

10/12/2011

TO: Wendall Bugtai, Project Manager, TR 36327
Dave Mares, Principal Planner

FROM: Tricia Napalitano, Co-Applicant
Greg Burnett, Co-Applicant

RE: Request for Exception (lot configuration), TR36327

Mr. Bugtai appropriately notes that the new, proposed tract map, 36327, indicates lots greater in depth than the 1:4 ratio (width versus depth) as cited in a plan review. The applicant requests an exception to this lot configuration guideline.

As you are all ready aware, through the General Plan (RCIP) and the Anza Vision and Goals area policy, there are many, specific land use policies which allow you both the authority and ability to grant such an exception. Many land use policies address the need for a more diverse, different and new approach to land development within Riverside County.

Of the 46 proposed lots, Lots 10,11, 17,19,20,22,27,28,29,30,31,32, 33 and 35 (total of fourteen) are greater than a 1:4 ratio

The reasons for your consideration of an exception include:

1. The number one primary purpose in design configuration of these lots in questions was to preserve and protect the existing topography, vegetation and natural setting of the land, undisturbed for millennia. Apparently, we were more than successful in this all important goal as we have saved/protected the majority of the site from being disturbed, and, the Ripirian/Riverine analysis concluded that the entire development will disturb only **one-tenth of one acre** over the 265 acre site. This difficult and challenging approach to being custodians of the land was partially achieved by the lot configuration as proposed.
2. In urban, high density lot development, we all are very aware of the concept of "prevailing setback" as it provides for some semblance of balance and design harmony to a street profile. Obviously, in a urban environment, if houses could be placed on a lot that in fact become in a neighbor's back yard or front yard as the case may be, this would be disruptive. The 1:4 ratio helps protect against this undesirable impact. However, in a rural, low density planning environment, this "protection" from bad house placement, per lot, is not an issue. You may note that all the lots in question either, back to

nothing but undisturbed, protected lands, or, end at ridge tops that separate any relationship to other lots. This is to say that activity at the rear of a lot greater than a 1:4 ratio will not have any detrimental impact on any other lots or enjoyment of such.

3. In a clustered design approach, the goal is to use as much land as “densely” as possible, therefore allowing as much land as possible to not be disturbed. This clustered design approach in a rural environment of low density, by definition, creates unique and often times seemingly incongruent lot shapes, including lot sizes exceeding 1:4 ratio.

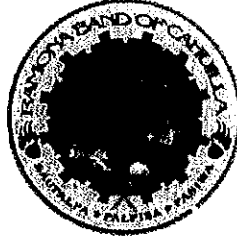
4. In reverse, it may be improper to allow diminutive “frontage” along street frontage in any case as this is a public safety issue for access and identification (i.e. no flag lots, no cul-de-sac frontage less than 40’ , etc.). In that no lots under question with regard to the 1:4 ratio (except the cul-de-sacs) have less than 100’ frontage, the issue of the ratio is only the back end depth (the “4”), not the front end width (the “1”).

5. Lastly, we have used lots that may exceed the 1:4 ratio to do several things – protect hilltop ridges, protect what may be otherwise unbuildable areas that otherwise would require mass grading, separation from another to promote a rural feel to the project. These are each and all desirable design features. As noted, the extension beyond a 1:4 ratio in rear depth is to either keep these areas from the “common lot” and/or end up at a point that nothing is ever behind them.

We thank you for your review and consideration on this matter.

RAMONA BAND OF CAHUILLA

56310 Highway 371, Suite B
Post Office Box 391670
Anza, California 92539



Tel: (951) 763-4105
Fax: (951) 763-4325
E-mail: admin@ramonatribe.com

"A SOVEREIGN NATION"

October 27, 2011

Wendell Bugtai
Urban Regional Planner III
County of Riverside, TLMA
4080 Lemon Street, 12th Floor
Riverside, CA 92502
Facsimile: (951) 955-1817

Via U.S. Facsimile and email

Re: TR 36327- Thomas Mountain Ranch

Dear Mr. Bugtai:

On behalf of the Ramona Band of Cahuilla, a federally recognized Indian Tribe, please accept these comments as an addendum to the Tribes previously submitted comments dated October 20, 2011.

