Fire, Orange County Sheriff, or the CHP, and since they are the first line of defense for this remote area at the far westerly end of Riverside County the dollars would be better spent on other county projects. Technology is changing so rapidly that

29-1

29-2

29-3

29-4

08 JUN 26 AM 10:50

given a few years a communications system that would allow emergency communication compatibility with all overlapping counties and dispatch networks might be designed and would be dollars better spent than investing now in a system that appears to be functionally obsolete before it is even built.

29-4
(cont.)

5. The access road to the community from Ortega highway is gated and the electronic gate is maintained by the community. It is essential for our protection since the closest law enforcement is 14 miles away in San Juan Capistrano. Having to provide access to an uncontrolled number of non residents would put the community at greater risk for crime.

29-5

In our opinion none of these adverse effects are able to be mitigated and the value of this tower is questionable. We strongly oppose this tower.

Sincerely,



Cheryl Gardarian



Leo Gardarian

38665 Aliso Rd
Murrieta (Rancho Carrillo)

Mail:
P.O.Box 1780
San Juan Capistrano,
Ca 92693

Telephone:
(949) 728-0305

08 JUN 26 AM 10:51

Cheryl & Leo Gardarian (June 20, 2008)

Response to Comment 29-1

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 29-2

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 29-3

This comment has already been responded to in Response to Comments 22-5 and 22-22.

Response to Comment 29-4

The commentor's assertion regarding communication incompatibility with other emergency services agencies is incorrect. One of the principal components of the project is the fact that it will incorporate interoperability protocols under the P25 Nationwide Interoperability Project. Other emergency service agencies, including the Orange County Fire Authority, are active cooperators with the County, and will have complete access to PSEC facilities.

Response to Comment 29-5

The commentor provides no evidence to indicate that the negligible increase in traffic on area roadways will add to a greater risk of crime in the area. Once constructed, the project is likely to generate approximately two maintenance trips per month to the site. Maintenance personnel will be County communication technicians or contracted technicians. The commentor has no basis to suggest that these personnel would perpetuate crimes in the Rancho Carrillo community.

R. M. & Oma Fitzpatrick,
PO Box 623
San Juan Capistrano, CA 92693
949 728 0174

W13

Comment 30

June 23, 2008

TO: County of Riverside
Department of Facilities Management
PO Box 789
Riverside, CA 92509-0789

RE: Communications tower at Rancho Carrillo (PSEC Project).

It is our understanding that Rancho Carrillo association and Water Board have expressed the community's opposition, based on our community meetings, to the proposed antenna in Rancho Carrillo for the PSEC project. I would like to add our family's personal objection to this project. We are a very small community surrounded by National Wilderness and there is no possibility of future expansion, thus there will be no future need for more equipment.

30-1

This seems to be a terrible waste of taxpayer's money! The antenna, if placed in Rancho Carrillo, will not fill the stated purpose of your project. The antenna will NOT PROVIDE IMPROVED COMMUNICATION FOR OUR EMERGENCY FACILITIES. Santiago Peak is a much better option. Probably a simple adjustment in the direction of an existing antenna at that location would be all that is needed.

30-2

Secondly Riverside County does not provide emergency services to us (the distance is too far). In fact as I write this letter (approx 1:30PM), I am observing 3 Orange County vehicles driving past our home responding to an emergency. 911 calls are not even routed to Riverside County, and your antenna will not change that situation.

30-3

Our board has offered a scaled-down option that would improve the communications to our local community. This would also avoid the destruction of the Wilderness that surrounds our area, not to mention the aesthetics of the community. If you refuse to consider Santiago Peak as a solution you should at least work with our local representatives, who are much more familiar with our area, our emergency provisions, and our requirements. This option should not be ignored!

30-4

Cc:
Mr. Bob Buster, Riverside County Board of Supervisors.
Mr. Jason Garland, Riverside County Facilities Management
Ms Ashley Mitchell, Department of Facilities Management

Mike & Oma Fitzpatrick
11100 Fox Springs Rd, Rancho Carrillo

08 JUN 26 AM 10: 51

R.M. & Oma Fitzpatrick (June 20, 2008)

Response to Comment 30-1

The County is aware of the community's location within the San Mateo Canyon Wilderness. However, the proposed project is not intended to serve only the Rancho Carrillo community. It is also intended to serve other areas in the vicinity that are currently without adequate emergency communication coverage.

Response to Comment 30-2

The County also proposes a communication site on Santiago Peak as part of its network. However, the Santiago Peak site cannot reach the Rancho Carrillo area or other areas that will be covered by the Rancho Carrillo site.

Response to Comment 30-3

The County has an agreement with Orange County to provide some emergency services to the Rancho Carrillo community. Orange County is reimbursed by the County of Riverside for these services. Orange County personnel are also without reliable coverage in the Rancho Carrillo area, but they will also benefit from the proposed tower, as the PSEC project will provide interoperability to other agencies, including Orange County providers.

Response to Comment 30-4

The County has indicated its willingness to work with the Rancho Carrillo community as this project moves forward.

June 25, 2008

Comment 31

County of Riverside—(EIR@co.riverside.ca.us)
Department of Facilities Management
P.O. Box 789
Riverside, Ca. 92502-0789

Cc: Bob Buster, Riverside County Board of Supervisors (district1@rcbos.org)

Response to PSEC project/Rancho Carrillo proposed Radio Tower Site

Dear Ms Ashley Mitchell,

As residents of Riverside County, we appreciate the need to improve communication and therefore safety of our fire and police personnel as well as the general population of the county. Rancho Carrillo does have a volunteer fire department comprised of members of our small community who are the initial responders in the event of an emergency. Because many of us are involved with the fire department, the members of this community are keenly aware of problems that arise from the lack of adequate communication. However, we strongly oppose the proposed Rancho Carrillo Radio Tower site for the reasons listed below.

My husband and I, Kelly and Patricia Stephens, recently purchased our home in Rancho Carrillo (Jan of 2007). As you may be aware Rancho Carrillo is a rural equestrian community surrounded by the San Mateo Canyon Wilderness. There are over seventy 2.5 to 3.5 acre lots within the community. The characteristics of the community conform in large part with the area by developing underground electrical service and choosing not to have street lights, commercial facilities, nor high rise buildings or towers. We do, out of necessity, have a water tank which services our community. Our road is a private road owned by the owners of the adjacent properties. We have no trash service, no mail service, no stores, and no gas stations. The members of this community have gladly sacrificed the conveniences of city life in order to enjoy the remote wonders of the wilderness.

Next door to our home is a lovely wooded lot (lot#37) full of oak trees which we purchased in February of 2008 in order to preserve the ambiance of the wilderness which extends immediately from that lot. There is a landing which has been cleared in the south east corner of the lot—a great location for building a home. Approximately 150-250 feet uphill from that corner is the proposed radio tower site. We fear the proximity of the tower in an UPHILL location could endanger any inhabitants in that corner of the lot and thereby render our property condemned. For instance, in the event that the tower were to collapse, it would most likely fall downhill and potentially land in that very corner of the lot. In addition there will be a 2000 gallon propane tank in the vicinity of the tower. In the past fires in this area have tended to arise from the direction of the proposed site. That propane tank would pose as an added fire threat to the community. It is also very closely located to our only water source—we rely on our limited water supply to eliminate fires. In order to render the area safer, a large clearance would be required which would further expose the aesthetically damaging appearance of the tower, propane tank, and block shelter. We have spent millions of dollars for our home and the property surrounding it—our life savings. This proposed radio tower site could severely jeopardize the value of our property and thereby our ability to maintain loans on the property or ability to sell the property to another individual.

31-1

We have reviewed the draft EIR carefully and we believe this site to be unsuitable because of the aesthetic damage it would impose not only on the community but more importantly on the San Mateo Canyon Wilderness. The tower cannot be conformed to make it more acceptable to the area. The visual impact will not be tolerable.

31-2

Of equally great importance the radio tower will be inadequate, failing to service the community and therefore, will not improve the safety of emergency personnel in our area. As we understand, the Riverside county Fire and Police will be able to communicate whenever in the area. However, whenever we have emergencies, Orange County Fire and Police and the California Highway Patrol are the ones who respond. Riverside County Fire and Police are just too far away. There is no plan for intercommunication between Orange County and Riverside County. The Radio tower will not be of use to the Orange County personnel when they are responding to a Rancho Carrillo emergency. In addition, there is a 5 mile road leading to our community for which the radio waves will not service. Many of our emergencies come from that road. Your reports have confirmed that our location is not an ideal location.

31-3

It is my understanding that the Sitton Peak would be a superior place in which to place a radio tower—there would be better coverage to our community, the road leading to our community and the El Cariso community as well. The two sites could be abandoned for the better site, Sitton Peak. There may be more expenses to build at Sitton Peak, but you have combined two sites into one and you will no longer be causing the aesthetic damage to areas in which your constituents live nor to the San Mateo Canyon wilderness.

31-4

Furthermore, access through our community will be a major obstacle. The roads are private roads paved and maintained by our community alone. We do not have the resources to allow for the additional traffic of those who do not belong to the community. The roads within Rancho Carrillo are owned by the individual land owners. The community members will be reluctant to and will most likely totally deny easement rights to those entering our community to build or maintain such a tower. Not only will this added traffic increase wear and tear on the roads but it will potentially endanger those who traverse the roads. The rules of our roads are specialized to aid in safety, i.e., whenever larger vehicles such as horse trailers need to travel the narrow winding road leading to our community, the members of the community know how to accomplish this in a safe manner. Within Rancho Carrillo our roads are traveled by the people, children, animals and horses of the community. Outsiders may not follow our rules as closely as we do and may endanger our children and animals. If you were to travel through our roads to the proposed site, there would be no place to park your cars. Our CC & Rs do not allow parking along the easements. I want to remind you—THIS IS A CLOSED COMMUNITY.

31-5

In summary the unacceptable visual impact, endangerment to our community, ineffectiveness of the radio tower to accomplish its goal, reluctance of our community to voluntarily allow access through the community, and the unacceptable cost to individuals within Rancho Carrillo as well as poor use of tax payers money because of the resulting ineffectiveness of the planned radio tower are all strong and valid reasons to either abandon this portion of the project or to relocate it elsewhere.

31-6

Thanks for your close attention to our concerns and the concerns of the members of this Riverside community.

Kelly and Patricia Stephens—email -kelly@scgelectric.com or patstephensmd@yahoo.com

11151 Fox Springs Rd (lots 38 & 37) Rancho Carrillo

Mailing Address: 27762 Antonio Pkwy, L1-633, Ladera Ranch, Ca. 92694

Kelly R Stephens

Patricia Stephens (949) 394-2313

Kelly & Patty Stephens (June 25, 2008)

Response to Comment 31-1

These comments have already been responded to in Response to Comments 22-9, 22-15, and 22-16.

Response to Comment 31-2

These comments have already been responded to in Response to Comments 22-9.

Response to Comment 31-3

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 31-4

These comments have already been responded to in Response to Comments 22-23.

Response to Comment 31-5

These comments have already been responded to in Response to Comments 22-5 and 22-22.

Response to Comment 31-6

The County appreciates the commentor's interest in the project.

County of Riverside
Department of Facilities Management
Attn: Ms. Ashley Mitchell
P.O. Box 789
Riverside CA 92502-0789

W17

Comment 32

Cc: Bob Buster, 1st District, Riverside County Board of Supervisors

Response to PSEC Project NOP - Rancho Carrillo

June 25, 2008

We moved to the community of Rancho Carrillo thirty three years ago. We were attracted by the uniqueness of the community and the serenity, seclusion and beauty that the surrounding Cleveland National Forest (now the San Mateo Wilderness) had to offer. Rancho Carrillo is a very unique rural community settled within the San Mateo Wilderness, we are a small population of approximately 75 families, we maintain our own water company, installed and maintain our private 3 miles of interior roads and 6 miles of private access road. Through community fundraisers our community built, funds, maintains and mans our volunteer fire department. The uniqueness and beauty of our community is now being threatened by P.S.E.C.'s proposed project, the erection of a 100 - 140 foot radio tower to include a 12 X 26 foot prefabricated building surrounded by an 8 foot high chain link fence topped with barded wire located high on a hill to be viewed by all. This project if permitted would scar the San Mateo Wilderness and the community of Rancho Carrillo.

32-1

The following are reasons for our opposition:

1. The proposed radio tower to be located in the extreme western Riverside/Orange county border makes no economic sense as it provides no improvement whatsoever between Riverside County Fire and our volunteer fire department. The nearest Riverside fire station is forty miles away. Our 949 area code for our 911 services is responded by only Orange County fire stations which are only fourteen miles from Rancho Carrillo. This also includes the Sheriff's as only the Orange County Sheriffs responds to our 911 calls.
2. The tower and building would be aesthetically displeasing to the community of Rancho Carrillo and the San Mateo Wilderness.
3. The tower and building, 8 foot chain link fencing with barded wire is not compatible with our existing CC&R's and the wilderness.
4. The projects proposed 2000 gallon propane tank which will fuel the generator is a fire hazard to the community of Rancho Carrillo.
5. The additional traffic on our private access road due to this project, during and after installation will put our residents in danger as well as an economic burden on our community due to the damage by large trucks during construction and the wear and tear done by the maintenance vehicles during the coarse of operation.

32-2

32-3

32-4

32-5

32-6

Summary

We as residents of Rancho Carrillo are opposed to the construction of the proposed radio tower in or adjacent to our community as it will not provide our community with any type of services. We are not in favor of granting any easement through our private property or through the community of Rancho Carrillo to anyone involved in this project. We urge P.S.E.C. to find a suitable location for the radio tower.

32-7

Sincerely,



James C Lohrman & Deborah Lohrman

11245 Verdugo Road (Lot 26)

Rancho Carrillo

Mail:

P.O. Box 545

San Juan Capistrano CA 92693

949-728-0226

08 JUN 30 AM 11:48

James & Deborah Lohrman (June 25, 2008)

Response to Comment 32-1

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 32-2

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 32-3

This comment has already been responded to in Response to Comment 22-9.

Response to Comment 32-4

This comment has already been responded to in Response to Comment 22-9 and 22-18.

Response to Comment 32-5

This comment has already been responded to in Response to Comment 22-9 and 22-16.

Response to Comment 32-6

This comment has already been responded to in Response to Comment 22-5 and 22-22.

Response to Comment 32-7

The County appreciates the commentor's interest in the project.

W18

June 9, 2008

County of Riverside
Department of Facilities Management, ATTN: Ms. Ashley Mitchell
P.O. Box 789
Riverside, CA 92502-0789

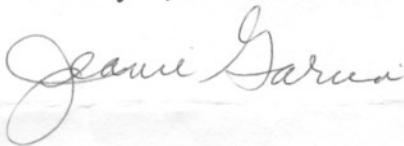
Comment 33

Dear Ms. Mitchell:

This letter is to inform you that my husband and I, and possibly the majority of residents of Rancho Carrillo, are very much opposed to a tower site of the PSEC project being within view of our beautiful community. We have lived here for over 30 years, and moved here because of its location here in the pristine area of the Cleveland National Forest. During those 30 years the area surrounding our community has been declared wilderness. We have sacrificed in ways that people who live down the hill, meaning those who live in towns with public services, would not understand, just to be where one can experience nature naturally, in its own environment and harmoniously. We look out and see the hills, nature's landscape, oaks, grasses, bushes, wild flowers, and the wildlife, deer, bobcat, coyote, rabbits, mountain lions, just to name a few. At night we view a sky full of stars and planets, it is beautiful. And, now, you and your committee come along and propose constructing a steel tower 40 to 330 feet in height with beacon lighting. Do you really think that anyone in their right mind would want something like that to look at each day, and at night time instead of stars, a beacon of light? Well, considering the reason we moved here I think the answer is pretty simple, no.

Please reconsider and think about what you are doing to a whole community of people who moved here for its natural beauty.

Thank you,



Jeanie Garcia
PO Box 131
San Juan Capistrano, CA 92693

33-1

08 JUN 30 AM 11:48

Jeanie Garcia (June 9, 2008)

Response to Comment 33-1

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

W19

County of Riverside
Dept. of Facilities Management
Attn: Ms. Ashley Mitchell
P.O. Box 789
Riverside, CA. 92502-0789

Comment 34

Cc: Bob Buster 1st District,
Riverside County Board of Supervisors
district1@rcbos.org

Re: Response to PSEC Project NOP
Rancho Carrillo Candidate sites B&E

Dear Ms. Mitchell,

I am writing a response to oppose the proposed antenna -tower to be located 200 ft. from our rural community of Rancho Carrillo which is surrounded by the National Forest. There are several factors that are problematic, they include safety; monetary and aesthetic concerns which warrant the opposition of residents of the community.

The safety issues are very real to our residents, animals and property. I am disturbed and frightened by the proposed placement of the 100 ft. tower and 2000 gallon propane tank (which is required), only placed 200 ft. from a property owners lot -where a pad to build a house exists. It is placed too close to our community and community water tank. The structure and propane tank will be in the path of wildfires and can be compromised and explode and endanger our water tower. This would leave our whole community vulnerable to a wildfire without the means for our volunteer firefighters and county firefighters to access to water. We have had fires in the past- and we were lucky to lose a small ratio of homes and structures, all due to the water tower that exists to provide water. High winds of 80-100 mph whip through our valley. If the structure was to be compromised and fall, or break apart so close to the water tower, and from the property and future home of the closest lot, it would be devastating. We could possibly lose our community source of water. Hindsight is 20/20--- foresight and planning is essential to avert disastrous consequences.

34-1

The water tower is proposed to be placed over our pipes that run the water to our community. If the tower is built it would restrict us from putting in a larger water tank or replacing/repairing current water pipes. In addition, the radio waves may interfere with the radio communication between the current water tank and wells, potentially disastrous to our water supply.

34-2

We have a private road easement and the residents pay substantially for the maintenance of both the easement and interior roads. The extensive use of trucks for 60-180 days to build and maintain the tower would compromise the longevity of our road, and put undue financial duress on such a small rural community of approx. 70 lot owners who must pay to keep the road in repair. The extensive use of non residents with large trucks would be a real safety concern because they would not be sensitive to the particulars of our community's small interior roads, which have young children and adults riding horses and bikes sharing the small space daily. Residents drive slowly, safely and know how to proceed with caution when approaching riders of horses, bikes and ATVs, and youngsters who walk through the valley. The safety to our residents is compromised by such additional outside traffic.

34-3

08 JUL -3 PM 1:39

I cannot dismiss the potential long term chronic effects of the Radio tower waves towards our residents, animals and children. Per the report in the EIR, Jerold Bushberg (a nuclear medicine and physics expert) acknowledges that even with lack of evidence of harmful effects, we cannot be certain that chronic exposure is completely safe. Many of us bought their properties and were happy to be far from the toxins of city living. We should not be forced to have such a glaring potentially hazardous structure built directly in our backyard.

34-4

Aesthetically I am horrified to think of looking up and seeing a tower looming on the hill. There could be a light beacon, and the occasional sound of generator. We do not even have street lights because we prefer the natural moonlight when it appears or the calm of simple darkness. The tower does not fit the character of our small village and could be devastating to our property values-- if it is even perceived to be hazardous to health. Even the negative aesthetics would make the surrounding lots value plummet, and surely the whole communities in turn.

34-5

I am concerned that the radio waves from the tower would interfere with our satellite usage, which most residents use to receive television and internet services. This communication is vital to our community as we do not have the luxury of cable. The compromised satellite services would have devastating effects on our community residents. It is currently the fastest form of communication we have in the valley.

34-6

It is unconscionable to think that a government agency could voluntarily place a tower in close vicinity of a community which could have such negative effects as I have listed above. Safety and property values are a valid concern of our residents.

34-7

I am unhappy that the tower is supposedly to help aide in the communications for fire and police which is to aide in the response time of these services. This is not true for our residents. We live in the 949 area code, when we dial 911 we are patched and responded to by Orange County. We are 40 miles from Lake Elsinore, and only 14 from San Juan Capistrano. The proposed tower does not interface with the Orange County services which respond to us, nor do they even aide in the communication of our own volunteer fire department. The radio tower does not even provide aide in our cell phone communications.

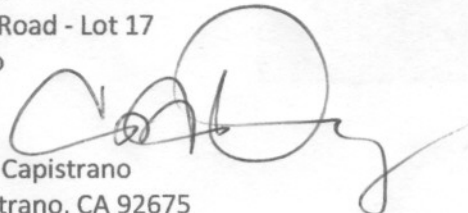
34-8

The tower is potentially dangerous to our residents on many levels, and it does nothing to benefit our daily lives, nor our emergency services communications. It could have such devastating effects on our community health and welfare and property values. I implore you to drop your proposed site B & E and find a suitable location that does not bring such problems to a small rural community.

34-9

Thank you for your consideration,

Carol Rodriguez
38724 Carrillo Road - Lot 17
Rancho Carrillo
Mail:
PMB 411
32158 Camino Capistrano
San Juan Capistrano, CA 92675
Telephone:
949 728-0824



08 JUL -3 PM 1:39

Carol Rodriguez (July 2, 2008)

Response to Comment 34-1

This comment has already been responded to in Response to Comment 22-9, 22-15, 22-16, and 22-20.