The Tribe previously informed the County of its concern that the proposed action will impact resources within and adjacent to the project's area of potential effect, including impacts to resources within the co-managed BLM and Tribal lands; impacts to the lands of the Ramona Reservation; and other issues which may be identified through further review and/or discussion of the proposed project.

With this in mind, I reviewed the recommended Conditions of Approval ("COA") for TR 36327, the proposed Thomas Mountain Ranch Project. Based on my review of the COA, and in light of the Tribes comments in the October 20, 2011 letter, the Tribe provides the following:

The proposed COA's at 10. Planning 002, General- Inadvertent Archaeological Find and 50. Planning 002, Map- ECS Note Archaeological may be inadequate considering the Tribe's belief that the Cultural Resources Assessment itself is inadequate.

As stated in the Tribe's October 20, 2011 letter, the applicant's archaeological contractor failed to respond to the Tribe's request to meet to discuss the proposed project and its possible impacts. The Cultural Resources Assessment fails to include important information the Tribe and other Tribal/individual responders could have provided, and, as a result, the recommended

COA's regarding Inadvertent Archaeological Find and ECS Note Archaeology are based on flawed and inadequate information.

The Tribe is aware of the COA regarding Tribal Monitoring for the proposed project (at 60. Planning 004). While this COA is responsive to the Tribe's concerns as expressed to County staff, that COA in and of itself does not make-up for the proposed COA's for *Inadvertent Archaeological Find* and *ECS Note Archaeology* which are based on inadequate information and a failure to consult with the Tribe and other affected adjacent landowners.

Therefore, the Tribe renews its request that the County require the applicant and/or applicant's contractor to meet with the Tribe, other Tribal/individual responders, and affected adjacent landowners to thoroughly address issues related to archaeological resources within and adjacent to the proposed project area. Only then can adequate and appropriate COA's addressing the categories referenced above be developed and recommended for the proposed project.

With regards to recommended COA 60. Health 001 which addresses well/water statement, the Tribe believes that its concerns regarding water rights for the affected project parcels brings into question whether or not the applicant can provide satisfactory proof that there is adequate quantity(of water) to include fire flow and available for intended development.

In the October 20, 2011 letter, the Tribe informed the County of the following:

The Ramona Band of Cahuilla has a federally reserved right to groundwater with a priority date of 1891, the date the Ramona Reservation was established... This right is senior to all non-Indian land owners, including the applicant and any prospective buyers of the parcels created through the proposed action. Equally as important, neither the applicant/ property owner nor prospective buyers of the proposed subdivided lots has yet to establish any right to future water use... Absent a quantifiable water right for the existing parcels, it would be premature to approve the requested action to subdivide the parcels into multiple individual parcels, each of which would have a separate well and need for water.

The Tribe further stated, "The proposed action is premature as water rights for the existing parcels, as well as the water rights for the proposed subdivided lots, have not yet been determined and there is no guarantee that the water rights which may be granted could or would sustain the number of home sites contemplated in the applicant's request."

Absent a determination as to water rights associated with the existing parcels affected by the proposed action, the water rights for the proposed 46+ parcels cannot be quantified. Therefore it cannot be determined whether the number of proposed parcels is buildable or whether an adequate quantity of water will exist to provide for fire flow and development.

Once a determination of water rights has occurred, the County can then accurately calculate the appropriate and correct number of buildable lots and recommend appropriate COA's for the proposed project

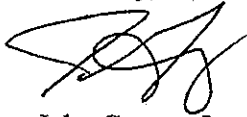
CONCLUSION

In light of the Tribe's concerns, the Tribe respectfully requests that the County deny the applicant's request or delay any action to move the proposed project forward until such time as the project proponent has addressed the concerns identified above.

At this time, the Tribe's comments regarding the recommended COA's are limited to those addressing cultural resources and water. Please be advised that the Tribe reserves the right to provide further and more detailed comments regarding the additional recommended COA's currently listed and which may be provided in the future.

Please feel free to contact me at the address above or via telephone at (951)941-4943 or (951)763-4105 if you have any questions or wish to discuss this matter further.

Sincerely,



John Gomez, Jr.
Project Coordinator
Ramona Band of Cahuilla

Cc: Greg Neal, Deputy Director
Dave Mares, Principal Planner
Leslie Mouriquand, County Archaeologist and Tribal Liaison

RAMONA BAND OF CAHUILLA

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"A SOVEREIGN NATION"

October 20, 2011

Wendell Bugtai
Urban Regional Planner III
County of Riverside, TLMA
4080 Lemon Street, 12th Floor
Riverside, CA 92502
Facsimile: (951) 955-1817

Via U.S. Mail and facsimile

Re: TR 36327- Thomas Mountain Ranch

Dear Mr. Bugtai:

On behalf of the Ramona Band of Cahuilla, a federally recognized Indian Tribe, I submit this letter regarding TR 36327 Thomas Mountain Ranch which consists of 265 acres located in Anza, Riverside County.

While the proposed project is not within the exterior boundaries of the Ramona Reservation, the property subject to the proposed action lies within the traditional territories of the Ramona Band of Cahuilla ("Tribe") and is adjacent to a parcel of land for which the Tribe and the Bureau of Land Management ("BLM") have entered into a Memorandum of Understanding regarding the co-management of resources located therein.

The Tribe is concerned that the proposed action will impact resources within and adjacent to the project's area of potential effect, including impacts to resources within the co-managed BLM and Tribal lands; impacts to the lands of the Ramona Reservation; and other issues which may be identified through further review and/or discussion of the proposed project.

As stated in our previous submission regarding the proposed project, the Tribe will make every effort, under applicable laws and regulations, to ensure the protection and integrity of resources within tribal lands and the traditional territory of the Cahuilla People.

CULTURAL RESOURCES

The Tribe believes that the Cultural Resources Assessment prepared by the applicant's archaeological contractor is inadequate and should be updated prior to any further action to move the proposed project forward. The Tribe also believes that the conclusions reached by the archaeological consultant are flawed as they are not based on accurate information regarding the proposed APE and surrounding landscape.

The applicant's contractor notified the Tribe of the proposed project and requested input with regards to the presence of prehistoric or historic resources within or adjacent to the proposed project area. In response to the notice, the Tribe made several attempts to contact the archaeological contractor regarding cultural resources within the project area and the surrounding area. The Tribe even requested a meeting to discuss such issues prior to the completion of the cultural resource assessment and its subsequent submission to the County. The contractor never replied to the Tribe's requests.

The Tribe's prior notices to the archaeological contractor clearly stated the Tribe's concern regarding the proposed project and possible impacts that may occur as a result of approving the project. The contractor even goes so far as to admit in the Cultural Resources Assessment that "five responses have been received" in response to inquiry letters sent requesting information regarding "the potential archaeological sensitivity of the project area". (Section VII. Native American Scoping, p.13). The contractor fails to elaborate as to the scope of the responses or any action taken to address the response received. As far as the Tribe knows, the contractor may have ignored and/or failed to respond to the Tribes' concerns, for the contractor never responded to our concerns or requests.

The Tribe contends that the Cultural Resources Assessment for the proposed project is incomplete based on the following:

1. Applicant and/or applicant's contractor failed to respond to notices from Tribe regarding the proposed project.
2. Applicant and/or applicant's contractor failed to meet with the Tribe to discuss the prehistoric or historic resources within or adjacent to the proposed project area.
3. Applicant's contractor failed to address concerns expressed by the Tribe and other responders regarding archaeological resources.
4. Absent the Tribe's input and information, as well as such information that may have been submitted by other responders, the applicant's contractor could not develop an accurate and complete assessment.
5. Based on information and belief, the applicant and/or applicant's contractor failed to notify and/or meet with the BLM, an adjacent land owner, of the proposed project.

Whereas the Cultural Resources Assessment fails to include important information that could have been provided if the archaeological contractor had responded to and met with the Tribe and other Tribal/individual responders, the Tribe requests that the County deny to accept the assessment as complete.

The Tribe further requests that the County require the applicant and/or applicant's contractor to meet with the Tribe, other Tribal/individual responders, and affected adjacent landowners to thoroughly address issues related to archaeological resources within and adjacent to the proposed project area. The County should delay any action to move the proposed project forward until the applicant has addressed the issues listed above.

WATER

The Ramona Band of Cahuilla has a federally reserved right to groundwater with a priority date of 1891, the date the Ramona Reservation was established. The federal court in the *Fallbrook* case has established the Tribe's right on a *prima facie* basis. This right is senior to all non-Indian land owners, including the applicant and any prospective buyers of the parcels created through the proposed action. Equally as important, neither the applicant/property owner nor prospective buyers of the proposed subdivided lots has yet to establish any right to future water use in the *Fallbrook* case. Absent a quantifiable water right for the existing parcels, it would be premature to approve the requested action to subdivide the parcels into multiple individual parcels, each of which would have a separate well and need for water.