Response to Comment 34-2

This comment has already been responded to in Response to Comment 22-15 and 22-16.

Response to Comment 34-3

This comment has already been responded to in Response to Comment 22-5 and 22-22.

Response to Comment 34-4

Section 4.7 and Appendix E of the Draft EIR provide adequate and substantial analysis to confirm that the County's finding of a less than significant impact in this regard is accurate. Therefore, this comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR

Response to Comment 34-5

This comment has already been responded to in Response to Comment 22-9.

Response to Comment 34-6

This comment has already been responded to in Response to Comment 22-20 and 82-1.

Response to Comment 34-7

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 34-8

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 34-9

The County appreciates the commentor's interest in the project.

W 20

July 2, 2008

Comment 35

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

Via Email: EIR@co.riverside.ca.us

Subject: Response to PSEC Project NOP

I am a resident of the community of Rancho Carrillo, located at the western edge of Riverside County. Rancho Carrillo has been designated as a proposed antenna site for the Public Safety Enterprise Communication Project (PSEC).

On behalf of our community, the Rancho Carrillo Homeowners Association has already expressed the community position in opposition to placement of an antenna within our community. I agree with this position.

On behalf of my own family, I would like to separately express opposition to the County's intentions expressed in the NOP.

Here is the basis for our opposition:

COST-BENEFIT

The cost of this equipment is disproportional to the number of residents that may be effectively served. Rancho Carrillo is the only populated area in the extreme western portion of the county, with about 60 occupied homes. If the total project were to cost \$6 million, that would be \$100,000 per home, plus an additional amount for ongoing maintenance. A less costly plan that incorporates existing satellite or cell phone technology should be seriously considered.

35-1

TRAFFIC SAFETY

The draft EIR states that "all vehicles accessing the sites will be highway registered and therefore not an incompatible use". With no further study, or assessment of the actual road that must be traveled, this issue is then dismissed as "not an incompatible use"

Clearly our narrow, climbing, winding, private road is not adequate to accommodate all "Highway registered vehicles". In fact, The Department of Transportation (DOT) recognizes that not all public roads are adequate to safely allow all highway registered vehicles. Evidence the fact they have established a special safety assessment procedure wherein the DOT,

35-2

08 JUL -3 PM 1:39

"in consultation with the Department of the California Highway Patrol, shall compile traffic volume, geometric, and other relevant data, to assess the maximum kingpin to rearmost axle distance of vehicle combinations appropriate for those state highways or portion of highways, affected by this section, that cannot safely accommodate trailers or semitrailers of the maximum kingpin to rearmost axle distances permitted under Section 35400."

35-2
(cont.)

At a minimum, an assessment following the established guidelines should be undertaken before the Rancho Carrillo location is approved.

COST OF TRASH REMOVAL, ROAD MAINTENANCE AND INSURANCE

Our six mile private road is very costly to maintain and insure. Those costs multiply with increased usage, especially usage in oversized vehicles. Despite the sizeable amount we pay to the County in property taxes, the County does not currently pay a share of those costs. Since there is no apparent offer in your plan for cost sharing, you seem to be unreasonably expecting that our residents would incur extra expense. Beyond those things that we pay for, are you anticipating that the County will show up to help when our volunteers pick up trash and trim back the bushes?

35-3

COMMUNITY SAFETY

Due to the remote area we live in, we do not have active law enforcement in our community. Despite this limitation, we have achieved reasonable personal safety by vigilantly securing our access gate and by requiring residents to be personally responsible for their guests in the community. This means that we know who are guests are and that we know where our guests are. If this tower is constructed, the County should provide security screening for every person admitted to the site and should provide active law enforcement officers to oversee their activities at all times. Due to distance involved, the response time for law enforcement is not adequate to allow for providing the officers only following a resident call.

35-4

EMERGENCY SERVICES

Riverside County rarely provides emergency services to Rancho Carrillo. The nearest Sheriff substation is located in Murrieta, some 40 miles away by road. The closest fire department is located in Lake Elsinore, also about 40 miles distant. Riverside County emergency telephone numbers are not even reachable from our community, since Rancho Carrillo is located in the 949 telephone area code. All direct calls are rejected!

In contrast, Orange County Sheriff, Fire and California Highway Patrol are all dispatched from stations in San Juan Capistrano, which is a mere 14 miles distant, and new development in the Mission Viejo Ranch will cut these distances by half within a decade.

35-5

If I dial 911 from my home in Rancho Carrillo, the call goes to an Orange County agency for response. Installation of the proposed antenna will not change this situation.

08 JUL -3 PM 1:30

CONSTRUCTION SAFETY

Paradoxically, any injury during the construction phase would result in an emergency response from Orange County officers and the victim would most likely be transported to a nearby Orange County hospital!

**35-5
(cont.)**

NO IMPROVEMENT IN SERVICES

Radio propagation maps provided to our community by members of the PSEC project team clearly illustrate that the project will provide no meaningful improvement to radio communication for our volunteer fire department in the area of their principal need — along the access road (located in Orange County) that accesses our community. Furthermore, representatives of the PSEC project team do not appear to be offering any improvement in communications with Orange County Fire Authority, California Highway Patrol, or the Orange County Sheriff's Department (all of whom have recently respond to incidents in our community). We believe the system to be ineffective and that it does not warrant consideration for accommodation in our community.

35-6

APPEARANCE

Rancho Carrillo is a unique rural community that was formed in 1962. Even after electrical power was brought to the community in 1992, residents have sought to preserve the rural character of the area by locating utility services underground at considerable expense and foregoing suburban amenities such as street lighting. We have sought to keep the community and our personal property compatible with the surrounding wilderness. The proposed PSEC antenna facility is incompatible with this aesthetic. Furthermore, we are not aware of any possible mitigation of this incompatibility due to the height of the structure.

35-7

LAND USE AND PLANNING

A radio communication tower of the type proposed is incompatible with property zoning restrictions in our community. In addition, it is specifically incompatible with the Covenants, Conditions & Restrictions that govern properties within Rancho Carrillo.

35-8

PERMISSION FOR ACCESS

County access to any tower located in or near Rancho Carrillo that relies on passage over the roads in our community will necessarily be across private property and will require easements or use permits be obtained from all affected property owners, including me. I am not inclined to grant the county such an easement or permit for the reasons outlined in this letter. Easements and/or permits may also be required from the County of Orange, Rancho Mission Viejo and the United States Forest Service to gain non-emergency access to this area via existing roads.

35-9

MULTIPLE USERS

The EIR states that there may be up to six users of the site. Would those be public or private companies, domestic or foreign? Is this a poorly disguised attempt by the County to receive economic benefit at our expense or to give commercial or governmental access to an otherwise inaccessible area? Is this essentially a condemnation or diminishment in value of our private property for the benefit of a commercial enterprise?

35-11

SUMMARY

I believe that County and Federal resources are being wasted in an effort to locate an antenna within the area of Rancho Carrillo. Radio propagation into the surrounding canyon areas of Riverside County is not significantly improved over that which is directly available from existing facilities on Santiago Peak. Essential interoperability with the incompatible systems in Orange County is not achieved.

35-12

The dismissal of all traffic safety issues, without regard to the size or condition of our access road, is illustrative of the absurdity of this project. A more reasonable approach would be to link our emergency communications and services entirely to Orange County.

35-13

The aesthetic damage that would be done by installation of PSEC at any of the proposed locations, or within the surrounding Forest or Wilderness lands would be considerable. Such a facility would be visible from a great distance and destroy the natural area that the 1984 Wilderness Act sought to create when the San Mateo Canyon National Wilderness was created. While CEQA is not directly applicable to projects on Federal lands within California, the protections afforded in the Federal setting must be applied in consideration of projects located in so-called "included areas" such as the Rancho Carrillo community. What is appropriate on private or non-Wilderness USFS land surrounded by the Wilderness is no different than what would be appropriate in the Wilderness itself — especially considering the height of the project being proposed.

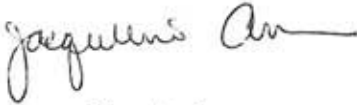
35-14

Thus, requirements of the National Environmental Protection Act (NEPA) are applicable to any project located in this area because of proximity to the Federal and Wilderness lands. Mere placement of a 100 to 140 foot tower on private land in Rancho Carrillo is insufficient to mitigate the aesthetic damage that would result to my property, the community of Rancho Carrillo, and to the surrounding National Wilderness.

While we do not favor a communications site of any type, representatives of the Rancho Carrillo community offered county PSEC project representatives the opportunity to discuss installation of a scaled down facility that would be capable of being hidden on an existing structure at a location that would serve the locally populated area (which can never be geographically expanded due to our surroundings). This alternative should be given serious consideration in the proposed EIR and not be further ignored.

35-15

Sincerely,



Jacqueline Anderson
38421 Carrillo Road (Lot 11)
Rancho Carrillo, California

Mail:
31103 Rancho Viejo Road
San Juan Capistrano, CA 92675

Telephone:
(949) 728-0732 in Rancho Carrillo
(949) 697-0732 cell

Cc: district1@rcbos.org, Bob Buster, 1st District, Riverside County Board of supervisors

08 JUL -3 PM 1:30

Jacqueline Anderson (July 2, 2008)

Response to Comment 35-1

The County considered a variety of alternatives to the proposed project, including the alternatives suggested by the commentor. Therefore, this comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 35-2

The County does not propose to use the existing road in an unsafe manner and the commentor provides no evidence to the contrary.

Response to Comment 35-3

This comment has already been addressed in response to Comment 22-5 and 22-22.

Response to Comment 35-4

This comment has already been addressed in response to Comment 29-5.

Response to Comment 35-5

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 35-6

This comment is speculative in nature and is not relevant to the Draft EIR.

Response to Comment 35-7

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 35-8

This comment has already been addressed in response to Comment 22-9.

Response to Comment 35-9

This comment has already been addressed in response to Comment 22-18.

Response to Comment 35-10

This comment has already been addressed in response to Comment 22-5 and 22-22.

Response to Comment 35-11

As described on page 3-4 of the Draft EIR, the PSEC project will provide collocation opportunities to other governmental and quasi-governmental entities. For reasons of security and other factors, PSEC sites will not be available to commercial operators (i.e. commercial cellular service providers, etc.).

Response to Comment 35-12

This comment has already been addressed in Response to Comment 29-4, 30-2, and 30-3.

Response to Comment 35-13

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 35-14

This comment has already been addressed in response to Comment 22-9 and 22-18.

Response to Comment 35-13

The County has indicated its willingness to work with the Rancho Carrillo community as this project moves forward.

June 25, 2008

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, Ca. 92502-0789

Cc: Bob Buster, Riverside County Board of Supervisors

Response to PSEC Project regarding Rancho Carrillo proposed site

Dear Ms. Ashley Mitchell:

We, members of the community of Rancho Carrillo, strongly oppose the plans for a radio tower in the national forest on the outskirts of our community. Below, we wish to express our response to your draft EIR report.

In the draft EIR, reasons to abandon this project are listed on page 1-44: "Reasons for a candidate lack of suitability and subsequent rejection could include lack of suitable radio coverage, undesirable environmental impacts, acquisition or access constraints, cost and other factors." We feel that the radio tower should not be placed in the proposed site for all of these reasons.

The report lists the first priority to be adequate radio coverage. Of top importance is the failure in this location to meet the proposed goals of the radio tower. Whenever there is a 911 call in Rancho Carrillo, the ORANGE COUNTY police and fire departments, along with California Highway Patrol, respond to the emergency. This radio tower will not allow communication with ORANGE COUNTY POLICE AND FIRE or California Highway Patrol. RIVERSIDE COUNTY POLICE AND FIRE PERSONNEL ARE MUCH TOO FAR AWAY AND RARELY IF EVER RESPOND TO RANCHO CARRILLO. In addition, the private road leading to our community is not in an area that will be covered by the radio signals of this tower. Many 911 calls come from this road leading to our community. Thus, the radio tower will not serve the needs of this small community of Riverside county citizens. Not only will placement of the tower in this location fail to be effective in increasing safety and communication of police and fire personnel and members of the community, but it is a huge expenditure of tax payers' money spent without serving its proposed purpose.

Of great importance to the members of Rancho Carrillo, this radio tower would have a profound, unacceptable impact aesthetically. Rancho Carrillo is a rural community completely surrounded by the San Mateo Canyon National Wilderness. Through the years, members of the community have gone to great efforts to maintain the wilderness environment. For example, when electricity was brought up to Rancho Carrillo, the members paid extra money in order to keep the lines underground. They also chose not to have street lights in order to maintain the ambiance of the wilderness night. The unsightliness of the tower itself, any lights or noise emitted from the tower, any removal of trees and shrubs to make the hill bald in the vicinity of the tower would all be out of character with our community and the national forest and wilderness area surrounding it.

36-1

36-2

36-3

08 JUL 16 AM 7:24

Furthermore, safety issues arise. A 2000 gallon propane tank will present an additional fire hazard to our isolated community. Fires have been known to come through Rancho Carrillo from the direction where the radio tower placement is proposed. If a fire comes through and causes the propane tank to catch fire, our volunteer fire department and the Orange County fire departments will be called upon to squelch the fire. The proximity of the propane tank to our only water source feasibly could hinder our ability to fight the fire and to protect our neighborhood. We do not need to increase our exposure to fire risk.

36-4

The people of Rancho Carrillo have moved into this isolated area for multiple and varied reasons. Many enjoy the aesthetic views and wilderness trails. Many enjoy horses and other domestic animals. And many have moved here to escape the sights, sounds, environmental toxins and exposures characteristic of heavily populated urban areas. It is unreasonable to now force a radio tower upon the community. Even though no reports have proven any adverse health effects of chronic exposure to radio waves, no one can guarantee the safety of chronic radio wave exposure of someone living within a few hundred feet of such a tower.

36-5

Lastly, there will be access constraints to our community. The roads leading to our community and through our community are private roads. Our community alone pays for the maintenance of these roads. Our roads are not maintained to levels that permit us to allow their use by non-residents. Therefore, Rancho Carrillo is a closed community. Within the community itself, these roads are privately owned by the members of the community. We do not plan as members of Rancho Carrillo to allow easement privileges to those who would to travel along our roads for the purpose of building and maintaining the radio tower. We prefer you to find another location to place your tower if you deem it necessary for your overall plan.

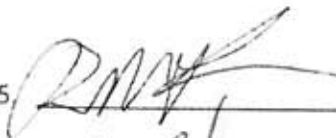
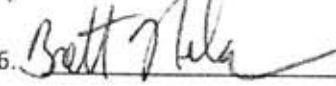
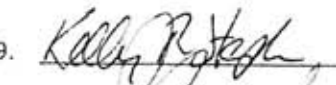
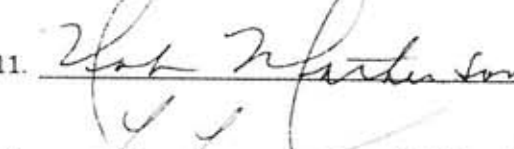
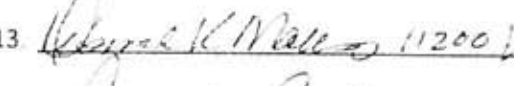
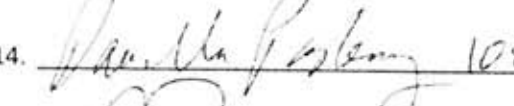
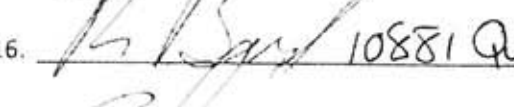
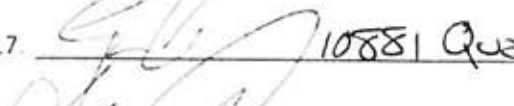
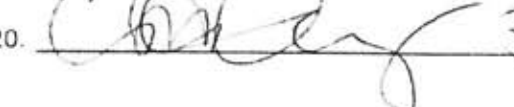
36-6

We have sacrificed in many ways in order to live here and enjoy the wilderness that surrounds us. We implore you not to subject us to this radio tower which would have such a negative impact on the wilderness as well as our community.

Below, we have signed our objection to the Rancho Carrillo portion of this project.

	Signature	Address/ lot	Date
1.	<u>Kelly B. [Signature]</u>	<u>10615 Verdugo - lot 54</u>	<u>6/24/08</u>
2.	<u>Heather E. Mellen</u>	<u>11140 Fox Springs - lot 35</u>	<u>6/24/08</u>
3.	<u>[Signature]</u>	<u>" " " " " "</u>	<u>" " " " " "</u>
4.	<u>[Signature]</u>	<u>11100 Fox Springs Rd #34</u>	<u>6.24.08</u>

08 JUL 16 AM 7:24

5.  11100 Fox Spring Rd #34 6-24-08
6.  10941 Rimpau Rd Lot 31B 6-25-08
7.  10625 Quail Springs Lot 67 6/25/08
8.  11151 Fox Spring Rd Lot 37+38 6/25/08
9.  1151 Fox Springs Rd Lot 37+38 6-25-08
10.  3850 Carrillo Rd ^{Lot 16} 6-25-08
11.  11200 Fox Springs Rd ^{LOT #36} 6-25-08
12.  11200 Fox Springs Rd Lot #36 6-25-08
13.  11200 Verdugo Rd Lot 25 6/25/08
14.  10890 Verdugo Rd. Lot 18 6/25/08
15.  10890 Verdugo Rd Lot 18 6/25/08
16.  10881 Quail Springs Rd - Lot 52 6-25-08
17.  10881 Quail Springs Rd - Lot 52 6-25-08
18.  Quail Springs Rd Lot 53 6/25/08
19.  Quail Springs Rd Lot 53 6/25/08
20.  38774 Carrillo Rd Lot 17 6/26/08

21. Madalena 10900 Rempau Court Lot #30 Rancho Carrillo 6 27 08
22. Davis 3103 Rancho Viejo Rd, Ste D2310, SJC / R Camillo ^{Lot #7} 6 25.06
23. Kimberly Timber K-lung Lot # ^{38270 Carrillo Rd} 949 728 1207
Micheline Jay 21105 VERDUGO RD 92562
24. Micheline 1642 LOT 43 949-728-1441
25. 31103 Rancho Viejo D2186 92675 6-28-08
LOT 61 10790 Quail Springs 92562 9497289901
26. Timothy J. Hellen 10305 Verdugo 92562 949-728-0606
Tamara J. Hellen
27. John 10385 Verdugo 92562 949-728-0970
Steven G. Rose SAN JUAN CAP
28. Steven G. Rose 31103 Rancho Viejo #D235 ^{CA4} 92675
Frederick Garcia Lot # 63
29. Darcia 38940 Carrillo Rd Murrieta Ca 92562
30. Lawrence Carlson 10871 Verdugo Rd. 92562
31. Patricia Carlson 10871 Verdugo Rd. 92562
32. 10420 Verdugo Rd 92562
33. 10420 VERDUGO RD. 92562
34. 38711 Carrillo Rd 92562
35. Nancy Stresga 38711 Carrillo Rd 92562
Lot 13
36. Linda Felix 38340 Carrillo Rd 92562

08 JUL 16 AM 7:24

10931 Rimpau Rd.

37. H. Allmandinger Lot 31A Rancho Carrillo 92652

38. Jim De 10900 Rimpau Rancho Carrillo 92562

39. Keith Warren 10700 Quail Springs Rancho Carrillo

40. Amy M. Bosack ^{lot #4} 11020 Verdugo Rancho Carrillo 92562
92562

41. Sunny Hanger 10615 VERDUGO LOT 54 92562

42. Donna J. H 10525 Verdugo Rd lot 56 92562

43. H 10525 Verdugo Rd

44. John R. R. R. ^{Rancho Carrillo} Lot 17 38724 Carrillo Rd 92562

45. Norah Johnson ^{Lot 26} 11245 Verdugo Rd

46. Natalie Slesence ^{Lot #33 and 39} 11151 Fox Springs, Murietta 92562

47. h ^{Lot 40} 11050 Fox Springs, Murietta 92562

48. Marion K. R. 11005 Verdugo Rd Murietta Ca 92562

49. Elad K. 11005 Verdugo Rd Murietta Ca 92562

50. David W. 10881 Quail Springs Rd Murietta CA 92562 Lot 52
10853 Quail Springs Rd Murietta CA 9262 Lot 62

51. Stephen L. Perkins 10881 Quail Springs Rd Murietta Ca Lot 52
10853 Quail Springs Rd Murietta Ca Lot 62

52. h 10710 Quail Springs Rd Murietta Lot 61

08 JUL 16 AM 7:24

53. Sylvia Huber 10725 Quail Springs Rd Rancho Carrillo Lot 65 92562
54. Michael Kube 10725 Quail Springs Rd Rancho Carrillo Lot 65 92562
55. Mark Gray 10671 Quail Springs Rd Rancho Carrillo Lot 65 92562
56. [Signature] 10625 Quail Springs Rd Lot 67 ~~92562~~ 92562
57. [Signature] 10460 Verdugo Rd Lot #2 Marietta 92562
58. [Signature] 10305 Verdugo Rd Lot #12 Marietta 92562
59. Mary Ann Lin 10441 Quail Springs 92562 Lot #70
60. Carla Cochran 10660 Quail Springs 92562 Lot #59
61. Nancy Warren 10700 Quail Springs 92562 Lot 60
62. David Cochran 10660 Quail Springs 92562 Lot #59
63. [Signature] 10949 Rincon Road 92562 Lot #31B
64. [Signature] 10835 Top Springs Rd 92562 21B
65. [Signature] 38273 Carrillo Rd 92652 # 22
66. [Signature] 28273 Carrillo Rd. 92652 # 22
67. [Signature] 10900 Verdugo Rd 92652 # 02
68. [Signature] 38513 Carrillo Rd. 92652 #10

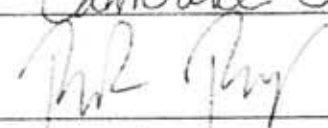
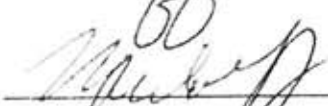
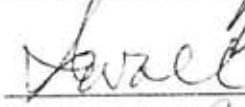
08 JUL 16 AM 7:24

69. Phil Jones 38513 Carrillo Rd Lot 10 92562
70. John Galt 38500 Carrillo Rd. Lot 14 92562
71. John Galt 38500 Carrillo Rd Lot 14 92562
72. John Galt 38605 Carrillo Rd. Lot 9 92562
73. John Galt 38605 Carrillo Rd. Lot 9 92562
74. Christina Cady 11005 Fox Springs 92562 Lot 40
75. John Galt 11005 Fox Springs 92562 Lot 40
76. John Galt 11025 Verdugo Rd, 92562 Lot 43
77. John Galt 38890 Carrillo Rd, Murreta 92562 Lots 45, 46
78. Susan Krutick 38090 Carrillo Rd. Murreta 92562 Lot 45
79. John G. Barua 38940 Carrillo Rd Murreta 92562 Lot 63
80. Karen Rene Ritter 10819 Quail Springs Rd Lot 64 92562
81. John G. Barua 27762 Antonio Hwy 4-418 92562 Lot 64
82. Bryan B Maus 11200 Verdugo Rd, Murreta, CA 92562 Lot 25
83. John Galt 38347 Carrillo Road Murreta, CA 92562 Lot 12
84. John Galt 38347 Carrillo Rd Murreta, CA 92562 Lot 12

Duplicate

85. Robert A. Chase 10875 Fox Springs Rd, Lot 27A
86. Cheryl Gardavian 38665 Aliso Rd, Murrieta Lot 5
87. M. Gardavian 38665 ALISO RD. MURRIETA, 92562
88. Selen Gök 11081 Fox Springs Rd Murrieta 92562
Lot #39
89. Mercedes Berg 10870 Fox Springs Rd Murrieta 92562
Lot 27
90. Egon Woz 10870 Fox Springs Rd Murrieta 92562
Lot 29
91. Phyllis Lewis 11165 Verdugo Rd 92562
Lot #2
92. Richard J. Smith 11165 Verdugo Rd 92562
93. W. J. Lot #13 38340 Carrillo Rd 92562
94. Jeff Hays Lot #13 38340 Carrillo Rd 92562
95. James A. Allen Lot #26 11245 Verdugo Rd 92693
96. Ann M. Woz Lot 39, 11081 Fox Springs Rd 92562
97. Ann Floerke Lot #57 10540 Quail Spgs Rd 92562
98. Nicole Ann Lot #10 38513 Carrillo Rd 92562
99. Mary Murphy Rimpau 10880 Fox Springs Rd 92562
100. Jerry Trout #70 10441 Quail Springs Rd 92562

08 JUL 16 AM 7:24

101. Steve Morris  7/10/08 Lot 19 10920 Verdugo Rd. ⁹²⁶⁵²
102. Kevin Stephens  Lot 38 11151 Fox Springs Rd 92562
103. Catherine Cope Lot 19 10910 Verdugo Rd. RC ⁹²⁵⁶²
104.  Lot 12 36347 Carrillo Rd ⁹²⁵⁶²
105.  Lot 28 10777 Fox Springs ⁹²⁵⁶²
106. Peggy Ann Lot 17A 10875 Fox Springs 92562
107. J. Harris Lot 1 10220 Verdugo ⁹²⁵⁶²
108.  LOT 28 10777 Fox Springs ⁹²⁵⁶²
109.  LOT 70 10441 Quail Springs
110.  Sub Main 10295 Quail Springs
111.  Submain 10295 Quail Springs
112. Martin Myers Lot 6 36880 Aliso Rd.
113. Mark Leone Lot 6 36880 Aliso Rd.
114. _____
115. _____
116. _____

Typed Petition List

1. Kelly Overholt 10615 Verdugo Murrieta, CA 92562 - lot 54 Rancho Carrillo 949.728.1195
2. Heather Mellem 11140 Fox Springs Murrieta, CA 92562 - lots 35/49 Rancho Carrillo 949.728.1399
3. Don Mellem 11140 Fox Springs Murrieta, CA 92562 - lots 35/49 Rancho Carrillo 949.728.1399
4. Oma Fitzpatrick 11100 Fox Springs Murrieta, CA 92562 - lot 34 Rancho Carrillo 949.728.0174
5. Mike Fitzpatrick 11100 Fox Springs Murrieta, CA 92562 - lot 34 Rancho Carrillo 949.728.0174
6. Brett Nelson 10941 Rimpau Murrieta, CA 92562 - lot 31B Rancho Carrillo 949.728.9910
7. Ron Nelson 10625 Quail Springs Rd. Murrieta, CA 92562 - lot 67 Rancho Carrillo 949.728.0117
8. Patty Stephens 11151 Fox Springs Murrieta, CA 92562 - lots 37/38 Rancho Carrillo 949.728.9940
9. Kelly Stephens 11151 Fox Springs Murrieta, CA 92562 - lots 37/38 Rancho Carrillo 949.728.9940
10. Steve Tustison 38620 Carrillo Murrieta, CA 92562 - lot 16 Rancho Carrillo 949.728.0723
11. Robin Matherson 11200 Fox Springs Murrieta, CA 92562 - lot 36A Rancho Carrillo 949.728.9999
12. Lori Lynch 11200 Fox Springs Murrieta, CA 92562 - lot 36A Rancho Carrillo 949.728.9999
13. Debbie Mauss 11200 Verdugo Murrieta, CA 92562 - lot 25 Rancho Carrillo 949.728.1385
14. Danielle Paskowitz 10890 Verdugo Murrieta, CA 92562 - lot 18 Rancho Carrillo 949.728.1100
15. Israel Paskowitz 10890 Verdugo Murrieta, CA 92562 - lot 18 Rancho Carrillo 949.728.1100
16. Ron Bidnick 10881 Quail Springs Rd. Murrieta, CA 92562 - lot 52 Rancho Carrillo 949.728.1420
17. Cindy Bidnick 10881 Quail Springs Rd. Murrieta, CA 92562 - lot 52 Rancho Carrillo 949.728.1420
18. Don Garrison 10890 Quail Springs Rd. Murrieta, CA 92562 - lot 53 Rancho Carrillo 949.728.0968
19. Chris Ladue 10890 Quail Springs Rd. Murrieta, CA 92562 - lot 53 Rancho Carrillo 949.728.0968
20. Carol Rodriguez 38724 Carrillo Murrieta, CA 92562 - lot 17 Rancho Carrillo 949.728.0723
21. Alison Donaldson 10900 Rimpau Murrieta, CA 92562 - lot 30 Rancho Carrillo 949.728.1282
22. Bonnie Davis 10580 Verdugo Murrieta, CA 92562 - lot 7 Rancho Carrillo 949.728.1504
23. Kim Timber 38270 Carrillo Murrieta, CA 92562 - lot 16 Rancho Carrillo 949.728.1207
24. Micheline Igaz 11025 Verdugo Murrieta, CA 92562 - lot 43 Rancho Carrillo 949.728.1441
25. Lori Hayden 10790 Quail Springs Rd. Murrieta, CA 92562 - lot 61 Rancho Carrillo 949.728.9901
26. Tamara J. Hallen 10305 Verdugo Murrieta, CA 92562 - lot 72 Rancho Carrillo 949.728.0606
27. Joel Wolfer 10385 Verdugo Murrieta, CA 92562 - lot 71 Rancho Carrillo 949.728.0970
28. Steven Rose 38421 Carrillo Murrieta, CA 92562 - lot 11 Rancho Carrillo 949.728.0732
29. Fredrick Garcia 38940 Oaknoll Rd. Murrieta, CA 92562 - lot 63 Rancho Carrillo 949.728.0160
30. Larry Carlson 10872 Verdugo Murrieta, CA 92562 - lot 50 Rancho Carrillo 949.728.0145
31. Pat Carlson 10872 Verdugo Murrieta, CA 92562 - lot 50 Rancho Carrillo 949.728.0145
32. William Fogarty 10420 Verdugo Murrieta, CA 92562 - lot 3 Rancho Carrillo 949.728.0316
33. John Freyer 10420 Verdugo Murrieta, CA 92562 - lot 3 Rancho Carrillo 949.728.0510
34. Richard E. Streza 38711 Carrillo Murrieta, CA 92562 - lot 8 Rancho Carrillo 949.728.0711
35. Nancy Streza 38711 Carrillo Murrieta, CA 92562 - lot 8 Rancho Carrillo 949.728.0711
36. Linda Felix 38340 Carrillo Murrieta, CA 92562 - lot 13 Rancho Carrillo 949.728.0307
37. Klaus Almendinger 10949 Rimpau Murrieta, CA 92562 - lot 31B Rancho Carrillo 949.728.1249

38. Dave Donaldson 10900 Rimpau Murrieta, CA 92562 – lot 30 Rancho Carrillo 949.728.1282
39. Keith Warren 10700 Quail Springs Rd. Murrieta, CA 92562 – lot 60 Rancho Carrillo 949.728.0159
40. Amy Hossack 11020 Verdugo Murrieta, CA 92562 - lot 24 Rancho Carrillo 949.728.1434
41. Sarah Wormington 10615 Verdugo Murrieta, CA 92562 - lot 54 Rancho Carrillo 949.728.1195
42. Donna Dungan 10525 Verdugo Murrieta, CA 92562 - lot 56 Rancho Carrillo 949.728.12805
43. Rex Dungan 10525 Verdugo Murrieta, CA 92562 - lot 56 Rancho Carrillo 949.728.12805
44. JJ Rodrigez 38724 Carrillo Murrieta, CA 92562 – lot 17 Rancho Carrillo 949.728.0824
45. Deborah Lohrman 11245 Verdugo Murrieta, CA 92562 - lot 26 Rancho Carrillo 949.728.0226
46. Natalie Stephens 11151 Fox Springs Murrieta, CA 92562 - lots 37/38 Rancho Carrillo
949.728.9940
47. Nancy Smith 10950 Fox Springs Murrieta, CA 92562 – lot R2 Rancho Carrillo 728.9950
48. Sharon Kovanda 11005 Verdugo Murrieta, CA 92562 - lot 44 Rancho Carrillo 949.728.0621
49. Edward Kovanda 11005 Verdugo Murrieta, CA 92562 - lot 44 Rancho Carrillo 949.728.0621
50. Daniel Jordan 10853 Quail Springs Rd. Murrieta, CA 92562 – lots 62/52 Rancho Carrillo
949.728.0159
51. Deborah Perkins 10853 Quail Springs Rd. Murrieta, CA 92562 – lots 62/52 Rancho Carrillo
949.728.0159
52. Alex Hayden 10790 Quail Springs Rd. Murrieta, CA 92562 - lot 61 Rancho Carrillo 949.728.9901
53. Sylvia Huber 10725 Quail Springs Rd. Murrieta, CA 92562 - lot 65 Rancho Carrillo 949.728.0272
54. Michael Huber 10725 Quail Springs Rd. Murrieta, CA 92562 - lot 65 Rancho Carrillo
949.728.0272
55. Mark Goudy 10671 Quail Springs Rd. Murrieta, CA 92562 - lot 66 Rancho Carrillo 949.728.0416
56. Michelle Nelson 10625 Quail Springs Rd. Murrieta, CA 92562 - lot 67 Rancho Carrillo
949.728.0117
57. Paula Kadoun 10400 Verdugo Murrieta, CA 92562 - lot 2 Rancho Carrillo 949.728.1433
58. John Hallen 10305 Verdugo Murrieta, CA 92562 - lot 72 Rancho Carrillo 949.728.0606
59. Mary Ann Kiger 10441 Quail Springs Rd. Murrieta, CA 92562 - lot 70 Rancho Carrillo
949.728.1170
60. Carla Crehin 10660 Quail Springs Rd. Murrieta, CA 92562 - lot 59 Rancho Carrillo 949.728.9933
61. Nancy Warren 10700 Quail Springs Rd. Murrieta, CA 92562 – lot 60 Rancho Carrillo
949.728.0159
62. Daniel Crehin 10660 Quail Springs Rd. Murrieta, CA 92562 - lot 59 Rancho Carrillo 949.728.9933
63. Christina Tietz 10941 Rimpau Murrieta, CA 92562 - lot 31B Rancho Carrillo 949.728.9910
64. Susan Trindle 10835 Fox Springs Murrieta, CA 92562 - lot 27B Rancho Carrillo 949.728.0234
65. Rebekah Conrad 38273 Carrillo Murrieta, CA 92562 – lot 22 Rancho Carrillo 949.728.
66. Vineer Bhansali 38273 Carrillo Murrieta, CA 92562 – lot 22 Rancho Carrillo 949.728.
67. Radek Kadoun 10400 Verdugo Murrieta, CA 92562 - lot 2 Rancho Carrillo 949.728.1433
68. Robert N. Jones 38513 Carrillo Murrieta, CA 92562 – lot 10 Rancho Carrillo 949.728.0190
69. Chris Jones 38513 Carrillo Murrieta, CA 92562 – lot 10 Rancho Carrillo 949.728.0190
70. Linda Corlett 38500 Carrillo Murrieta, CA 92562 – lot 14 Rancho Carrillo 949.728.1128
71. Jim Corlett 38500 Carrillo Murrieta, CA 92562 – lot 14 Rancho Carrillo 949.728.1128
72. Judy Russell 38605 Carrillo Murrieta, CA 92562 – lot 9 Rancho Carrillo 949.728.0640

08 JUL 16 AM 7:24

73. Kirk Russell 38605 Carrillo Murrieta, CA 92562 – lot 9 Rancho Carrillo 949.728.0640
74. Christina Cody 11055 Fox Springs Murrieta, CA 92562 - lot 40 Rancho Carrillo 949.728.1446
75. Daniel Curtis 11055 Fox Springs Murrieta, CA 92562 - lot 40 Rancho Carrillo 949.728.
76. Frank Igaz 11025 Verdugo Murrieta, CA 92562 - lot 43 Rancho Carrillo 949.728.1441
77. Jim Krutcik 38125 Carrillo Murrieta, CA 92562 – lots 45/46 Rancho Carrillo 949.728.1277
78. Susan Krutcik 38125 Carrillo Murrieta, CA 92562 – lots 45/46 Rancho Carrillo 949.728.1277
79. Jean A. Garcia 38940 Oaknoll Rd. Murrieta, CA 92562 – lot 63 Rancho Carrillo 949.728.0160
80. Karen Reuss Ritter 10819 Quail Springs Rd. Murrieta, CA 92562 - lot 64 Rancho Carrillo 949.728.1499
81. Carl H. Ritter 10819 Quail Springs Rd. Murrieta, CA 92562 - lot 64 Rancho Carrillo 949.728.1499
82. Byron B. Mauss 11200 Verdugo Murrieta, CA 92562 - lot 25 Rancho Carrillo 949.728.1385
83. Erica Otting 38347 Carrillo Murrieta, CA 92562 – lot 12 Rancho Carrillo 949.728.1393
84. ~~Rick Reedy 38347 Carrillo Murrieta, CA 92562 – lot 12 Rancho Carrillo 949.728.1393~~ Duplicate
85. Brent Chase 11200 Fox Springs Murrieta, CA 92562 - lot 27A Rancho Carrillo 949.728.0128
86. Cheryl Gardarian 38665 Aliso Rd. Murrieta, CA 92562 – lots 5/4 Rancho Carrillo 949.728.0305
87. Leo Gardarian 38665 Aliso Rd. Murrieta, CA 92562 – lots 5/4 Rancho Carrillo 949.728.0305
88. Helen Welch 11081 Fox Springs Murrieta, CA 92562 - lot 39 Rancho Carrillo 949.728.0558
89. Mercedes Berg 10820 Fox Springs Murrieta, CA 92562 - lot 29 Rancho Carrillo 949.728.1229
90. Ron Wood 10820 Fox Springs Murrieta, CA 92562 - lot 29 Rancho Carrillo 949.728.1229
91. Lynne Everett 11165 Verdugo Murrieta, CA 92562 - lot 42 Rancho Carrillo 949.728.0269
92. Richard Everett 11165 Verdugo Murrieta, CA 92562 - lot 42 Rancho Carrillo 949.728.0269
93. Dan Felix 38340 Carrillo Murrieta, CA 92562 – lot 13 Rancho Carrillo 949.728.0307
94. Julia Felix 38340 Carrillo Murrieta, CA 92562 – lot 13 Rancho Carrillo 949.728.0307
95. James Lohrman 11245 Verdugo Murrieta, CA 92562 - lot 26 Rancho Carrillo 949.728.0226
96. Jim Reardon 11081 Fox Springs Murrieta, CA 92562 - lot 39 Rancho Carrillo 949.728.0558
97. Ann D. Floerke 10540 Quail Springs Rd. Murrieta, CA 92562 - lot 64 Rancho Carrillo 949.728.1499
98. Nicole Jones 38513 Carrillo Murrieta, CA 92562 – lot 10 Rancho Carrillo 949.728.0190
99. Mary Murphy 10880 Fox Springs Murrieta, CA 92562 – Rimpau 1 Rancho Carrillo 949.728.1010
100. Jerry Thornton 10441 Quail Springs Rd. Murrieta, CA 92562 - lot 70 Rancho Carrillo 949.728.1170
101. Steve Morris 10910 Verdugo Murrieta, CA 92562 - lot 19 Rancho Carrillo 949.728.0247
102. Kevin Stephens 11151 Fox Springs Murrieta, CA 92562 - lots 37/38 Rancho Carrillo 949.728.9940
103. Catherine Cope 10910 Verdugo Murrieta, CA 92562 - lot 19 Rancho Carrillo 949.728.0244
104. Rick Reedy 38347 Carrillo Murrieta, CA 92562 – lot 12 Rancho Carrillo 949.728.1393
105. Su Jacob 11777 Fox Springs Murrieta, CA 92562 - lot 28 Rancho Carrillo 949.728.1228
106. Peggy Chase 11200 Fox Springs Murrieta, CA 92562 - lot 27A Rancho Carrillo 949.728.0128

107. Jody Harris 10270 Verdugo Murrieta, CA 92562 - lot 1 Rancho Carrillo 949.728.1070

108. Tony Jacob 11777 Fox Springs Murrieta, CA 92562 - lot 28 Rancho Carrillo 949.728.1228

109. Cliff Brown 10441 Quail Springs Rd. Murrieta, CA 92562 - lot 70 Rancho Carrillo 949.728.1480

110. Mike Wolff 10295 Quail Springs Rd. Murrieta CA 92562 Sub 4 unit lot (949) 584-4079

111. Genny Wall " " " " " " " " " "

112. Martie Myers 38660 Aliso Lot #6 Murrieta Ca 92562 (949) 728-0604

113. Mark Legome 38660 Aliso Lot #6 Murrieta Ca 92562 (949) 728-0604

08 JUL 16 AM 7:24

Members of the Rancho Carrillo Community (July 15, 2008)

Response to Comment 36-1

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 36-2

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 36-3

This comment has already been addressed in Response to Comment 22-9.

Response to Comment 36-4

This comment has already been addressed in Response to Comment 22-9 and 22-16.

Response to Comment 36-5

This comment has already been addressed in Response to Comment 22-12 and 34-4.

Response to Comment 36-6

This comment has already been addressed in Response to Comment 22-5 and 22-22.

W23

July 15, 2008

Mr. James Garland, Project Coordinator
Riverside County Facilities Management
1855 Chicago Avenue
Riverside, CA 92507

Comment 37

Re: Tower Plans at Rancho Carrillo

cc: Bob Buster, 1st District, Riverside County Board of Supervisors

To: James Garland,

I am writing to express support for the PSEC project, however, as a Rancho Carrillo resident I am also writing to express that the proposed site outside our community is not a suitable location for several reasons.

First, the five mile private road to Rancho Carrillo is entirely funded by residents, and any additional use, notably by heavy trucks and vans, would impact our resources and increase our liability. Any use of the road would have to be granted by easement and since the homeowners association owns the road, a vote would have to occur. Our association is not in favor of the proposed tower location and therefore an easement is highly unlikely. Our residents cannot afford an increase in road expense or liability, and any increase could result in financial ruin of the homeowners association and/or individual residents.