The Tribe has demarcated a "Zone of Potential Well Interference" that includes the parcels which are part of the proposed action. The current parcels, APN's 573-040-001 and 573-040-002, lie downslope and almost entirely within $\frac{1}{4}$ mile of the Ramona Reservation boundary. The close proximity of the parcels to the Reservation creates a significant risk that groundwater withdrawals from existing and possible future wells on the parcels could adversely impact the water resources of the Ramona Reservation.

If the applicant's request to subdivide the existing parcels is approved, groundwater withdrawals from the proposed separate home sites will lower the water table in the vicinities of the wells. This will steepen the slope of the groundwater surface (hydraulic gradient) along which groundwater could flow from the Reservation to the parcels. In other words, the gradient would be increased because the rate of groundwater flow is directly proportional to the hydraulic gradient, and new or increased flow of groundwater from the Reservation aquifers onto the project property could be induced. This would lower the water table on the Reservation, decreasing the yield or potential yield of Reservation wells.

The risk of interference by the project's wells to the Reservation groundwater is compounded by the large number of potential wells that would result from subdividing the property into many separate lots. Furthermore, the proposed minimum 2-acre size of the lots invites high water consumption to supply gardens, orchards, and irrigated pastures. Potential groundwater impacts to the Ramona Reservation exist as a result of the project.

The proposed action is premature as water rights for the existing parcels, as well as the water rights for the proposed subdivided lots, have not yet been determined and there is no guarantee that the water rights which may be granted could or would sustain the number of

home sites contemplated in the applicant's request. Some or most of the home sites may not be buildable if the water rights assigned are not adequate enough to sustain the proposed number of home sites. Approval of the proposed action prior to the determination of water rights is ill-advised.

Furthermore, the potential groundwater impacts to the Ramona Reservation that would occur as a result of the project are unacceptable and the Tribe requests that the County deny the applicant's request or delay action until such time as water rights for APN's 573-040-001 and 573-040-002 have been determined. Once a determination of water rights has occurred, the County can then accurately calculate the appropriate and correct number of buildable lots.

CONCLUSION

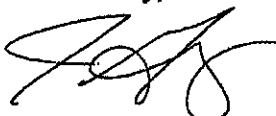
In light of the Tribe's concerns, the Tribe respectfully requests that the County deny the applicant's request or delay any action to move the proposed project forward until such time as the project proponent has addressed the concerns identified above.

The Tribe appreciates the opportunity to consult regarding the proposed project, and we look forward to working with the County of Riverside on a government-to-government basis to protect and preserve the resources that may be affected by the proposed project.

Please be advised that the Tribe reserves the right to provide further and more detailed comments, in accordance with applicable State and federal laws, as additional information regarding the proposed project is made available for review and comment.

Please feel free to contact me at the address above or via telephone at (951)941-4943 or (951)763-4105 if you have any questions or wish to discuss this matter further.

Sincerely,



John Gomez, Jr.
Project Coordinator
Ramona Band of Cahuilla

Cc: Greg Neal, Deputy Director
Dave Mares, Principal Planner
Leslie Mouriquand, County Archaeologist and Tribal Liaison

WARREN D. WILLIAMS
General Manager-Chief Engineer



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140130

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

August 10, 2011

Mr. Wendell Bugtai
Project Planner
Riverside County Planning Department
County Administrative Center
4080 Lemon Street
Riverside, CA 92501

Dear Mr. Bugtai:

Re: Change of Zone 07762
Area: Anza

We have reviewed this case and have the following comments:

This is a request to change the zoning designation of the subject site from Rural Residential 10 Acre Minimum (R-R-10) and Rural Residential 20 Acre Minimum (R-R-20) to Rural Residential 5 Acre Minimum (R-R-5).

Flood hazards such as floodplains and watercourses traverse the site. The District believes that the parcels can be configured to have an adequate buildable site on each lot without encroaching into the floodplain and/or the watercourse.

The District does not object to this request.

Questions concerning this matter may be referred to Eric Russell of this office at 951.955.1211.