37-1

Second, most residents purchased in Rancho Carrillo in part because the road is private. Over 80% of the residents have small children, horses, or dogs that use the roads and our residents are extremely cautious and limit their speed to 15 miles per hour for safety. There is no way to ensure that riverside county maintenance or construction works would drive 15 miles per hour. Further, on any given day, several people horseback ride through the community and large trucks can cause safety concerns for those on horseback. It is neighborhood practice to slow down and cut the engine while passing residents on horseback. We cannot trust Riverside employees would abide by this rule.

37-2

Third, the 2000 gallon propane tank poses an extreme fire risk in a community that is already concerned about fire. To have a propane tank near the community that we have no control over the maintenance or safety of would cause great concern. Some of our neighbors have lost homes and animals to the fires and are extremely sensitive to tanks that pose fire danger.

37-3

Fourth, the impact on our surrounding wilderness is substantial. We strive as a community to leave the wilderness in the condition we found it. Your positioning of the tower means that you have to access it through the wilderness, sending trucks, gas tankers, and workers through the sensitive federal wilderness land that our community cherishes.

37-4

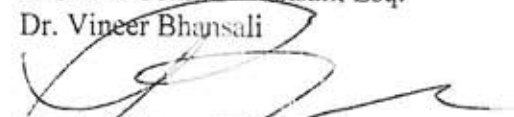
08 JUL 17 AM 8:52

Your organization has several other options, including Sitton Peak, where you would not enter a unique and close knit community like Rancho Carrillo. Please don't hesitate to call either of us to further discuss our concerns.

37-5

Sincerely,

Rebekah Conrad Bhansali, Esq.
Dr. Vineer Bhansali



Rebekah Conrad Bhansali, Esq.
Dr. Vineer Bhansali
28273 Carrillo Road
Rancho Carrillo, California

Mailing Address:
2821 Ridge Drive
Laguna Beach, CA 92651

(949) 728-1497

08 JUL 17 AM 8 52

Dr. Vineer Bhansali & Rebekah Conrad Bhansali (July 15, 2008)

Response to Comment 37-1

This comment has already been addressed in Response to Comment 22-5 and 22-22.

Response to Comment 37-2

This comment has already been addressed in response to Comment 22-5 and 22-22. The County does not propose to operate any equipment on area roadways in an unsafe manner, and the commentor provides no evidence that would indicate otherwise.

Response to Comment 37-3

This comment has already been addressed in Response to Comment 22-9 and 22-16.

Response to Comment 37-4

This comment has already been addressed in Response to Comment 22-9.

Response to Comment 37-5

This comment has already been addressed in Response to Comment 22-23.

W 24

PO Box 1191
Idyllwild, CA 92549
July 19, 2008

Comment 38

Riverside County
Dept of Facilities Management
Attn: Ms. Ashley Mitchell
PO Box 789
Riverside, CA 92502-0789

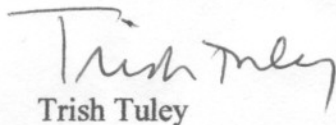
Dear Ms. Mitchell:

I am writing in response to the EIR for the Public Safety Enterprise Communications Project. Towers should not be located within a half mile of any residence, school, church, or any building which houses people. Towers should not be visible from any scenic highway regardless of configuration.

38-1

Thank you for considering my comments.

Sincerely,


Trish Tuley

08 JUL 21 AM 11:35

Trish Tuley (July 19, 2008)

Response to Comment 38-1

There are no applicable regulations that prohibit placement of towers within one-half mile of inhabited structures or within sight of a scenic highway. Therefore, the comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

W 38

PO Box 455
Mountain Center, CA 92561
July 23, 2008

08 JUL 24 PM 12:08

Riverside County
Department of Facilities Management
Attn: Ms Ashley Mitchell
PO Box 789
Riverside, CA 92502-0789

Comment 39

Dear Ms. Mitchell:

Regarding the EIR for the Public Safety Enterprise Communications Project, please consider placement in relation to people. Please do not place any tower within one-half mile of any residence. Please do not place any tower within sight from a designated California scenic highway.

39-1

Thank you for your consideration.



Dore Capitani

Dore Capitani (June 20, 2008)

Response to Comment 39-1

There are no applicable regulations that prohibit placement of towers within one-half mile of inhabited structures or within sight of a scenic highway. Therefore, the comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

W43

Subject: Response to PSEC Project NOP
Wednesday, July 23, 2008
From: Dean and Jeannine Smith

County of Riverside
Department of Facilities Management
PO Box 789
Riverside, Ca 92502-0789

Comment 40

Cc: Bob Buster, 1st District, Riverside County Board of Supervisors

Re: Response to PSEC Project NOP

We are owners of home in the remote community of Rancho Carrillo. Our rural community has been designated as a proposed antenna site for the PSEC project.

Our Rancho Carrillo Homeowners Association has filed letters stating our opposition to placement of an antenna within our community.

Our resources are serviced by Orange County for emergency response and Riverside is not covering our 60 residences. The tower will not improve Fire, Sheriff or Highway Patrol services provided by Orange County to our community.

40-1

The height of the tower is not in compliance with our rural community as we have all utilities underground and not even streets lights are provided to keep with our natural surroundings. We have always strived to remain in harmony with the surrounding wilderness area.

40-2

We at Rancho Carrillo have strict property zoning restrictions. The CC&R's govern our properties and the tower is not in compliance with these rules. We provide and maintain at our expense the roads in our community and they are private property. The installation and maintenance of the tower will cause wear and tare on our roads at our expense.

40-3

In summary, there is not a benefit to our community and the structure should be utilized at a facility area that would benefit from it. It is not necessary to cause Rancho Carrillo the disruption from construction of the tower and the loss rural esthetics when it will be utilized better in a more central location of the county of Riverside.

40-4

Sincerely,


Dean Smith and Jeannine Smith

08 JUL 28 AM 11:21

Dean & Jeannine Smith (July 23, 2008)

Response to Comment 40-1

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 40-2

This comment has already been responded to in Response to Comment 22-9.

Response to Comment 40-3

This comment has already been responded to in Response to Comment 22-5, 22-18, and 22-22.

Response to Comment 40-3

The County appreciates the commentor's interest in the proposed project..

From: kelly@scgelectric.com [mailto:kelly@scgelectric.com]

Sent: Fri 6/6/2008 10:59 PM

To: EIR

Subject: EIR report and private property

Comment 41

Hello Ashley,

We submitted comments a couple of months ago to box 789; however, it was returned.wonder why ?

We live in Rancho Carrillo and are concerned about losing our property.

Who do we call to discuss what the agency MIGHT do ?

Tx...Kelly

P: 949.728.9941 F: 949.728.9943 C:714.369.5719

27762 Antonio Pkwy L1-633 Ladera Ranch, CA 92694

41-1

Kelly (June 6, 2008)

Response to Comment 41-1

The information requested by the commenter was sent at the time the request was made.

From: jp@towncrier.com [mailto:jp@towncrier.com]

Sent: Fri 6/6/2008 4:08 PM

To: EIR

Subject: Draft Program EIR for PSEC project

Comment 42

Dear sirs,

the notice of availability of draft PEIR for the PSEC project says the document is online at <http://psec.co.riverside.ca.us/> obviously I found the site but not the draft document. Is it online yet or did I miss something

42-1

thank you

J P Crumrine
Idyllwild Town Crier
951 659-2145

J.P. Crumrine (June 6, 2008)

Response to Comment 42-1

The information requested by the commenter was sent at the time the request was made.

From: suzy17@verizon.net [mailto:suzy17@verizon.net]

Sent: Mon 6/9/2008 11:27 AM

To: EIR

Subject: The PSEC project

Comment 43

We strongly object to the placement of a radio tower off of Scenic Highway 243 in Mountain Center, CA. Not only are these towers aesthetically unappealing and do not conform to the natural surrounding beauty of the Idyllwild area, but would also impact the nighttime environment. The safety of such towers is also in question.

PLEASE---in order to retain the natural surrounding of Idyllwild--DO NOT place a tower in the Idyllwild area.

Sincerely,

Suzon and Peter Capparelli

PO Box 3599

Idyllwild, CA 92549

43-1

Suzon & Peter Capparelli (June 9, 2008)

Response to Comment 43-1

Though the commentor does not indicate a specific site they object to, the only site that is proposed to be constructed near Highway 243 is the Ranger Peak site, which is located near an existing communication tower near the USFS Vista Grande fire station. This site is actually nine air miles from Idyllwild. It is approximately 14 road miles from Idyllwild via Highway 243. Therefore, the project is not in the vicinity of Idyllwild. In addition, the tower site is only visible from Highway 243 for several seconds as drivers make their way up the highway, and then only if intense effort is made to see the site. The site's position upslope from the highway in this location make it extremely unlikely that any person traveling the highway will notice the tower. Thus, it is very unlikely that the tower will significantly impact views from a scenic highway.

The commentor also suggests that the proposed tower would impact the nighttime environment, presumably due to lighting. The Ranger Peak site, however, will not require a warning beacon or strobe light. The only lighting that will be present at the site will be a low-wattage motion sensor activated security light mounted to the outside of the equipment shelter. This light will be on very infrequently, and due to its position on the site will not be visible from Highway 243.

The commentor indicated that the tower's safety may also be in question. However, the commentor provides no discussion or evidence to help the County understand exactly how the tower would be unsafe. Therefore, the County cannot respond to the commentor's assertion. Regardless, all County towers will be constructed to professional engineering standards, so safety impacts would be insignificant. Considering that the project's intent is to provide adequate emergency communications to the County's law enforcement personnel, firefighters, and their cooperators, safety is the primary impetus for this project and will continue to be so through the life of the project.

From: EIR
Sent: Thu 6/12/2008 1:49 PM
To: EIR
Cc: ELARA@HUBGROUP.COM
Subject: Request for Comments Notice of Draft

Comment 44

WEB FORM SUBMISSION:

FULLNAME: EDDIE LARA

ZIP: 92553

COMMENTS: I believe this project would equip the emergency reponse teams with the proper tools to serve our communities during an emergency as well as for regular police patrols.A quick thought on emergency response teams without proper tools(It's would be like sending a fireman to a fire without a hose)

44-1

EMAIL: ELARA@HUBGROUP.COM

ADDRESS: 24508 ONEIDA ST

CITY: MORENEO VALLEY

Eddie Lara (June 12, 2008)

Response to Comment 44-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Fri 6/13/2008 8:56 AM
To: EIR
Cc: jamesfamily1@verizon.net
Subject: Request for Comments Notice of Draft

Comment 45

WEB FORM SUBMISSION:

FULLNAME: Curt James

ZIP: 92545

COMMENTS: I fully support this project. The radio system in this county is in dire need of replacement. With the diverse topography in Riverside County it is imperative that we have a radio system that allows Sheriff and Fire personnel the ability to stay in communication with their dispatch centers and fellow co-workers regardless of their location.

45-1

ADDRESS: 225 Cavendish Drive

EMAIL: jamesfamily1@verizon.net

CITY: Hemet

Curt James (June 13, 2008)

Response to Comment 45-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Tue 6/17/2008 9:53 AM
To: EIR
Cc: Duane.Chamlee@verizon.net
Subject: Request for Comments Notice of Draft

Comment 46

WEB FORM SUBMISSION:

FULLNAME: Duane Chamlee

ZIP: 92557

COMMENTS----

Is there a map of the tower locations available on line ?

I went thru the web site and could not locate one.

Thank You

Duane Chamlee

ADDRESS: 11039 Mountain Crest Dr

EMAIL: Duane.Chamlee@verizon.net

CITY: Moreno Valley

46-1

Duane Chamlee (June 17, 2008)

Response to Comment 46-1

The information requested by the commenter was sent at the time the request was made.

From: EIR
Sent: Tue 6/17/2008 9:59 AM
To: EIR
Cc: goodmagician@verizon.net
Subject: Request for Comments Notice of Draft

Comment 47

WEB FORM SUBMISSION:

FULLNAME: Chas Roberts

ZIP: 92584

COMMENTS----

I am writing to offer my support for this project and I want to say that the benefits of this upgrade will be extremely valuable to everyone in the County. I cannot see that there is any downside to improving communications, and I believe that if there are any small environmental concerns, they will be mitigated and controlled to minimize the effect, and should not be used as a deterrent to progress.

This upgrade WILL SAVE LIVES, and MUST be completed.

Yours truly,
Chas Roberts

ADDRESS: 28481 Oasis View Circle

EMAIL: goodmagician@verizon.net

CITY: Menifee

47-1

Chas Roberts (June 17, 2008)

Response to Comment 47-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: tlove9222@msn.com [mailto:tlove9222@msn.com]
Sent: Tue 6/17/2008 1:47 PM
To: EIR
Subject: proposed tower

Comment 48

Attn: Ms. Ashley Mitchell

I am writing because I am concerned about the proposed radio tower in my Homeland, California neighborhood. Homeland is a growing area. There are several proposed high density housing developments close to the property designated for the radio tower. One such proposed development is across the street from the proposed tower.

48-1

Also, my house is in the direct line of sight of the radio tower property. For over twenty years, I have also worked at a local elementary school within one block of the tower, so I am very familiar with the community. There are several new developments set to be built in the next couple of years, including new parks close to the proposed tower. To summarize, this is a community set to experience explosive growth.

I am concerned about the negative impact that a high profile tower will have on my property value. Also, the tower would negatively affect the aesthetics of our neighborhood, and the proposed construction in the community.

This is a residential community that is not an appropriate placement for the tower.

48-2

Please seriously consider locating the tower in a more appropriate area.

Sincerely,

Terri M. Love

25455 Charina Lane
Homeland, CA 92548

Terri Love (June 17, 2008)

Response to Comment 48-1

The County agrees with the commentor that the Homeland area is set to experience significant growth. The PSEC project is intended to provide for adequate emergency communication in all areas of the County, and to all residents, present and future. The Homeland area is currently not served with adequate radio coverage for law enforcement and firefighting personnel. The explosive growth that the commentor refers to provides an even more compelling reason to construct an effective emergency services communication network. The proposed Homeland site is a vital part of that network.

Response to Comment 48-2

The County recognizes that there will be some change to the existing visual environment at the Homeland site. However, there are no applicable regulations that prohibit placement of towers within residential areas. Therefore, the comment asserts the opinion of the author in regards to how the project should be developed, and no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Thu 6/19/2008 9:58 AM
To: EIR
Cc: jgarland@ntpitel.com
Subject: Request for Comments Notice of Draft

Comment 49

WEB FORM SUBMISSION:

FULLNAME: Jason Garland

ZIP: 92881

COMMENTS----

I think it's important to protect our friends, family and especially those that put their own lives at risk everyday. Nothing is more important than protecting those that protect us.

I am in full support of the County's Public Safety System look forward to seeing the results of their efforts.

EMAIL: jgarland@ntpitel.com

ADDRESS: 2878 Bush Circle

CITY: Corona

49-1

Jason Garland (June 19, 2008)

Response to Comment 49-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Thu 6/19/2008 10:10 AM
To: EIR
Cc: edgarland@earthlink.net
Subject: Request for Comments Notice of Draft

Comment 50

WEB FORM SUBMISSION:

FULLNAME: Ed Garland

ZIP: 92881

COMMENTS: I am a long term resident of Corona and look forward to the
benefits of the County's project.

50-1

ADDRESS: 1264 West Sixth St.

EMAIL: edgarland@earthlink.net

CITY: Corona

Ed Garland (June 19, 2008)

Response to Comment 50-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: gcunningham2@verizon.net [mailto:gcunningham2@verizon.net]

Sent: Fri 6/20/2008 9:33 AM

To: EIR

Subject: Tall towers

Comment 51

Hi!

I would like to know the exact future location of the tall tower in Mead Valley. I would also like to know how high it will be. Please e-mail an answer to me.

Thanks!!

Yours truly,

Gail Cunningham

Mead Valley

51-1

Gail Cunningham (June 20, 2008)

Response to Comment 51-1

The information requested by the commenter was sent at the time the request was made.

From: EIR
Sent: Sat 6/21/2008 4:47 PM
To: EIR
Cc: cdfbob@msn.com
Subject: Request for Comments Notice of Draft

Comment 52

WEB FORM SUBMISSION:

FULLNAME: Robert Toups

ZIP: 92587

COMMENTS: I want to express my family's strong support for this vitally important project to improve our County's public safety communications capabilities. We also strongly believe that the infrastructure required to maximize this project to it's full potential must take a higher priority than minor environmental concerns. The bigger picture of public safety must supercede all other concerns and consideration related to this project.

52-1

ADDRESS: 23200 Pretty Doe Dr

EMAIL: cdfbob@msn.com

CITY: Canyon Lake

Robert Toups (June 21, 2008)

Response to Comment 52-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: gcunningham2@verizon.net [mailto:gcunningham2@verizon.net]

Sent: Sat 6/21/2008 10:25 PM

To: EIR

Subject: Tower in Mead Valley

Comment 53

Hi!

I would like to know where exactly the county proposes to place the 40-330 ft. tower in Mead Valley, since I live here. Also, how tall will it be? Your map was not large enough to see details well.

Thanks!

Sincerely,

Gail Cunningham

53-1

Gail Cunningham (June 21, 2008)

Response to Comment 53-1

The information requested by the commenter was sent at the time the request was made.

From: EIR
Sent: Sun 6/22/2008 4:01 PM
To: EIR
Cc: elmri17@AOL.COMI
Subject: Request for Comments Notice of Draft

WEB FORM SUBMISSION:

Comment 54

FULLNAME: Elmer Riley

ZIP: 92241

COMMENTS: I'm for you 100%, I live back in a cove. My Cell Phone Service is bad also TV Antenna reception is bad. Thank You

54-1

EMAIL: elmri17@AOL.COMI

ADDRESS: 72800 Hilltop Rd.

CITY: DHS--Sky Valley

Elmer Riley (June 22, 2008)

Response to Comment 54-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: kelly.o@scgelectric.com [mailto:kelly.o@scgelectric.com]
Sent: Tue 6/24/2008 10:34 AM
To: EIR
Subject: PSEC

Comment 55

Can you tell me the dates/times of any public hearings?

55-1

Thank you,

Kelly Overholt

SCG Electric

27762 Antonio Pkwy, L1-633

Ladera Ranch, CA 92694

Phone: 949.728.9942

Fax: 949.728.9943

elogo

Kelly Overholt (June 24, 2008)

Response to Comment 55-1

The project hopes to be taken up by the Board of Supervisors in September, 2008. Information on public hearings can be found on the Riverside County Board of Supervisors website at:

http://www.countyofriverside.us/portal/page?_pageid=133,304409,133_310673&_dad=portal&_schema=PORTAL

.

From: dpsy@pacbell.net [mailto:dpsy@pacbell.net]
Sent: Tue 6/24/2008 11:47 AM
To: EIR
Cc: district1@rcbos.org
Subject: Response to PSEC Project DEIR-Rancho Carrillo

Comment 56

June 24, 2008

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, Ca 92502-0789

Sent: VIA Email

cc: Bob Buster, 1st District, Riverside County Board of Supervisors

Dear Ms Ashley Mitchell and Supervisor Bob Buster,

This letter is in response to the DEIR that is now available on your website.

We are opposed to the placement of an antenna in or adjacent to Rancho Carrillo, our neighborhood, located at the extreme western edge of Riverside County for the following reasons:

1. The proposed antenna will not fulfill the stated purpose.

The stated purpose of the PSEC project is to provide radio coverage for emergency services personnel as they serve the public. The new system is urgently needed to ensure the safety of firefighters, law enforcement officers and the public. Our response to this is: The proposed antenna will not serve our community. We receive ALL emergency services from the County of Orange. The only Riverside county personnel that respond to emergencies within our neighborhood are our own volunteer firefighters who live here in our community. Since our community is in the 949 area code, when we dial 911, we receive emergency aid from the County of Orange, specifically from San Juan Capistrano, which is 15 miles away. The closest Riverside fire department and ambulance services located in Lake Elsinore, are approx 40 miles away. The nearest Sheriffs sub station is in Murrietta, which is more than 40 miles away. There would be no benefit to our community by installing an antenna

56-1

system. The

proposed antenna will not be accessible to Orange County Service providers or the CHP, there fore, the proposed antenna will not fulfill its stated purpose.

**56-1
(cont.)**

2. The proposed antenna will damage the aesthetic nature of our rural wilderness surrounded community.

The placement of a 100' to 140' tower at any of the proposed locations or within the surrounding forest or wilderness would be visible from a great distance and destroy the natural area that the 1984 wilderness act sought to create when the San Mateo Canyon National Wilderness was created.

56-2

3. The proposed antenna is a waste of money.

We believe that the expense of construction and maintaining such a tower with no use to the residents of our community is a waste of money. Constructing this Aesthetic nightmare at the far end of Riverside County would be a shameful waste of money that could be better spent in other areas of the County.

56-3

4. Endangerment to our only water source.

The planned antenna location may preclude us from replacing our water tank with a larger one that is already needed by our community. The pipes that reach to our community from our existing tank are in the area of the proposed antenna site. There was no mitigation in the DEIR for our water lines. The radio waves from the proposed antenna, may interfere with our own community's water tank and our well system. They are radio controlled. This is our community's only source of water.

56-4

In closing, my family have been residents of Rancho Carrillo for over 35 years, we have seen a lot of changes, good, and bad. This antenna, if allowed to be constructed, will defiantly be in the bad category. We are opposed to the antenna placement anywhere in Rancho Carrillo, the surrounding Wilderness or our National forest.

56-5

Sincerely,
Jesse and Catherine Cope
P.O. Box 4185
Dana Point, Ca 92629
949-661-1313
949-728-0244
dpsy@pacbell.net
Lot 19

Jesse & Catherine Cope (June 24, 2008)

Response to Comment 56-1

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 56-2

This comment has already been addressed in Response to Comment 22-9.

Response to Comment 56-3

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 56-4

This comment has already been addressed in Response to Comment 22-15 and 22-16.

Response to Comment 56-5

The County appreciates the commentor's interest in the proposed project.

From: EIR
Sent: Wed 6/25/2008 10:32 AM
To: EIR
Cc: Bill@boneyardbill.com
Subject: Request for Comments Notice of Draft

Comment 57

WEB FORM SUBMISSION:

FULLNAME: William G. Foster 111 & Sheila

ZIP: 92545

COMMENTS: I own property in the areas which are in need of radio towers for the communications coverage for telephones. Here are some apn #'s which could be potential sites, 315070047-1 319061002 636073011-3 All of these properties are in dead zone areas of Riverside County. Please consider using these sites for potential communication towers. For information or to inform us of what we need to do please respond at our address, email or phone# 951-926-8976. Thank You William & Sheila Foster.

57-1

ADDRESS: 26301 Amanda

EMAIL: Bill@boneyardbill.com

CITY: Hemet

William & Sheila Foster (June 25, 2008)

Response to Comment 57-1

The comment is informational in nature and does not require a response. The County appreciates the individual's interest in the project.

From: deborahimonti@verizon.net [mailto:deborahimonti@verizon.net]
Sent: Wed 6/25/2008 5:02 PM
To: EIR
Cc: jdwatson11@verizon.net
Subject: PSEC Project

Comment 58

To whom it may concern:

I would like to make it clear that I am opposed to the PSEC project. The radio tower location on Redondo Mesa would be a travesty. There is an excising microwave tower already on the plateau why erect another eye sore. Putting a radio tower next to the water tower would effect all whom own homes and live on the plateau. Not to mention it would be a visual eye soar while driving through a nature conservatory? With property prices plummeting along with an eye soar that does not benefit the community as a whole this project will put financial hardship on my husband and I. We have a home located on Marbrise Abanita below the Redondo Mesa plateau and to drive up the hill and see this tower with its flashing lights would be a shame. What can I do as a concerned homeowner to stop the tower at this location.

58-1

Regards,

Deborah Imonti
El Camino College BTC
ETP Training Coordinator
(949) 466-0008 cell
(866) 422-3637 toll free fax

Deborah Imonti (June 25, 2008)

Response to Comment 58-1

The issues raised in the commentor's correspondence have already been addressed in Response to Comment 20. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: jeff@nate-ia.com [mailto:jeff@nate-ia.com]
Sent: Wed 6/25/2008 5:52 PM
To: EIR
Subject: PSEC Redonda Mesa

Comment 59

Jeff Williams

18267 Marbrise Abanita drive

Murrieta, CA 92562

County of Riverside

Department of Facilities Management

Attn. Ms Ashley Mitchell

P.O. Box 789

Riverside, CA 92502-0789

Re: PSEC project

Dear Ms. Ashley Mitchell:

I own property in Tenaja, on Redonda Mesa adjacent to the proposed tower on Redonda Mesa. I wonder if you could tell me more details about the Redonda Mesa tower specifically. Could you tell me specifically the height of the tower they are thinking of, (I know in the range is from 40 too 330 ft) and if it would have a beacon light on it?

59-1

Could you also tell me if the proposed tower would provide services for various government agencies only? Or would it also include cellular, wifi or other consumer directed services?

59-2

The road leading up to the proposed site is a privately maintained road, not part of Tenaja or county maintenance, so would the building of the tower

59-3

also include repair and maintenance of the road?

I look forward to your reply. Thank you.

Sincerely,

Jeff Williams

714-442-0574

jeff@rm-pd.com

Jeff Williams (June 25, 2008)

Response to Comment 59-1

As indicated in Table 1-1 of the Draft EIR, the tower proposed for the Redondo Mesa site will be approximately 100 feet in height.

Response to Comment 59-2

Facilities built as part of the PSEC project would be restricted to governmental use only. No cellular, wi-fi, or consumer-directed services will be made available as part of the proposed project.

Response to Comment 59-3

During its due diligence review of the site, the County assessed the existing access road to the top of the mesa, and determined that it is adequate and safe in regards to conveying construction equipment to the site. The types of equipment used to construct the tower would likely be no more than that used to construct the homes that are currently located on the mesa. In fact, the amount of site preparation required at the tower site will be minimal, so the amount of heavy equipment required at the site will also be minimal. Therefore, any impacts to area roadways are expected to be negligible.

From: EIR
Sent: Wed 6/25/2008 6:25 PM
To: EIR
Cc: jeff@nate-ia.com
Subject: Request for Comments Notice of Draft

Comment 60

WEB FORM SUBMISSION:

FULLNAME: Jeff Williams

ZIP: 92562

COMMENTS----

I own a couple properties on top of Redonda Mesa, "Redonda Mesa Ranch" and was interested in the proposed tower. I would like to know how tall of a tower are you thinking of building up there, and what if any beacons are planned for it. I would really appreciate some information on this as it will help clarify some worries before the public comment period is over.

60-1

Thank you

Jeff

ADDRESS: 18267 Marbrise Abanita dr.

EMAIL: jeff@nate-ia.com

CITY: Murrieta

Jeff Williams (June 25, 2008)

Response to Comment 60-1

As indicated in Table 1-1 of the Draft EIR, the tower proposed for the Redondo Mesa site will be approximately 100 feet in height. At this time, no light beacons are believed to be needed for this site, but the ultimate determination of any lighting requirements will be made by the FAA per their regulations.

From: menifeevalleyhistorical@earthlink.net [mailto:menifeevalleyhistorical@earthlink.net]
Sent: Thu 6/26/2008 5:33 PM
To: EIR
Cc: townshipcenter@earthlink.net
Subject: Draft EIR Not Available For Download!

Comment 61

We have signed on to <http://psec.co.riverside.ca.us/> at 2 different locations and on 4 different computers this last 48 hours - all to no avail!

61-1

Please advise as to where you have moved this EIR draft ASAP!

Please attach a PDF/Word copy to the following:

MenifeeValleyHistorical@earthlink.net <Barbara A Spencer President>

TriValleyTrails@earthlink.net <Tom Fuhrman Trail Boss>

mvcedco@earthlink.net <Menifee Valley Community & Economic Development Advisory Councils>

vxd120@hotmail.com <Wildomar Council-Elect - Ade, Sheryl >

menifeecityclerk@mchsi.com <Advisor Community & Economic Development>

Barbara A. Spencer (June 26, 2008)

Response to Comment 61-1

The information requested by the commenter was sent at the time the request was made.

From: EIR
Sent: Sat 6/28/2008 12:27 PM
To: EIR
Cc: dbalsamo@sbcglobal.net
Subject: Request for Comments Notice of Draft

Comment 62

WEB FORM SUBMISSION:

FULLNAME: Donald Balsamo

ZIP: 92860

COMMENTS----

As a 30 year property owner in Norco and Corona I have seen the growth here and in the rest of the county. The current Sheriff's radio system that was built in the 1990's is underbuilt and over taxed in its daily useage. The County must move forward and replace the current system to better serve the public and the needs of Public Safety in the 21st Century. The County has given careful consideration to the needs of the environment and has only placed sites that serve both the interests of the community, the environment and the Public Safety. I strongly support the efforts of the County in this project as it is presented. I would recommend that it be approved as written.
Donald Balsamo
Norco

62-1

ADDRESS: 2440 Vine Ave

EMAIL: dbalsamo@sbcglobal.net

CITY: Norco

Donald Balsamo (June 28, 2008)

Response to Comment 62-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Wed 7/2/2008 1:12 PM
To: EIR
Cc: mfrymire1@adelphia.net
Subject: Request for Comments Notice of Draft

Comment 63

WEB FORM SUBMISSION:

FULLNAME: Matthew Frymire

ZIP: 92557

COMMENTS: I am in support of this project to ensure our public safety and first responder personnel have the tools they need to ensure not only their safety, but the safety of "we the people".

63-1

ADDRESS: 23739 Heliotrope Way

EMAIL: mfrymire1@adelphia.net

CITY: Moreno Valley

Matthew Frymire (July 2, 2008)

Response to Comment 63-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: jacquelineanderson@wildblue.net [mailto:jacquelineanderson@wildblue.net]
Sent: Wed 7/2/2008 1:55 PM
To: EIR
Cc: BrentC@focus360.com; district1@rcbos.org
Subject: PSEC Project - Proposed Rancho Carrillo Site

Comment 64

July 2, 2008

County of Riverside

Department of Facilities Management

P.O. Box 789

Riverside, CA 92502-0789

with copy via email: EIR@co.riverside.ca.us

Subject: Response to PSEC Project NOP

I am a resident of the community of Rancho Carrillo, located at the western edge of Riverside County. Rancho Carrillo has been designated as a proposed antenna site for the Public Safety Enterprise Communication Project (PSEC).

On behalf of our community, the Rancho Carrillo Homeowners Association has already expressed the community position in opposition to placement of an antenna within our community. I agree with this position.

On behalf of my own family, I would like to separately express opposition to the County's intentions expressed in the NOP.

Here is the basis for our opposition:

COST-BENEFIT

The cost of this equipment is disproportional to the number of residents that may be effectively served. Rancho Carrillo is the only populated area

64-1

in the extreme western portion of the county, with about 60 occupied homes. If the total project were to cost \$6 million, that would be \$100,000 per home, plus an additional amount for ongoing maintenance. A less costly plan that incorporates existing satellite or cell phone technology should be seriously considered.

**64-1
(cont.)**

TRAFFIC SAFETY

The draft EIR states that "all vehicles accessing the sites will be highway registered and therefore not an incompatible use". With no further study, or assessment of the actual road that must be traveled, this issue is then dismissed as "not an incompatible use"

Clearly our narrow, climbing, winding, private road is not adequate to accommodate all "Highway registered vehicles". In fact, The Department of Transportation (DOT) recognizes that not all public roads are adequate to safely allow all highway registered vehicles. Evidence the fact they have established a special safety assessment procedure wherein the DOT,

64-2

"in consultation with the Department of the California Highway Patrol, shall compile traffic volume, geometric, and other relevant data, to assess the maximum kingpin to rearmost axle distance of vehicle combinations appropriate for those state highways or portion of highways, affected by this section, that cannot safely accommodate trailers or semitrailers of the maximum kingpin to rearmost axle distances permitted under Section 35400."

At a minimum, an assessment following the established guidelines should be undertaken before the Rancho Carrillo location is approved.

COST OF TRASH REMOVAL, ROAD MAINTENANCE AND INSURANCE

Our six mile private road is very costly to maintain and insure. Those costs multiply with increased usage, especially usage in oversized vehicles. Despite the sizeable amount we pay to the County in property taxes, the County does not currently pay a share of those costs. Since there is no apparent offer in your plan for cost sharing, you seem to be unreasonably expecting that our residents would incur extra expense. Beyond those things that we pay for, are you anticipating that the County will show up to help when our volunteers pick up trash and trim back the bushes?

64-3

COMMUNITY SAFETY

Due to the remote area we live in, we do not have active law enforcement in our community. Despite this limitation, we have achieved reasonable personal safety by vigilantly securing our access gate and by requiring residents to be personally responsible for their guests in the community. This means that we know who are guests are and that we know where our guests are. If this tower is constructed, the County should provide security screening for every person admitted to the site and should provide active law enforcement officers to oversee their activities at all times. Due to distance involved, the response time for law enforcement is not adequate to allow for providing the officers only following a resident call.

64-4

EMERGENCY SERVICES

Riverside County rarely provides emergency services to Rancho Carrillo. The nearest Sheriff substation is located in Murrieta, some 40 miles away by road. The closest fire department is located in Lake Elsinore, also about 40 miles distant. Riverside County emergency telephone numbers are not even reachable from our community, since Rancho Carrillo is located in the 949

64-5

telephone area code. All direct calls are rejected!

In contrast, Orange County Sheriff, Fire and California Highway Patrol are all dispatched from stations in San Juan Capistrano, which is a mere 14 miles distant, and new development in the Mission Viejo Ranch will cut these distances by half within a decade.

If I dial 911 from my home in Rancho Carrillo, the call goes to an Orange County agency for response. Installation of the proposed antenna will not change this situation.

CONSTRUCTION SAFETY

Paradoxically, any injury during the construction phase would result in an emergency response from Orange County officers and the victim would most likely be transported to a nearby Orange County hospital!

NO IMPROVEMENT IN SERVICES

Radio propagation maps provided to our community by members of the PSEC project team clearly illustrate that the project will provide no meaningful improvement to radio communication for our volunteer fire department in the area of their principal need - along the access road (located in Orange County) that accesses our community. Furthermore, representatives of the PSEC project team do not appear to be offering any improvement in communications with Orange County Fire Authority, California Highway Patrol, or the Orange County Sheriff's Department (all of whom have recently respond to incidents in our community). We believe the system to be ineffective and that it does not warrant consideration for accommodation in our community.

APPEARANCE

Rancho Carrillo is a unique rural community that was formed in 1962. Even after electrical power was brought to the community in 1992, residents have sought to preserve the rural character of the area by locating utility services underground at considerable expense and foregoing suburban amenities such as street lighting. We have sought to keep the community and our personal property compatible with the surrounding wilderness. The proposed PSEC antenna facility is incompatible with this aesthetic. Furthermore, we are not aware of any possible mitigation of this incompatibility due to the height of the structure.

LAND USE AND PLANNING

A radio communication tower of the type proposed is incompatible with property zoning restrictions in our community. In addition, it is specifically incompatible with the Covenants, Conditions & Restrictions that govern properties within Rancho Carrillo.

PERMISSION FOR ACCESS

County access to any tower located in or near Rancho Carrillo that relies on passage over the roads in our community will necessarily be across private property and will require easements or use permits be obtained from all affected property owners, including me. I am not inclined to grant the county such an easement or permit for the reasons outlined in this letter. Easements and/or permits may also be required from the County of Orange, Rancho Mission Viejo and the United States Forest Service to gain

**64-5
(cont.)**

64-6

64-7

64-8

64-9

64-10

non-emergency access to this area via existing roads.

MULTIPLE USERS

The EIR states that there may be up to six users of the site. Would those be public or private companies, domestic or foreign? Is this a poorly disguised attempt by the County to receive economic benefit at our expense or to give commercial or governmental access to an otherwise inaccessible area? Is this essentially a condemnation or diminishment in value of our private property for the benefit of a commercial enterprise?

64-11

SUMMARY

I believe that County and Federal resources are being wasted in an effort to locate an antenna within the area of Rancho Carrillo. Radio propagation into the surrounding canyon areas of Riverside County is not significantly improved over that which is directly available from existing facilities on Santiago Peak. Essential interoperability with the incompatible systems in Orange County is not achieved.

The dismissal of all traffic safety issues, without regard to the size or condition of our access road, is illustrative of the absurdity of this project. A more reasonable approach would be to link our emergency communications and services entirely to Orange County.

The aesthetic damage that would be done by installation of PSEC at any of the proposed locations, or within the surrounding Forest or Wilderness lands would be considerable. Such a facility would be visible from a great distance and destroy the natural area that the 1984 Wilderness Act sought to create when the San Mateo Canyon National Wilderness was created. While CEQA is not directly applicable to projects on Federal lands within California, the protections afforded in the Federal setting must be applied in consideration of projects located in so-called "included areas" such as the Rancho Carrillo community. What is appropriate on private or non-Wilderness USFS land surrounded by the Wilderness is no different than what would be appropriate in the Wilderness itself - especially considering the height of the project being proposed.

Thus, requirements of the National Environmental Protection Act (NEPA) are applicable to any project located in this area because of proximity to the Federal and Wilderness lands. Mere placement of a 100 to 140 foot tower on private land in Rancho Carrillo is insufficient to mitigate the aesthetic damage that would result to my property, the community of Rancho Carrillo, and to the surrounding National Wilderness.

While we do not favor a communications site of any type, representatives of the Rancho Carrillo community offered county PSEC project representatives the opportunity to discuss installation of a scaled down facility that would be capable of being hidden on an existing structure at a location that would serve the locally populated area (which can never be geographically expanded due to our surroundings). After addressing the safety and cost issues above, this alternative should be given serious consideration in the proposed EIR and not be further ignored.

Sincerely,

Jacqueline Anderson

38421 Carrillo Road (Lot 11)

Rancho Carrillo, California

Mail:

31103 Rancho Viejo Road

San Juan Capistrano, CA 92675

Telephone:

(949) 728-0732 in Rancho Carrillo

(949) 697-0732 cell

Cc: district1@rcbos.org, Bob Buster, 1st District, Riverside County Board of supervisors

Brent Chase, President Rancho Carrillo HOA

Jackie Anderson-Rose

31103 Rancho Viejo Rd #D235

San Juan Capistrano, CA 92675

<<<mailto:jacquelineanderson@wildblue.net>>> jacquelineanderson@wildblue.net

949 728 0732 (phone & fax)

949 728 9929 (phone & fax)

949 697 0732 (Jackie's cell)

949 246 2575 (Steve's cell)

Jackie Anderson_Rose (July 2, 2008)

Response to Comment 64-1

The County considered a variety of alternatives to the proposed project, including the alternatives suggested by the commentor. Therefore, this comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 64-2

The County does not propose to use the existing road in an unsafe manner and the commentor provides no evidence to the contrary.

Response to Comment 64-3

This comment has already been addressed in response to Comment 22-5 and 22-22.

Response to Comment 64-4

This comment has already been addressed in response to Comment 29-5.

Response to Comment 64-5

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 64-6

This comment is speculative in nature and is not relevant to the Draft EIR.

Response to Comment 64-7

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 64-8

This comment has already been addressed in response to Comment 22-9.

Response to Comment 64-9

This comment has already been addressed in response to Comment 22-18.

Response to Comment 64-10

This comment has already been addressed in response to Comment 22-5 and 22-22.

Response to Comment 64-11

As described on page 3-4 of the Draft EIR, the PSEC project will provide collocation opportunities to other governmental and quasi-governmental entities. For reasons of security and other factors, PSEC sites will not be available to commercial operators (i.e. commercial cellular service providers, etc.).

Response to Comment 64-12

This comment has already been addressed in Response to Comment 29-4, 30-2, and 30-3.

Response to Comment 64-13

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 64-14

This comment has already been addressed in response to Comment 22-9 and 22-18.

Response to Comment 64-13

The County has indicated its willingness to work with the Rancho Carrillo community as this project moves forward.

From: EIR
Sent: Sun 7/6/2008 10:39 AM
To: EIR
Cc: d_penry@yahoo.com
Subject: Request for Comments Notice of Draft

Comment 65

WEB FORM SUBMISSION:

FULLNAME: Diane & Charles Penry

ZIP: 92241

COMMENTS: Yes, we agree this would be great to have an emergency tower available to our area, there is alot of room here in Riverside County (Sky Valley) to place something of this type in our area.

65-1

EMAIL: d_penry@yahoo.com

ADDRESS: 18-950 Vee Bee Rd.

CITY: Sky Valley

Diane & Charles Penry (July 6, 2008)

Response to Comment 65-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: RDavis@mazdausa.com [mailto:RDavis@mazdausa.com]
Sent: Mon 7/7/2008 7:39 AM
To: EIR
Cc: district1@rcbos.org
Subject: PSEC project NOP relating to Rancho Carrillo Community

County of Riverside

Department of Facilities Management

Attn: Ms. Ashley Mitchell

PO Box 789

Riverside CA 92502-0789

July 4, 2008

Subject: Response to PSEC Project NOP

Dear Ms. Mitchell,

As you know many members of the community of Rancho Carrillo Community are opposed to the construction of the proposed radio tower in our community. We would like to join that list of residents that do not agree with the current proposal. While you have received many letters outlining environmental, aesthetic, wildlife, easement, and property value concerns our opposition is based on common sense. Given the proposed tower would not serve the needs of the residents of our community or add value to the county overall why invest in the project? Given today's economic climate, we are sure that county, state or federal resources can be put to use in higher value projects.

Thank you for your consideration. We look forward to a common sense resolution to this issue and a better use of our tax dollars.