Very truly yours,



MEKBIB DEGAGA
Engineering Project Manager

c: Tract 36327

EWR:TT:blj

RAMONA BAND OF CAHUILLA

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"A SOVEREIGN NATION"

August 2, 2011

Wendell Bugtai
Urban Regional Planner III
County of Riverside, TLMA
4080 Lemon Street, 12th Floor
Riverside, CA 92502
Facsimile: (951) 955-1817

Via U.S. Mail and facsimile

Re: TR 36327- Thomas Mountain Ranch

Dear Mr. Bugtai:

On behalf of the Ramona Band of Cahuilla, federally recognized Indian Tribe whose reservation is located in Anza, California, I submit this letter regarding TR 36327 Thomas Mountain Ranch which consists of 265 acres located in Anza, Riverside County.

Please be advised that this submission does not constitute the entirety of the Tribe's concerns regarding the proposed project and that the Tribe reserves the right to provide further and more detailed comments, in accordance with applicable State and federal laws, once the Tribe has had an opportunity to review and analyze the information requested below.

The Tribe is aware that the proposed project is not within the exterior boundaries of the Ramona Indian Reservation. However, the property subject to the proposed action lies within the traditional territories of the Ramona Band of Cahuilla and adjacent to a parcel of land for which the Tribe and the Bureau of Land Management have entered into a Memorandum of Understanding regarding the co-management of resources located therein.

The Tribe is concerned about impacts to resources within and adjacent to the project's area of potential effect ("APE"); the impacts the proposed project may have on resources within the co-managed BLM and Tribal lands; the impacts the proposed project may have on the Ramona Indian Reservation; and other issues which may be identified through further review and/or discussion of the proposed project.

Prior to the submittal of this letter and the Tribe's meeting with County staff to discuss the proposed project, the Tribe made several attempts to contact the project proponent's archaeological contractor regarding cultural resources within the project APE and the surrounding area. To date, the Tribe has not received any response from the contractor

However, the Tribe's concerns regarding the proposed project go beyond just cultural resources. The Tribe is also concerned about potential impacts the proposed project may have on the following: water and water quality; biological resources; fire safety; open space and trails; geology; and traffic.

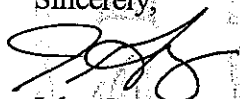
Therefore the Tribe requests that any and all reports and/or plans prepared for the proposed project, including reports and/or plans addressing the issues listed above, are forwarded to the Tribe so that the Tribe may have the opportunity to review and comment.

The Tribe also requests that the County delay any action to approve the proposed project until such time as the Tribe has received and reviewed the information requested and submitted comments based on the information provided.

As is its responsibility, the Ramona Band of Cahuilla will make every effort, under applicable laws and regulations, to ensure the protection and integrity of resources within tribal lands and the aboriginal territory of the Cahuilla People. The Tribe appreciates the opportunity to consult regarding the proposed project, and we look forward to working with the County of Riverside on a government-to-government basis to protect and preserve the resources that may be affected by the proposed project.

Please feel free to contact me at the address above or via telephone at (951)941-4943 or (951)763-4105 if you have any questions or wish to discuss this matter further.

Sincerely,



John Gomez, Jr.
Project Coordinator
Ramona Band of Cahuilla

Cc: Leslie Mouriquand, County Archaeologist and Tribal Liaison

JET ID
00006025

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department
Ron Goldman - Planning Director

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

- TRACT MAP
- REVISIED MAP
- PARCEL MAP
- MINOR CHANGE
- REVERSION TO ACREAGE
- AMENDMENT TO FINAL MAP
- VESTING MAP
- EXPIRED RECORDABLE MAP

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: TM 36327 DATE SUBMITTED: 7-14-10

APPLICATION INFORMATION

Applicant's Name: Tricia Napolitano E-Mail: tricia@homesbytbg.com

Mailing Address: P.O. Box 39111
Anza, CA 92539 Street
City State ZIP

Daytime Phone No: (951) 763-2769 Fax No: (951) 763-2789

Engineer/Representative's Name: Alejandro Alatorre E-Mail: alatorre.inc@gmail.com