Best Regards,

Comment 66

66-1

Robert and Bonnie Davis

10580 Verdugo Road

Lot #7

Mailing Address:

31103 Rancho Viejo Road

Suite D2310

San Juan Capistrano CA 92675

P) 949.728.1504

Cc: Bob Buster, 1st District, Riverside County Board of Supervisors

Robert & Bonnie Davis (July 7, 2008)

Response to Comment 66-1

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: sylviah@yahoo.com [mailto:sylviah@yahoo.com]
Sent: Tue 7/8/2008 10:14 AM
To: EIR
Subject: PSEC Project

Comment 67

Re: Project SCH 2008021126

As residents of Rancho Carrillo for over 30 years, we wish to voice our grave concern over the proposed construction of a radio tower within the perimeter of our community. We live in the Federal wilderness area so to have our homes surrounded by a natural environment. The proposed tower would have many negative effects to all of us. You note that the visual element would be out of character with the existing environment and land use. This is an extremely important impact. Also the idea of a beacon within view so to interfere with the night sky would be a tragedy. We pay taxes to Riverside and ask for very little since Orange County is our first response for emergencies. We see no positive value to this location and ask that you please reconsider this proposed site. I would appreciate a response from someone in your office that you have received this public comment. We hope that you will see fit to place this tower in a location that will not have such a negative impact on Rancho Carrillo and its homeowners.

67-1

Sincerely,

Mike & Sylvia Huber
10725 Quail Springs Rd
Rancho Carrillo

Mike & Sylvia Huber (July 8, 2008)

Response to Comment 67-1

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: franou@music.greencafe.com [mailto:franou@music.greencafe.com]
Sent: Wed 7/9/2008 8:48 PM
To: EIR
Cc: teresa_idl@riverside.lib.ca.us
Subject: Public Safety Enterprise Communication System

Comment 68

Public Safety Enterprise Communication System.

At <http://psec.co.riverside.ca.us/notice-deir.html>, the list of locations where the draft EIR may be reviewed does not include the Idyllwild library

Please have the Draft EIR available at the Idyllwild Library as soon as possible

Regards,

Francoise Frigola
P.O. Box 1953
Idyllwild, CA

68-1

Francoise Frigola (July 9, 2008)

Response to Comment 68-1

The Draft EIR was made available at all County-operated libraries. It was also made available on the internet. The County appreciates the commentor's interest in the project. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: ffotine@hotmail.com [mailto:ffotine@hotmail.com]

Sent: Thu 7/10/2008 2:56 PM

To: EIR

Subject: Public Safety Enterprise Communication System

Comment 69

Public Safety Enterprise Communication System.

At <http://psec.co.riverside.ca.us/notice-deir.html>, the list of locations where the draft EIR may be reviewed does not include the Idyllwild library. Please have the Draft EIR available at the Idyllwild Library as soon as possible.

69-1

Regards,

Fotine Fahouris
PO Box 996
Idyllwild, CA 92549

Need to know now? Get instant answers with Windows Live Messenger.

http://www.windowslive.com/messenger/connect_your_way.html?ocid=TEXT_TAGLM_WL_messenger_072008

Fotine Fahouris (July 10, 2008)

Response to Comment 69-1

The Draft EIR was made available at all County-operated libraries. It was also made available on the internet. The County appreciates the commentor's interest in the project. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Fri 7/11/2008 12:36 PM
To: EIR
Cc: Rugby4NeilMat@netscape.net
Subject: Request for Comments Notice of Draft

Comment 70

WEB FORM SUBMISSION:

FULLNAME: Neil Mathews

ZIP: 92507

COMMENTS: I support the PSEC project and urge the approval of the draft EIR and hope the project will proceed as proposed. PSEC fulfills three vital goals here is Riverside County: public safety, employee safety, and economic stimulus. The PSEC project ensures better response time in the event of an emergency, safer response for personnel and the general public, and brings much needed revenue back into the County coffers by the unique partnership between government and private industry.

70-1

EMAIL: Rugby4NeilMat@netscape.net

ADDRESS: 2442 Iowa St. R-14

CITY: Riverside

Neil Matthews (July 11, 2008)

Response to Comment 70-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: krwarren@earthlink.net [mailto:krwarren@earthlink.net]
Sent: Mon 7/14/2008 9:52 AM
To: EIR
Cc: district1@rcbos.org
Subject: Response to PSEC project (SCH 2008021126)

Comment 71

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-789

July 14, 2008

cc: Bob Buster, 1st District, Riverside County Board of
Supervisors

Response to PSEC project (SCH 2008021126)

I would like to take this opportunity to comment on the PSEC project (SCH 2008021126) notice. i am a resident of the remote community of Rancho Carrillo, located at the extreme western edge of Riverside County. Rancho Carrillo has been designated a a proposed antenna site for the SEC project.

On behalf of my family, I would like to express opposition to County intentions expressed in the MOP. Here is the basis for our opposition:

1. Economic I am opposed to the placement of SEC facilities in our area, because the proposed location will not serve our community. Rancho Carrillo is the only populated area in the extreme western portion of the county, and our population is around 60 families. The community is within a 160 acre area known as Verdugo Potrero. The community completely surrounded by the San Mateo Canyon National Wilderness Area, as part of the Cleveland National Forest, preventing further development. Thus, an expensive long-range facility in this area, makes no economic sense. Another radio tower will need to be placed on Saddle back to reach the proposed antenna site at Rancho Carrillo. There is not direct way to link Rancho Carrillo with Riverside due to the mountains, and our location on the other side of the Santa Ana

71-1

mountains.

2. Ineffective. Radio propagation maps provided to our community by members of the SEC project team clearly illustrate that the project will provide no meaningful improvement to radio communication for our volunteer fire department in the area of their principal need - along our access road to our community from Ortega Highway. Further, representatives of the SEC project team could not offer any improvement in communication with Orange County Fire Authority, California Highway Patrol, and Orange County Sheriffs' Department (all of whom presently respond to incidents in our community). Thus, we believe the system to be ineffective and thus does not warrant consideration for the accommodation in our community.

71-2

3. Land Use and Planning. I do not think that the SEC project has followed the federal guidelines that require an NEPA environmental impact study to be completed first. The proposed siting of the antenna, 100 feet from our existing 320,000 gallon water tank could put our water supply in possible danger. The proposed pad will contain a 2000 propane tank for a backup generator. In case of a wildfire, this is in the direct line of most fires in the past, driven by Santa Ana winds. If the tank would explode, it could take out our source of drinking water and fire water protection. The proposed pad will be placed where our main water line runs to our community. If a fire comes through and causes the propane tank to catch fire, our volunteer fire department and the Orange County Fire Authority would be called upon to put out the fire. I wonder if a tank this size is appropriate in the wild land interface.

71-3

4. Access Road. There is only one road in and out of our community. The road leading to our community is a private road, with limited access with a private gate at Ortega highway. Our community alone pays for the maintenance of this road. Our road is not maintained to public highway levels, that permit us to allow use by non-residents. We have easements from Mission Viejo Ranch, Caspers Park, Cleveland National Forest, to provide access to our community.

71-4

The requirements of the National Environmental Protection ACT (NEPA) are applicable to any project located on Federal and Wilderness land, where the proposed site is.

71-5

Sincerely,

Keith R. Warren
10700 Quail Springs Road (lot 60)
Rancho Carrillo

Mail

P.O. Box 135
San Juan Capistrano CA 92693

Telephone
(949) 7628-0159
Keith Warren
krwarren@earthlink.net
EarthLink Revolves Around You.

Keith Warren (July 14, 2008)

Response to Comment 71-1

This comment has already been addressed in Response to Comment 30-1.

Response to Comment 71-2

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 71-3

Discussion of the NEPA process and its application to the Rancho Carrillo site is presented in Response to Comment 22-13. Discussion regarding other aspects of this comment is presented in Response to Comment 22-9, 22-15, and 22-16.

Response to Comment 71-4

This comment has already been addressed in Response to Comment 22-5 and 22-22.

Response to Comment 71-5

Discussion of the NEPA process and its application to the Rancho Carrillo site is presented in Response to Comment 22-13.

From: mwolff20@cox.net [mailto:mwolff20@cox.net]
Sent: Fri 7/18/2008 9:39 AM
To: EIR
Cc: district1@rcbos.org; jfrodriquez@fs.fed.us; vmink@fs.fed.us
Subject: Comments on Draft EIR - Riverside County PSEC Project

Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789
Attn: Ashley Mitchell

Comment 72

July 18, 2008

Dear Ms. Mitchell,

My name is Michael Wolff. My wife, Genevieve Wall, and I are submitting the following comments on the Draft Environmental Impact Report for the County of Riverside PSEC project. We own two private parcels of land adjoining the community of Rancho Carrillo, the location of one of the proposed tower sites for the PSEC project. We do not oppose the PSEC project in general, but strongly oppose the construction of a communications tower at Rancho Carrillo for the reasons outlined in our comments below. As members of the affected community, we look forward to a dialogue on the issues that we are raising with our comments. I have included contact information at the end of this email so that I may be added to your mailing list for this project.

Our comments are as follows:

Comment 1 - DEIR Section 1 - Executive Summary, and Section 2 - Introduction

The DEIR addresses the need for the project only on an overall program level, and does not address the need for individual project components; thus, insufficient information is presented to enable reviewers of the document to determine the necessity of individual tower sites. This oversight results in a failure to provide adequate review and assessment of environmental impacts at specific locations because the impacts cannot be weighed against the need for the respective specific tower

72-1

site.

Comment 2 - DEIR Section 1 - Executive Summary

The DEIR states: "Some of the sites are located on federal land, and in those cases, separate environmental assessments (EAs) in compliance with the National

Environmental Policy Act (NEPA) will be conducted. Information contained in the Program EIR will be used to prepare the EAs." (DEIR p 1-2).

72-2

The information contained in the present program DEIR is insufficient to permit adequate preparation of site-specific EAs under NEPA because NEPA requires that the need for the "project" be addressed as part of the analysis. The need for individual tower sites is not analyzed within the present program DEIR.

Comment 3 - DEIR Section 1 - Executive Summary, and Section 2 - Introduction

The DEIR provides no information to justify the need for a tower at the Rancho Carrillo tower site location. The Rancho Carrillo tower site is proposed to be located on National Forest land immediately adjoining the Rancho Carrillo community, an isolated rural community at the edge of Riverside County. The Rancho Carrillo community is accessible by road only from Orange County, and all telephone service to the community is within the 949 area code; thus, any emergency 911 calls are routed to Orange County emergency response dispatchers, and it is Orange County emergency responders who typically provide emergency response services to the community. There are no other Riverside County communities in close proximity to Rancho Carrillo.

72-3

During presentations to the Rancho Carrillo community by the project proponents, the community was advised that the Riverside County PSEC system will not have interconnectivity with Orange County's emergency communications system. Thus, the Rancho Carrillo tower site will provide no tangible benefit to the Rancho Carrillo community, but it will impose substantial environmental impacts including aesthetic impacts, diminution of property values, and a substantial fire hazard impact (see Comments 5 and 6 below).

Comment 4 - DEIR Section 2 - Introduction

The Introduction identifies the document as a draft "Program" environmental impact report (DEIR). As such, the report focuses on impacts of the overall program rather than focusing on the impacts of individual project components such as tower sites. The geographic reach of the PSEC project is sufficiently large that reliance on a program DEIR alone without having complementary focused DEIRs on individual project component sites risks giving short shrift to important issues at specific sites. This is inappropriate and violates the intent of a CEQA "program" environmental impact report. The program DEIR is a good start, but complementary focused EIRs on specific sites or groups of similar sites are also needed to meet the intent of CEQA. Since some of the sites are on federal land, and thus will require preparation of individual environmental assessments required by the National Environmental Policy Act (NEPA), focused assessment of certain individual sites will be needed in any case.

72-4

The DEIR states: "Section 15168(a) of the CEQA Guidelines states that a Program EIR is appropriate for projects which are ". a series of actions that can be characterized as one large project and are related either:

1. Geographically;

2. A logical part in the chain of contemplated actions;
3. In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or
4. As individual activities carried out under the same authorizing statutory or regulating authority and having generally similar environmental effects which can be mitigated in similar ways."
(DEIR pp 2-1, 2-2)

**72-4
(cont.)**

The PSEC project consists of approximately 50 different sites scattered across diverse environmental settings throughout Riverside County and adjoining counties. This is simply too large and environmentally diverse an area to be adequately addressed in a single DEIR. The DEIR effectively acknowledges this by stating: "The County encompasses approximately 7,400 square miles of diverse topography, from low-lying valleys lying below sea level to towering mountains approaching two miles in height." (DEIR p 1-1). Therefore, the program DEIR needs to be supplemented by focused EIRs for specific sites to meet the intent of CEQA.

Comment 5 - DEIR Section 1 - Executive Summary, and Section 4.1 - Aesthetics

The Rancho Carrillo tower site will cause significant negative aesthetic impacts that are unavoidable and for which no feasible mitigation exists. DEIR Section 1.6.1 states in part:

"Section 15123 (b) (2) of the CEQA Guidelines requires a discussion of "areas of controversy known to the Lead Agency including issues raised by agencies and the public." Accordingly, the PSEC project requires several actions that could be considered controversial:

* Introduction of telecommunication structures into areas where such structures may be inconsistent with the existing visual setting (aesthetic impacts).

* The potential of telecommunication wireless voice and data sites to diminish the monetary value of adjacent properties." (DEIR p 1-49)

These two factors would result in extreme negative consequences at the Rancho Carrillo tower site, a pristine rural area with a magnificent natural visual setting, where all electric and telephone lines have been installed underground to preserve the feeling of this natural setting.

The residents of this community have paid very high prices for their properties in order to escape the negative aesthetic impacts of urban settings. The presence of an excessively large communications tower looming over the community, which provides no tangible benefit to the community (see Comment 2 above), imposes substantial and irreversible harm on community residents.

72-5

The DEIR acknowledges that these types of impacts are "significant" (DEIR Table 4.1-2, p 4.1-23). Section 4.1 concludes: "Therefore, the only possible finding in regards to aesthetic resources is that the project will result in a significant and unavoidable impact. Should the County desire to approve and implement the project, a Statement of Overriding Considerations will be required." (emphasis added)(DEIR p 4.1-29)

In other words, the County must decide whether or not to force a huge, unsightly, unwanted, and unnecessary tower upon the community of Rancho Carrillo - a tower that serves no purpose that benefits the community of Rancho Carrillo and that will dwarf the homes in Rancho Carrillo. By imposing this unnecessary and oppressive tower on the community, the County will be choosing to permanently impair the visual setting and

economic value of the properties in the community, all for no benefit to the community.

Comment 6 - DEIR Section 4.7 - Hazards and Hazardous Materials

The EIR fails to adequately evaluate and propose realistic mitigation measures for the fire hazard posed by the proposed Rancho Carrillo tower site as required by CEQA. Specifically, EIR Section 4.7.3(h) states that CEQA requires that the following question (among others) be evaluated: [Would the project] "Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?" (EIR p 4.7-5).

The Rancho Carrillo community is surrounded by the Cleveland National Forest, and has been impacted by disastrous wildfires in the National Forest several times since its founding in the 1960s. These wildfires typically originate within the National Forest and sweep through the National Forest towards the community of Rancho Carrillo with little to stop them. In order to partially mitigate this risk, the community has implemented a volunteer fire department which relies upon a water storage tank for firefighting purposes. Virtually all of the National Forest Land surrounding the community is designated as the San Mateo Canyon Wilderness, and brush clearing and removal are strictly prohibited by the United States Forest Service (USFS). Therefore, adequate clearing of brush to provide defensible space for firefighting around structures adjoining National Forest land is not permitted.

The Rancho Carrillo tower site, including a proposed 2,000 gallon propane tank, is proposed to be located on National Forest land adjacent to the water storage tank that serves as the Rancho Carrillo community's sole source for potable water and firefighting water storage. Though brush clearing may occur immediately surrounding the tower and propane tank coincident with construction of the tower, further clearing to provide adequate defensible firefighting space will not be possible owing to the designation of the adjacent land as protected wilderness. Thus, the presence of a 2,000 gallon propane tank adjacent to the sole source of potable and firefighting water for the community poses an extreme hazard during a wildfire, since explosion of the propane tank during a fire, or at any other time, would likely severely damage or destroy the adjacent water tank.

The DEIR fails to address these concerns and instead attempts to sidestep the issue by lumping all sites and providing the following generic analysis: "Existing regulations require the maintenance of fuel modification zones and defensible space around any structure that is located in a fire-prone area. Typically, this requires the trimming or removal of fuels (i.e., combustible vegetation) from a specified area around a structure. These fuel modification zones are designed to provide for defensible space around structures and to allow for their protection in the event that an advancing wildfire should attempt to encroach upon them. Adequate defensible space denies fuel to the fire in the area surrounding a structure, and also provides fire protection personnel with a buffer in which to work and defend the structure." (EIR pp 4.7-9, 4.7-10). This broad-brush statement ignores the obviously hazardous conditions pertinent to the Rancho Carrillo tower site, and ignores the constraints on removal of combustible vegetation imposed by the wilderness designation. Issues like these may possibly apply to other specific sites as well. The generic statements in the DEIR clearly amount to an inadequate analysis of the fire hazard issue, and therefore do not meet the intent of the CEQA requirement.

72-6

Further evidence of the inadequacy of the DEIR analysis of the fire hazard issue appears in the following statement: "At a minimum, all sites will be held to the standards of the California Fire Code." (DEIR p 4.7-10). All California codes are available online through a searchable database at <http://www.leginfo.ca.gov/calaw.html>

A cursory online search of this database did not identify any regulatory document with the title "California Fire Code." It appears that fire protection regulations are covered in the California Health and Safety Code. This reference should be corrected. Moreover, an adequate analysis should include at a minimum identification and discussion of specific requirements required by applicable codes at individual tower sites, and whether it is even possible to comply with the code requirements at a problematic location like the Rancho Carrillo tower site.

End of comments.

Please add us to the list of interested parties to receive notices of all future developments and actions regarding this project.

Michael Wolff
Michael Wolff, Inc.
27068 La Paz Rd., No. 152
Aliso Viejo, CA 92656
Email: mwolff20@cox.net

Respectfully Submitted,
Michael Wolff
Genevieve Wall

cc
Bob Buster - Riverside County Supervisor, District 1
Virgil Mink - Special Uses Administrator - USFS Trabuco Ranger District
Jacob Rodriguez - Recreation and Lands Officer - USFS Trabuco Ranger District

**72-6
(cont.)**

Michael Wolff (July 18, 2008)

Response to Comment 72-1

This comment has already been addressed in Response to Comment 22-3 and 22-4.

Response to Comment 72-2

This comment has already been addressed in Response to Comment 22-3 and 22-13.

Response to Comment 72-3

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3. Discussion as to purpose and need of the proposed project is contained in Response to Comment 22-1 and 22-2.

Response to Comment 72-4

Discussion as to the suitability of a Program EIR for the proposed project is contained in Response to Comment 22-3. Discussion of the NEPA process and its application to the Rancho Carrillo site is presented in Response to Comment 22-13.

Response to Comment 72-5

This comment has already been addressed in Response to Comment 22-9.

Response to Comment 72-6

This comment has already been addressed in Response to Comment 22-9, 22-15, and 22-16.

From: rleveret@earthlink.net [mailto:rleveret@earthlink.net]

Sent: Sun 7/20/2008 9:04 AM

To: EIR

Subject: Rancho Carrillo Tower

Comment 73

Co. of Riverside

Dept. of Facilities Management

Attn: Ms Ashley Mitchell

My husband and I are 25 year residents of Rancho Carrillo. We moved here and built our own home to have the rural, quiet atmosphere of Riverside Co. We strongly protest the proposed tower behind our home. It will affect the nature of our community and will be a detriment to our future lives. Please reconsider the location as we do not need this, and definitely do not want this near us.

Sincerely,

Richard and Lynne Everett

11165 Verdugo Rd.

Murieta, CA

73-1

Richard & Lynne Everett (July 20, 2008)

Response to Comment 73-1

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: loneranger529@yahoo.com [mailto:loneranger529@yahoo.com]
Sent: Sun 7/20/2008 4:48 PM
To: EIR
Subject: Fw: RE: Rancho Carrillo radio tower

Comment 74

--- On Sun, 7/20/08, Kirk R <loneranger529@yahoo.com> wrote:

From: Kirk R <loneranger529@yahoo.com>
Subject: RE: Rancho Carrillo radio tower
To: EIR@riverside.ca.us
Date: Sunday, July 20, 2008, 4:44 PM

To Ashely Mitchell

In regards to the current proposal to build a radio / relay tower adjacent to our community I wish state my opposition to this project. Before you can consider any forward move I believe this proposed site should be surveyed to mark the exact locations of the actual tower footprint and any accompanying structures. The site marked roughly on a map appears to restrict our ONLY access to our single water supply tank. The inability to properly service, replace or expand our water storage facility would be a detriment to our entire community. In addition, this is our sole source of water for structure and wildfire protection. I believe the danger of inadequate water supply to any firefighter, volunteer or professional, outweighs any benefit used to support this tower.

74-1

Futhermore, the proposed radio service is area is

1) unpopulated wilderness (large cost to NOT cover population and

74-2

structures)

2) does not interface with Orange county support services

3) uses our privately funded & maintained access road with no compensation for damage

4) each howowner owns the section of road abutting their property and will not grant easment access

5) constant excess traffic during construction using a narrow road with large equipment causing access problems for local residents

6) unkown number of personal accessing our gated community with unkown consequences to residents

7) potential accidents from people unfamiliar with our road and travel procedures

8) it will be an eyesore in a widerness area that people haved moved to for privacy

and a rural setting with out towers

In conclusion for these reasons and others still unknown, at this time, this tower location should be deleted and another location chosen. Sitton Peak, with its exisitng towers may be a preferable location.

74-3

74-4

74-5

74-6

Respectfully,

Russell

Carrillo Rd.

Carrillo

Kirk & Judy

38605

Lot 9

Rancho

Kirk & Judy Russell (July 20, 2008)

Response to Comment 74-1

This comment has already been addressed in Response to Comment 22-15 and 22-16.

Response to Comment 74-2

This comment has already been addressed in Response to Comment 30-1.

Response to Comment 74-3

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4 and 30-3.

Response to Comment 74-4

This comment has already been addressed in Response to Comment 22-5, 22-22, and 29-5.

Response to Comment 74-5

This comment has already been addressed in Response to Comment 22-9.

Response to Comment 74-6

This comment has already been addressed in Response to Comment 22-23.

From: EIR
Sent: Mon 7/21/2008 3:34 PM
To: EIR
Cc: motcomm19@yahoo.com
Subject: Request for Comments Notice of Draft

WEB FORM SUBMISSION:

Comment 75

FULLNAME: Aaron Fritzinger

ZIP: 92582

COMMENTS----

As a citizen residing in the city of San Jacinto in Riverside County, I am glad to hear that the County is finally improving its Public Safety communications system.

I have many friends and family members in the Riverside County Law Enforcement community that have been dealing with less than adequate radio communications in the last few years, and its refreshing to see that is going to be addressed. The County is continually growing and the population and housing has obviously outgrown the current radio system, as well as technology becoming outdated.

I think all the citizens of Riverside County will be much better served with this new radio system.

Aaron Fritzinger

EMAIL: motcomm19@yahoo.com

ADDRESS: 730 Grassy Meadow Drive

CITY: San Jacinto

75-1

Aaron Fritzinger (July 21, 2008)

Response to Comment 75-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Tue 7/22/2008 7:59 AM
To: EIR
Cc: dt.wenker@verizon.net
Subject: Request for Comments Notice of Draft

WEB FORM SUBMISSION:

Comment 76

FULLNAME: David Wenker

ZIP: 92570

COMMENTS: This upgrade is long over due. I have family in law enforcement and the number 1 complaint I hear at family gatherings is the poor or no coverage the current system has. Officer safety should be our top priority.

76-1

EMAIL: dt.wenker@verizon.net

ADDRESS: 1400 North A Street

CITY: Perris

David Wenker (July 22, 2008)

Response to Comment 76-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

County of Riverside
Department of Facilities Management
Attn: Ms. Ashley Mitchell
P.O. Box 789
Riverside, California 92502-0789

Comment 77

Dear Ms. Mitchell:

My wife and I are residents of Rancho Carrillo, a remote community on the edge of Riverside County, which is accessed from a private road leading to the community from Riverside Community. I am also presently on the Boards of Directors of the Rancho Carrillo Homeowners' Association and the Rancho Carrillo Mutual Water Company. I write in response to a request for comments made by the County of Riverside to the Draft EIR for the County's proposed PSEC Project. In particular, I write to comment on the proposed tower to be placed on the edge of the Rancho Carrillo community as part of the PSEC Project.

First of all, please let me say that I am not opposed to the PSEC Project and its general purpose and goals. Certainly everyone understands the need for good communications for emergency services. However, it is my belief that the significant negative impact of placing a tower site as proposed on the edge of the community of Rancho Carrillo merits the County considering other alternative sites that would still meet the County goals without the negative impact on our community. Below are a few of the issues that are not adequately addressed in the Draft EIR, or perhaps were not even considered.

1. Aesthetic Impacts: The EIR admits that the negative aesthetics cannot be mitigated. While this may seem insignificant to some, for the community of Rancho Carrillo, this is very significant. The residents moved to this community to enjoy a remote community surrounded by undisturbed wilderness. The proposed tower will be an eyesore and cause noise and light pollution that will ruin the character of our community. **77-1**
2. Hazard to Water Supply: The community's water supply for drinking and fire suppression depends entirely on a large water tank located uphill from the proposed tower site. The tower site will have to consider the significant grading and retaining wall issues required to make sure the extremely large and heavy water tank's foundation is not disturbed. The EIR does not address this issue. In addition, the propane tank adds a dimension of a hazard from wildfires coming through the area, which could damage the tank. Earthquakes are another concern. In short, the possibility of any damage or disturbance to the Water Tank would be catastrophic to the community, which would lose all of its water supply. **77-2**
3. Private Easement Issues: The road up to the community is maintained by the community members as a private road. The County would need to have access across the private property of approximately forty different homeowners, who will not give their consent to such a project because it will add traffic and noise to the road. **77-3**
4. Impact versus Service: While not technically a CEQA issue, I am concerned that our community's services for fire and safety are provided primarily by the County of Orange, yet our community is being asked to bear the brunt of the negative impact of this tower location. It appears also that the alleged improved communications sought by this particular location will not only not help the community, but will increase coverage for a mostly uninhabited area. This being the case, an alternative site should be considered, or the EIR should explain why an alternative site with fewer negative impacts was not considered. The Draft EIR does not do this. **77-4**

I would be happy to discuss any of these issues with County representatives. I can say that in my role on the two Boards of Directors in the Community that the Community is unequivocally opposed to the location of this tower site on the edge of our community. Alternative locations should be considered.

Thank you.

Byron B. Mauss and Deborah K. Mauss

Byron & Deborah Mauss (July 23, 2008)

Response to Comment 77-1

This comment has already been addressed in Response to Comment 22-9. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

Response to Comment 77-2

This comment has already been addressed in Response to Comment 22-9, 22-15, and 22-16.

Response to Comment 77-3

This comment has already been addressed in Response to Comment 22-5 and 22-22.

Response to Comment 77-4

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4, 30-1, and 30-3. A discussion of alternative sites has already been presented in Response to Comment 22-23.

From: amerigold@yahoo.com [mailto:amerigold@yahoo.com]
Sent: Tue 7/22/2008 10:23 PM
To: EIR
Cc: district1@rcbos.org
Subject: EIR Report - PSEC Rancho Carrillo Site

Comment 78

Dear Ms Mitchell,

I'm a homeowner and resident of the Rancho Carrillo community. I am absolutely against a tower in, or adjacent to this community! I signed the petition which I understand your department has already received and I fully support everything outlined in the petition letter. I still feel it necessary to write you though. The following are some of my very personal concerns.

1. The tower location is 100 ft from the ONLY water source in this community. The tower could possibly interfere with our radio connections to the wells and pumps serving us. The tower propane tank is a hazard that could render us without water during a fire. The tower location could prevent us from building a second or larger tank which we will inevitably need in the future. If for some reason the tower fell it could seriously damage the tank.

78-1

2. Our Private Road.

In the last year two dear friends and neighbors have been killed on this road. I believe three others have been sent to the intensive care unit with life threatening injuries. I do not want any more traffic on this road. The burden from traffic and use (wear and tear) on the road from this project will be high for our community. It isn't worth it. Period.

While our tax dollars go to the County of Riverside, we alone as homeowners maintain this road. There is a liability here that also needs to be explored.

78-2

3. Proximity to Private Property.

The impact of this tower to the whole community is GREAT. The impact to lots 34, 35, 36, 37, 38 and 39 are IMMEASURABLE! The health concerns look very real

78-3

to me. The fact that the tower will shade the pad created for building a home on one of only 3 lots left undeveloped here is totally unreasonable. Would you Ms Mitchell, want a tower so close it cast a shadow on your house?

**78-3
(cont.)**

It's my understanding the tower will not benefit our community in any way.

78-4

Further, we are remote and isolated so I'm confused as to whom it would benefit.

We are surrounded by hundreds of acres of wilderness designated forest land. There will be no other development in this area. The tower will be a burden on this community, visually. It will burden our road. It will threaten our only source of water. It will have a drastic negative effect on our property values.

78-5

In conclusion, I hope you will look for alternative sites for the tower in this section of the county if deemed necessary such as Sitton Peak.

Sincerely,

Kelly Overholt
10615 Verdugo
Murrieta, Ca 92590

Rancho Carrillo Lot 54

Mail:
P.O. Box 1713
San Juan Capistrano, CA 92693

Phone:
H (949) 728-1195
C (909) 239-3084

Kelly Overholt (July 22, 2008)

Response to Comment 78-1

This comment has already been addressed in Response to Comment 22-15 and 22-16.

Response to Comment 78-2

This comment has already been addressed in Response to Comment 22-5 and 22-22.

Response to Comment 78-3

This comment has already been addressed in Response to Comment 22-12 and 34-4.

Response to Comment 78-4

The reader is misinformed regarding interoperability components of the proposed project. See Response to Comment 29-4, 30-1, and 30-3.

Response to Comment 78-5

This comment has already been addressed in Response to Comment 22-23.

From: jimr@cdvinc.com [mailto:jimr@cdvinc.com]
Sent: Wed 7/23/2008 10:41 AM
To: EIR
Cc: Caliva, Robert
Subject: Response to PSEC Project EIR

Comment 79

County of Riverside
Department of Facilities Management
P.O. Box 789
Riverside, CA 92502-0789

July 23, 2008

> cc: Bob Buster, 1st District, Riverside County Board of Supervisors
> cc: Robert Caliva, Legislative Assistant to Supervisor Buster

Re: Response to PSEC Project EIR

I would like to take this opportunity to comment on the PSEC Project EIR being circulated by the County. I am a resident of the remote community of Rancho Carrillo, located at the extreme western edge of Riverside County. A location adjacent to our community has been designated as a proposed antenna site for the PSEC project.

On behalf of our community, the Rancho Carrillo Community Association has already expressed the official community opposition to placement of an antenna at the proposed location. I agree fully with this position and incorporate their stated objections as my own.

On behalf of my own family, I would like to separately raise objections to county plans as expressed in the EIR. These objections follow.

1. Non-Responsive. On March 26, 2008, I wrote to county staff a letter a response to the circulated Notice of Project (NOP), in which numerous objections to the proposed project were raised. This letter raised economic, effectiveness, aesthetic, and land use questions that were ignored in the subsequent preparation of the EIR. In fact, instead of addressing my

objections, the county went forward with a substantially different project in the subsequent EIR, even going so far as to move the antenna site to a new location. Under CEQA, this move should have been treated as a new project. Instead, the administrative review process has progressed forward to today, denying us our right to review an comment on initial plan.

**79-1
(cont.)**

While the new project raises questions of its own, my original objections remain applicable and are incorporated here (see attachment).

2. Not Specific. The proposed location of the antenna site at Rancho Carrillo is not sufficiently specific as to allow an understanding of the county plan. The site in question appears to be located in a designated Wilderness area of Cleveland National Forest. In addition, photographs of the proposed antenna tripod that have been provided through the offices of Supervisor Buster differ dramatically from the mast described in the EIR? How is one to comment given this inconsistency?

79-2

3. Trespass. Regardless of the exact location of the site, it will be necessary for county staff to pass over my property and the property of my neighbors to access the area of the site. There is no alternate access to that area, except on foot or horseback. The EIR does not deal with this property rights problem. County should be on notice that we are not inclined to grant a right of passage over our property for the purposes of this project.

79-3

4. Efficiency and Worthiness. Despite our objection to the proposed Rancho Carrillo antenna site, we believe the goals of the overall PSEC project are worthy. Public safety and the support of police and fire personnel who take risks every day on our behalf are entitled to our best material support. PSEC does just this. However, a poorly planned project, no matter how worthy, can consume excessive County resources. The inevitable delays that result from a poor plan will put back the day when our police and fire personnel can make use of these resources.

79-4

The Rancho Carrillo site in the PSEC project is a poor plan, perhaps no plan at all. Installation of an antenna at the proposed location will require extensive Federal environmental review that could drag on for years. There is a strong likelihood that the site will never be approved. The private property rights issues raised above are similarly difficult. If it is true, as county staff have claimed, that the Rancho Carrillo site is essential to the PSEC system (a claim we dispute), then this site could result in delay to the entire project. This would be unfortunate, indeed, given the worthy goals of the project.

Sincerely,

Jim Reardon
11081 Fox Springs Road (Lot 39)
Rancho Carrillo

mail:

P.O. Box 550
San Juan Capistrano, CA 92693-0550

Telephone:
(949) 728-0558 in Rancho Carrillo
(949) 633-0834 mobile

Jim Reardon (July 23, 2008)

Response to Comment 79-1

The comment is not clear as to what specific aspects of the Draft EIR the commentor finds deficient. Therefore, the County cannot respond to the comment. The County believes that the Draft EIR accurately identifies, assesses, and presents the environmental issues associated with the project.

Response to Comment 79-2

This comment has already been addressed in Response to Comment 22-4. This Response to Comments is limited only to comments provided in the Draft EIR. The County cannot comment on information that may have been provided by others that may differ from the Draft EIR.

Response to Comment 79-3

This comment has already been addressed in Response to Comment 22-5 and 22-22.

Response to Comment 79-4

The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Wed 7/23/2008 11:49 AM
To: EIR
Cc: guitarman4mac@hotmail.com
Subject: Request for Comments Notice of Draft

WEB FORM SUBMISSION:

Comment 80

FULLNAME: James Crane

ZIP: 92555

COMMENTS: I support the PSEC Project. I believe our county will only benefit from the addition of communication sites and the technology that will come with the new system.

80-1

ADDRESS: 15836 Camino Real

EMAIL: guitarman4mac@hotmail.com

CITY: Moreno Valley

James Crane (July 23, 2008)

Response to Comment 80-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: EIR
Sent: Wed 7/23/2008 11:54 AM
To: EIR
Cc: jimandmac@hotmail.com
Subject: Request for Comments Notice of Draft

WEB FORM SUBMISSION:

Comment 81

FULLNAME: Marianne Crane

ZIP: 92555

COMMENTS: The PSEC Project is of utmost importance to Riverside County. Our first responders need to be able to communicate in their every day situations, but especially important are those times when a life - either theirs or a member of the public - is in danger. There may be people who insist "not in my backyard" when it comes to the location of the communication sites. But rest assured if they needed assistance, they would want to know the public safety personnel would be able to communicate on their behalf and for their well-being. I completely support the PSEC Project and believe it will provide the communication system that not only our first responders need, but more importantly that the public needs!

81-1

ADDRESS: 15836 Camino Real

EMAIL: jimandmac@hotmail.com

CITY: Moreno Valley

Marianne Crane (July 23, 2008)

Response to Comment 81-1

The County appreciates the commentor's interest in the project. The comment asserts the opinion of the author in regards to how the project should be developed. This comment does not raise any new environmental issues not already thoroughly analyzed in the Draft EIR; therefore, no further response is needed (*Twain Harte Homeowners Ass'n v. County of Butte* (1977) 138 Cal.App.3d 664, 679).

From: janem@csthq.org [mailto:janem@csthq.org]
Sent: Wed 7/23/2008 1:44 PM
To: EIR
Subject: Microwave Site

Comment 82

Dear Ms. Mitchell,

I just saw notice of preparation for a draft program regarding expanding the County of Riverside's communication system. Included in this was a mention Paradise in Norco.

We have equipment at that location.

Can you tell me what effect it will have on our communication system?

Thanks very much.

Jane McNairn

CST

(323)661-3524

82-1

Jane McNarin (June 20, 2008)

Response to Comment 82-1

The County appreciates the commentor's interest in the project. The PSEC project will operate at frequencies in the 800 MHz range, and will not impact other users operating at other frequencies. Specific engineering questions should be directed to the project engineer, listed in Section 8 of the Draft EIR.

From: EIR
Sent: Wed 7/23/2008 2:42 PM
To: EIR
Cc: jbaril@raetech.net
Subject: Request for Comments Notice of Draft

WEB FORM SUBMISSION:

Comment 83

FULLNAME: Jim Baril

ZIP: 92887

COMMENTS----

Our company, Raetech, is working with Coachella Valley USD to install wireless towers at 10 locations in the Coachella Valley. Two 80' wireless towers have been installed and the others are in various stages of design and deployment. One of the towers will be near your MECCA LANDFILL site.

We have colocation capabilities to support other uses on the towers. If the County or other agency is interested in utilizing these resources, we can be contacted at 877-282-1609 or via email above.

EMAIL: jbaril@raetech.net

ADDRESS: 22885-G Savi Ranch Pkwy

CITY: Yorba Linda

83-1

Jim Baril (July 23, 2008)

Response to Comment 83-1

This comment is informational in nature and does not require a response. The County appreciates the commentor's interest in the project.

SECTION 4: MODIFICATIONS TO THE DRAFT EIR

This section presents modifications that have been made to the Draft EIR. Below is a brief introduction to the subject areas being addressed, followed by actual changes to the Draft EIR as they will appear in the Final EIR.

4.1 - Rationale for Modifications

Executive Summary

CEQA Guidelines Section 15126.6(e)(2) requires that if the environmentally superior alternative is the “No Project” alternative, then an environmentally superior alternative from amongst the other alternatives should also be identified. For purposes of clarification, language was added to this section to meet this requirement.

Alternatives Analysis

Modifications to the Alternatives Analysis section are identical to those described above for the Executive Summary, and are made to provide consistency throughout the document.

4.2 - Changes to the Draft EIR

The following sections of the Draft EIR were changed to accommodate the items noted above. Where applicable, sections of the Draft EIR are reproduced here with text additions shown in underline and text deletions shown in strikethrough. Text that is neither underlined nor stricken-through is original Draft EIR text and has not been modified, but is presented here to provide the reader with context for the changes marked. All corrections, clarifications, and refinements to the Draft EIR text identified herein are considered part of the Final EIR.

Executive Summary, Section 1.5.3 (Page 1-45 of the Draft EIR)

This alternative would abandon the project as currently designed and instead provide emergency communication services through alternative technology. These technologies could include the use of satellites or other services that would not require the use of land-based networks and thus avoid the significant environmental effects of the proposed project. The challenge with this alternative is that it is simply not possible with current technologies. While satellite communication sounds like an easy answer to communication challenges, the ability to offer these types of services in a reliable and safe manner is probably many years away. For instance, satellite coverage typically requires line-of-site connectivity between the user and the satellite. For this reason, satellite communications do not work particularly well in buildings or in areas where physical obstructions block the line-of-site. This is particularly problematic for public safety personnel, who regularly work inside buildings and in situations where reliable communication is critical.

Satellite transmitters also present challenges in regards to the safety of users. Most persons view satellite technology based on experience with consumer electronics that utilize satellites, such as

hand-held Global Positioning System (GPS) units or satellite television. The critical distinction with these products, however, is that they are *receiving* devices only. They themselves do not *transmit* a signal. The signal they receive is actually a very weak signal due to its distance from the transmitter (i.e., the satellite). For these devices to be able to transmit with sufficient strength to actually communicate with the satellite, the transmission signal from the device would need to be substantially higher than levels considered safe for a hand-held device. Even short-term exposure to these excessive levels of signal strength would have implications for the safety of emergency service providers.

If this alternative were at all feasible and safe, it would certainly be the environmentally superior alternative simply because it would meet all of the project's objectives while completely avoiding all of the environmental impacts of the proposed project. However, it is not possible at this time to implement this technology in an effective or safe manner. Perhaps in the future, this may be considered as a viable alternative, but at the present time it is not. ~~Therefore, this alternative is not environmentally superior to the proposed project.~~ Therefore, this alternative was rejected as both ineffective and infeasible given currently available technology.

Alternatives Analysis, Section 6.2.3 (Page 6-9 of the Draft EIR)

This alternative would abandon the project as currently designed and instead provide emergency communication services through alternative technology. These technologies could include the use of satellites or other services that would not require the use of land-based networks and thus avoid the significant environmental effects of the proposed project. The challenge with this alternative is that it is simply not possible with current technologies. While satellite communication sounds like an easy answer to communication challenges, the ability to offer these types of services in a reliable and safe manner is probably many years away. For instance, satellite coverage typically requires line-of-site connectivity between the user and the satellite. For this reason, satellite communications do not work particularly well in buildings or in areas where physical obstructions block the line-of-site. This is particularly problematic for public safety personnel, who regularly work inside buildings and in situations where reliable communication is critical.

Satellite transmitters also present challenges in regards to the safety of users. Most persons view satellite technology based on experience with consumer electronics that utilize satellites, such as hand-held Global Positioning System (GPS) units or satellite television. The critical distinction with these products, however, is that they are *receiving* devices only. They themselves do not *transmit* a signal. The signal they receive is actually a very weak signal due to its distance from the transmitter (i.e., the satellite). For these devices to be able to transmit with sufficient strength to actually communicate with the satellite, the transmission signal from the device would need to be substantially higher than levels considered safe for a hand-held device. Even short-term exposure to these excessive levels of signal strength would have implications for the safety of emergency service providers.

If this alternative were at all feasible and safe, it would certainly be the environmentally superior alternative simply because it would meet all of the project's objectives while completely avoiding all of the environmental impacts of the proposed project. However, it is not possible at this time to implement this technology in an effective or safe manner. Perhaps in the future, this may be considered as a viable alternative, but at the present time it is not. ~~Therefore, this alternative is not environmentally superior to the proposed project.~~ Therefore, this alternative was rejected as both ineffective and infeasible given currently available technology.

Appendix A: Mitigation Monitoring and Reporting Plan

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
AIR QUALITY MEASURES					
MM AQ-1	All sites shall comply with the SCAQMD Rule 403 requirements, regardless of location.	Direct observations; Data sheets to be included with compliance report; Review data sheets during site inspections; Contractor to include any written instruction to equipment operators or construction supervisors	Ongoing throughout construction activities	Riverside County Department of Facilities Management Director or designee	
MM AQ-2	During project construction, the developer shall require all contractors not to idle construction equipment onsite for more than five minutes.	Direct observations; Data sheets to be included with compliance report; Review data sheets during site inspections; Contractor to include any written instruction to equipment operators or construction supervisors	Ongoing throughout construction activities	Riverside County Department of Facilities Management Director or designee	
MM AQ-3	During project construction, the workers should carpool to the greatest extent practical. Workers shall be informed in writing of this requirement. At a minimum, the workers shall leave their vehicles at a central location near the site so that fugitive dust generated by travel on dirt roads is limited.	Direct observation; During site inspections, contractor to provide any written instruction to construction personnel	Ongoing throughout construction activities	Riverside County Department of Facilities Management Director or designee	
MM AQ-4	If the County wishes to develop additional sites in the future besides those assessed in this analysis, any additional full time generator sites shall be limited to one in the jurisdiction of the SCAQMD (South Coast Air Basin), three in the jurisdiction of the SCAQMD (Salton Sea Air Basin), and six in the jurisdiction of the MDAQMD.	Verification during plan check process for additional sites	During plan check process	Riverside County Department of Facilities Management Director or designee	
MM AQ-5	Any additional full time generators (besides the existing Santa Rosa Peak site) shall be propane fueled.	Verification during plan check process for additional sites	During plan check process	Riverside County Department of Facilities	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
				Management Director or designee	
BIOLOGICAL RESOURCES MEASURES					
MM BR-1a	If a proposed site is located within a USFWS-designated Critical Habitat area for a federally listed species, but is located outside of an established Habitat Conservation Plan (HCP), then appropriate FESA consultation with the USFWS must be undertaken prior to site development. If suitable habitat for the species is present on or adjacent to the project, then focused surveys shall be undertaken to determine presence or absence of the listed species. This survey requirement may be avoided if the listed species' occupancy of the site is preemptively assumed.	Notification by USFWS that appropriate consultation has been completed	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-1b	If a proposed site is located in an area of close proximity to suitable habitat for a species listed under the FESA or CESA as threatened or endangered, then pre-construction surveys of the area shall be performed by a qualified and/or USFWS permitted biologist to determine presence or absence of the species in the area. If it is determined that no listed species are present in the area, then development may commence without further impediment. If it is determined that a listed species is present in the area, then appropriate avoidance measures shall be implemented to avoid inadvertent take of the listed species. Avoidance measures may include, but may not be limited to; 1) Postponement of construction until the species has vacated the area; 2) The installation of exclusion fencing or other barriers to assure that the species	Receipt of appropriate surveys and results; verification of site clearance by a qualified biologist	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	does not enter the construction area; or 3) other avoidance measures as recommended by the biologist.				
MM BR-1c	If any construction related to the proposed project, such as access roads, is anticipated to occur outside of the area surveyed for the June 3, 2008 Habitat Assessment Report, then additional habitat assessments shall be conducted by a qualified biologist prior to development to evaluate potential impacts. If these expanded surveys find that sensitive biological resources are present in the area to be impacted, then appropriate measures consistent with applicable laws and policies in effect at the time of the survey shall be undertaken to avoid or mitigate identified impacts. If the expanded surveys do not find sensitive biological resources in the area to be impacted, then development may then commence unimpeded within the parameters of applicable laws and policies governing such development.	Review of finalized site plans and verification that final site is within the area previously surveyed; if site is outside of area previously surveyed, then appropriate surveys, results, and recommendations as determined by a qualified biologist must be presented and complied with prior to construction	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-1d	If the amount of time between the date of the habitat assessment survey, indicated in Table 3 of the June 3, 2008 Habitat Assessment Report, and the commencement of construction exceeds 18 months, a qualified biologist must determine if potential changes in conditions on the site warrant the initiation of additional survey work. If the determination is made that additional survey work is required, then surveys must be conducted by a qualified biologist prior to site development. If subsequent surveys find that sensitive biological resources have taken up occupancy of the site and may be impacted by development, then appropriate measures consistent with applicable laws and	Review of finalized site plans and verification that construction will not begin after the expiration of survey; if construction is to commence after the expiration of the survey, then appropriate surveys, results, and recommendations as determined by a qualified biologist must be presented and complied with prior to construction	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	policies in effect at the time of the survey shall be undertaken prior to site development to avoid or mitigate identified impacts. If conditions at the site have not changed considerably and sensitive biological resources are not found, then development may commence unimpeded.				
MM BR-2a	Prior to the commencement of construction at any site, coverage must be obtained under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit 99-08-DWQ) from the appropriate RWQCB with jurisdiction over the site. As part of the permit process, a SWPPP must be developed that meets the requirements of the applicable RWQCB and lists BMPs that will be implemented to protect and control storm water runoff from the site.	Verification of filing of Notice of Intent as required by the Construction General Permit 99-08-DWQ process; submittal of approved SWPPP	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-3a	If construction of a proposed site has the potential to impact nesting birds during avian nesting season as indicated in the "Potential to Impact Nesting Birds" column of Table 14 of the June 3, 2008 Habitat Assessment Report, then one of the following must occur: 1) Construction should occur outside of the avian nesting season (approximately February 1 through August 31); 2) If construction must occur during the nesting season, then a pre-construction nesting bird survey of the site shall be conducted by a qualified biologist no more than thirty days prior to construction activities. If active nests are found onsite, then they must be avoided by an appropriate buffer until any young birds have fledged and the nest has completed its cycle, as determined by a qualified biologist. If construction occurs outside of the avian nesting period, then construction may commence without further	Verification that construction will commence outside of prescribed nesting season; if construction must commence during nesting season, then the site must be surveyed by a qualified biologist, the results submitted, and any recommendations contained therein implemented prior to commencement of construction	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	impediment.				
MM BR-3b	The use of towers utilizing permanent ground-anchored guy-wires should be avoided. If site constraints or other factors make the construction of a self-supporting tower infeasible and a guy-wire supported tower is identified as the only practical alternative, then each of the following measures must be implemented: 1) the number of guy-wires must be limited to the minimum number necessary to meet the engineering requirements of the structure; 2) guy-wires shall be equipped with appropriate daytime visual markers (e.g., bird diverter devices) to lessen the potential for collision by birds with the guy-wires; 3) The services of a qualified professional shall be retained to develop specific requirements for the types of diverters, the spacing of the devices upon the wires, and other criteria necessary to minimize impacts to avian species.	Verification of implementation during plan review; direct observation prior to issuance of certificate of operation for the site	Verification of implementation during plan review; direct observation prior to issuance of certificate of operation for the site	Riverside County Department of Facilities Management Director or designee	
MM BR-3c	If a communication tower is proposed and is for whatever reason required to install and maintain aircraft warning lights, then the minimum amount of lighting required by the FAA shall be used. Where permissible by the FAA, only white strobe lights shall be used at night. These lights shall be up-shielded to minimize disruption to local residents, and shall be the minimum number, with minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowed by the FAA. Unless specifically required by the FAA, the use of solid red or pulsating red warning lights shall be avoided at night.	Verification of implementation during plan review; direct observation prior to issuance of certificate of operation for the site. Ability to comply with this measure is subject to approval by the FAA	Verification of implementation during plan review; direct observation prior to issuance of certificate of operation for the site	Riverside County Department of Facilities Management Director or designee	
MM BR-3d	Security lighting or other nighttime lighting for on-	Verification of implementation	Verification of	Riverside	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	ground facilities and equipment shall be down-shielded to keep light within the boundaries of the site and to minimize its potential attraction for birds.	during plan review; direct observation prior to issuance of certificate of operation for the site	implementation during plan review; direct observation prior to issuance of certificate of operation for the site	County Department of Facilities Management Director or designee	
MM BR-4a	If the installation of a communication tower facility has the potential to impact native desert plants protected under the California Desert Native Plants Act as identified in the “Potential to Impact CDNPA Listed Plants” column of Table 14 of the June 3, 2008 Habitat Assessment Report, then those plant specimens shall be avoided to the maximum extent feasible. If a listed plant cannot be avoided, then the appropriate removal permit must be obtained from the relevant official. Permits may be obtained from the Agricultural Commissioner or Sheriff of the relevant county.	Verification of implementation during plan review; submission of applicable permits as necessary	Verification of implementation during plan review and prior to start of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-5a	A consistency analysis shall be prepared for all sites governed by the WRMSHCP. This analysis may be presented as a master document that incorporates analysis for all of the sites rather than separate documents for each site. Regardless of the manner in which the analysis is presented, the development of each site must be found consistent with the WRMSHCP by the RCA and payment of the mandatory mitigation fee must be submitted prior to the site’s development. Payment of the fee and a determination of consistency with the requirements of the WRMSHCP is intended to provide full mitigation under CEQA, NEPA, CESA, and FESA for impacts to the species and habitats covered by	Receipt from RCA of verification of compliance with applicable WRMSHCP regulations	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	the WRMSHCP.				
MM BR-5b	If a site is located within a Criteria Cell as defined in the WRMSHCP, then the County shall enter into a HANS process with the Riverside County Environmental Planning Department (EPD) or the appropriate WRMSHCP participant. Once the HANS application is deemed complete, a HANS Criteria Determination Letter shall be issued. The application and letter must then be reviewed and accepted by the Regional Conservation Authority prior to site development.	Receipt from RCA of verification of compliance with applicable WRMSHCP regulations	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-5c	If a site is proposed to be located within an area that is governed by the WRMSHCP, and is also listed in the "Focused Surveys Required" column of Table 14 of the June 3, 2008 Habitat Assessment Report, then additional focused surveys must be conducted for those species according to established survey protocols. If the species is found to be present on the site, then the site shall be considered occupied suitable habitat, and, if it is not feasible to conserve at least 90 percent of the area, then the County must submit an analysis supporting a DBESP. The DBESP discussion shall list why avoidance is not possible, quantify unavoidable impacts, propose project design features and mitigation measures to reduce indirect effects, and demonstrate that the project would be biologically equivalent or superior to avoidance.	Receipt from RCA of verification of compliance with applicable WRMSHCP regulations	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-5d	A consistency analysis shall be prepared for all sites governed by the CVMSHCP. This analysis may be presented as a master document that incorporates analysis for all of the sites rather than separate documents for each site. Regardless of the manner	Receipt from CVAG of verification of compliance with applicable CVMSHCP regulations	Prior to commencement of construction	Riverside County Department of Facilities Management	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	in which the analysis is presented, the development of each site must be found consistent with the CVMSHCP by the CVAG and payment of the mandatory mitigation fee must be submitted prior to the site's development. Payment of the fee and a determination of consistency with the requirements of the CVMSHCP are intended to provide full mitigation under CEQA, NEPA, CESA, and FESA for impacts to the species and habitats covered by the CVMSHCP.			Director or designee	
MM BR-5e	If a site is proposed to be located within a conservation area as designated by the CVMSHCP, then the proposed development shall be reviewed under the appropriate review process in effect at the time of application. During the interim period prior to final MSHCP adoption, participants in this review are assumed to be the USFWS and the CDFG. Following the MSHCP's adoption, the reviewing authority is assumed to be the CVCC. Regardless of the reviewing authority or process in effect at the time of application, appropriate review must take place and the specific direction of the reviewing authorities implemented prior to site development.	Receipt from CVAG of verification of compliance with applicable CVMSHCP regulations	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-5f	If any federal or State listed threatened or endangered species are listed as potentially occurring upon any site and those species are covered under either the WRMSHCP or CVMSHCP, then all feasible avoidance measures will be implemented to ensure no take of the species occurs.	Direct observation through onsite inspections during construction; Contractor to provide any written instruction to equipment operators or construction supervisors	Ongoing during construction	Riverside County Department of Facilities Management Director or designee	
MM BR-5g	If a site is proposed to be located within a SKRHCP Fee Area, then the mandatory mitigation fee shall	Verification of fee payment and/or verification of compliance	Prior to commencement	Riverside County	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	be paid. Payment of the fee is intended to provide full mitigation to Stephens' kangaroo rat under CEQA, NEPA, CESA, and FESA through the SKRHCP.	with applicable regulations	of construction	Department of Facilities Management Director or designee	
MM BR-5h	If a site is proposed to be located within an SKR Reserve Area, then focused surveys for Stephens' kangaroo rat shall be conducted to determine the occupancy status of the species on the site. If the species is determined to be present on the site, an area of suitable habitat, at a minimum replacement ratio of one to one and approved by both the CDFG and the USFWS, shall be purchased and managed as a reserve area.	Submittal of appropriate protocol survey results; verification of compliance from CDFG and USFWS	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM BR-5i	If a site is proposed to be located on lands managed by an agency of the federal government, then development of the site must be reviewed by the agency prior to site development and found to be consistent with the agency's applicable resource management plan.	Verification of compliance with agency regulations; submittal of Record of Decision by agency	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
CULTURAL AND PALEONTOLOGICAL RESOURCES MEASURES					
MM CR-1a	In the event that ground-disturbing activities extend beyond the limits of a 300-foot buffer from the surveyed site, then additional archaeological studies must be completed to determine whether historical properties or significant archaeological resources will be affected by the proposed construction plans. Ground disturbing activities may consist of, but are not limited to trenching for electrical power, creation of access roads, or access road improvements. The extent of these additional archaeological studies would be determined based	Review of finalized site plans and verification that final site is within the area previously surveyed; if site is outside of area previously surveyed, then appropriate surveys, results, and recommendations as determined by a qualified archaeologist must be presented and complied with prior to construction	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	upon the nature of the proposed construction plans beyond a 300-foot radius of the surveyed location. If these expanded surveys find that sensitive properties or resources are present in the area to be impacted, then appropriate measures consistent with applicable laws and policies in effect at the time of the survey shall be undertaken to avoid or mitigate identified impacts. If the expanded surveys do not find sensitive properties or resources in the area to be impacted, then development may then commence unimpeded within the parameters of applicable laws and policies governing such development.				
MM CR-1b	There is a moderate probability that subsurface cultural resources relating to either historical properties or significant archaeological resources will be unearthed during development-related ground disturbance. Therefore, at these sites an archaeological monitoring program shall be implemented during ground-disturbing activities. This monitoring program should commence with a meeting between the contracted archaeologist and the development crew. This meeting will serve to educate the crew on when monitoring activities should begin at the site. Full-time monitoring shall continue until the project archaeologist determines that the overall sensitivity of the area has been reduced from moderate to low, as a result of monitoring. Should the monitor determine that there are no cultural resources within the impacted areas, or should the sensitivity be reduced from moderate to low during monitoring, all monitoring may cease.	Submittal by a qualified archaeologist of verification of compliance with monitoring requirements	Ongoing during construction	Riverside County Department of Facilities Management Director or designee	
MM CR-1c	The CRHR eligible property (historical property)	Submittal by a qualified	Prior to	Riverside	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	identified in Table 4.5-2 could be adversely impacted by the construction at this site. For this reason, the site shall be protected for the purpose of complete avoidance during all ground-disturbing activities associated with construction. An archaeological monitor shall be present during ground disturbing activities to ensure that the resource will not be directly or indirectly impacted. This archaeological monitoring could be reduced or potentially eliminated if the boundaries of the site, as defined by a professional archaeologist, were fortified with temporary fencing to reduce the potential for impacts to the resource. Beyond the recommended archaeological monitoring for the purpose of protecting the site, no additional cultural resource mitigation is recommended prior to construction. If the site cannot be avoided during construction, then additional archaeological research must be conducted for the purposes of determining the NRHP and CRHR eligibility of potentially impacted resources. This additional work may include subsurface testing if appropriate, depending on the type of archaeological resource. The results of this additional work should be incorporated into updated DPR 523 Forms and be submitted to the appropriate Information Center. Any resources found to be eligible for listing on the NRHP or CRHR through these additional studies will require additional mitigation efforts.	archaeologist of verification of compliance with avoidance, monitoring, and recording requirements	commencement of construction	County Department of Facilities Management Director or designee	
MM CR-2a	In the event that ground-disturbing activities occur at sites identified in Table 4.5-3 of the DEIR as potentially significant extending beyond the limits	Review of finalized site plans and verification that final site is within the area previously	Prior to commencement of construction	Riverside County Department of	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	of a 300-foot buffer from the identified site, then additional studies may need to be completed to determine whether paleontological resources, sites or unique geologic features will be affected by the proposed construction plans. Ground disturbing activities may consist of, but are not limited to trenching for electrical power, and creation of access roads or access road improvements. The extent of these additional studies shall be undertaken by a qualified individual, and would be determined based upon the nature of the proposed construction plans beyond a 300-foot radius of the identified and surveyed site. Should that determination conclude that additional study is necessary, then the reviews prescribed in Mitigation Measure CR-2b shall be undertaken. If the determination concludes that additional study is not necessary, then all mitigation efforts may cease.	surveyed; if site is outside of area previously surveyed, then appropriate surveys, results, and recommendations as determined by a qualified paleontologist must be presented and complied with prior to construction		Facilities Management Director or designee	
MM CR-2b	If required by the findings of Mitigation Measure CR-2a, then a Paleontological Literature Review and Records Check should be requested from an accredited institution, such as the Division of Geologic Sciences at the San Bernardino County Museum (SBCM), to determine whether there are any known paleontologic localities (sites) located within or near the project area. If the results of this review indicate that there are known localities within the project area, or within a 1-mile radius, and a qualified vertebrate paleontologist recommends a paleontological-monitoring program, then the program prescribed in Mitigation Measure CR-2c shall be implemented. If the results of this records check indicate that there are no known localities within the project area or within a 1-mile	Submittal by a qualified archaeologist of verification of compliance with survey, monitoring, and recording requirements	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	radius, and a qualified vertebrate paleontologist does not recommend a paleontological-monitoring program, then any and all additional mitigation efforts may cease.				
MM CR-2c	If required by the findings of Mitigation Measure CR-2b, a paleontological-monitoring program shall be established and implemented. This monitoring plan should include monitoring in sediments assigned moderate, moderate to high, or high paleontologic sensitivity through the literature review and records check. This mitigation-monitoring program should commence with a meeting between the contracted paleontologist and the development crew. This meeting will serve to educate the crew on when monitoring activities should begin at the site. Full-time monitoring should commence at the modern ground surface, unless otherwise indicated by a qualified vertebrate paleontologist, and should continue until the project paleontologist determines that the overall sensitivity of the area has been reduced from high or moderate to low, as a result of mitigation monitoring. Should the monitor determine that there are no paleontological resources within the impacted areas, or should the sensitivity be reduced from high or moderate to low during monitoring, all monitoring may cease.	Submittal by a qualified archaeologist of verification of compliance with survey, monitoring, and recording requirements	Ongoing during construction	Riverside County Department of Facilities Management Director or designee	
HYDROLOGY AND WATER QUALITY MEASURES					
MM HY-1a	Prior to the commencement of construction at any site, coverage must be obtained under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General	Verification of filing of Notice of Intent as required by the Construction General Permit 99-08-DWQ process; submittal of	Prior to commencement of construction	Riverside County Department of Facilities	

Measure Number	Mitigation Measure	Method of Verification of Completion	Timing of Verification	Responsible for Verification	Status/Date/Initials
	Permit 99-08-DWQ) from the appropriate RWQCB with jurisdiction over the site. As part of the permit process, a SWPPP must be developed that meets the requirements of the applicable RWQCB and lists BMPs that will be implemented to protect and control storm water runoff from the site.	approved SWPPP		Management Director or designee	
MM HY-1b	Prior to commencing construction at any site, the County shall develop an ERP to provide for any contingencies that could arise during construction. The ERP may be applied to all sites, and should provide direction regarding specific actions to be taken in the event of spillage, leakage, or upset at any of the sites.	Submittal of ERP approved by the County Fire Chief or his/her designee	Prior to commencement of construction	Riverside County Department of Facilities Management Director or designee	
MM HY-1c	Prior to commencing operations at any site, the County shall develop an ERP to provide for any contingencies that could arise during operation. The ERP may be applied to all sites, and should provide direction regarding specific actions to be taken in the event of spillage, leakage, or upset at any of the sites.	Submittal of ERP approved by the County Fire Chief or his/her designee	Prior to commencement of operation	Riverside County Department of Facilities Management Director or designee	