Mailing Address: 250 S. Lyon Avenue, E-35
Hemet, CA 92544 Street
City State ZIP

Daytime Phone No: (949) 510-1960 Fax No: (951) 763-2769

Property Owner's Name: Gregory Burnett E-Mail: burnettgv@yahoo.com

Mailing Address: P.O. Box 39111
Anza, Ca 92539 Street
City State ZIP

Daytime Phone No: (818) 426-0900 Fax No: (951) 763-2710

If additional persons have an ownership interest in the subject property in addition to that indicated above, attach a separate sheet that references the application case number and lists the names, mailing addresses, and phone numbers of those persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

Proposal (describe project, indicate the number of proposed lots/parcels, units, and the schedule of the subdivision, whether the project is a Vesting Map or Planned Residential Development (PRD):

The use of 2 parcels totaling 265 acres; into rural, clustered, 65 "lot", residential community wherein each clustered lot has a "footprint of a minimum of 1/2 acre and a maximum of 2 acres, and the remaining portion of the total site (135 acres +/-) to be held in common by the 65 landowners (no additional homes allowed). Improvements include common amenities (pool/tennis/equestrian), asphalt "country road" paving and common, pressurized water supply system (individual septic).

Related cases filed in conjunction with this request:

n/a

Is there a previous development application filed on the same site: Yes No

If yes, provide Case No(s). n/a (Parcel Map, Zone Change, etc.)

E.A. No. (if known) n/a E.I.R. No. (if applicable): _____

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No

If yes, indicate the type of report(s) and provide a copy: n/a

Is water service available at the project site: Yes No

If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles) n/a

Is sewer service available at the site? Yes No

If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles) n/a

Will the proposal eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes No

Will the proposal result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes No

How much grading is proposed for the project site? (raised footings no pads)

Estimated amount of cut = cubic yards: to be determined by engineer for road pavement

Estimated amount of fill = cubic yards to be determined by engineer for road pavement

Does the project need to import or export dirt? Yes No

Import n/a Export n/a Neither n/a

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

Tricia Napolitano

PRINTED NAME OF APPLICANT


SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner's behalf.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

Gregory Burnett

PRINTED NAME OF PROPERTY OWNER(S)


SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

See attached sheet(s) for other property owner's signatures.

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 573-040-001, 573-040-002

Section: 5 Township: 7S Range: 3E

Approximate Gross Acreage: 265.2

General location (cross streets, etc.): North of Upper Valley Road, South of Ramona Reservation, East of Bautista Road, West of n/a.

Thomas Brothers map, edition year, page number, and coordinates: 904, Grid F6, F7, G8, G7, H6, H7

NOTICE OF PUBLIC HEARING
and
INTENT TO ADOPT A NEGATIVE DECLARATION

A PUBLIC HEARING has been scheduled; pursuant to Riverside County Land Use and Subdivision Ordinance Nos. 348 460, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

CHANGE OF ZONE NO. 7762, TENTATIVE TRACT MAP NO. 36327 – Intent to Adopt a Mitigated Negative Declaration – Applicant: Tricia Napolitano – Engineer/ Representative: Alex Alatorre – Third Supervisorial District – Anza Zoning Area – Riverside Extended Mountain Area Plan (REMAP) – General Plan: Rural: Rural Residential (R:RR) (5 Acre Minimum) and Open Space: Rural (OS:R) (20 Acre Minimum) – Location: Northerly of Upper Valley Road, easterly of Bautista Road, and westerly of Pollwog Road – 265.2 Gross Acres – Zoning: Rural Residential – 5 Acre Minimum (R-R-5) – **REQUEST:** The change of zone proposes to change the zoning classification for the subject property from Rural Residential – 5 Acre Minimum (R-R-6), Rural Residential – 10 Acre Minimum (R-R-10) and Rural Residential – 20 Acre Minimum (R-R-20) to Rural Residential – 4 Acre Minimum (R-R-4), Rural Residential – 2 Acre Minimum (R-R-2) and Open Space Combining Zone – Residential Developments (R-5). The tentative tract map is a Schedule “C” subdivision of 265.2 gross acres into 46 single-family residential lots arranged in a clustered development with a lot size ranging from two (2) to four (4) gross acres, and one (1) approximately 140 gross acre common lot for open space with an overall density of 0.173 dwelling per acre (or an average of 1 dwelling unit per 5.89 acres.) The project proposes a private internal road system and post and beam foundations for all structures. (Judicial)

TIME OF HEARING: **9:00 a.m.** or as soon as possible thereafter
December 7, 2011
RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET
RIVERSIDE, CA 92501

For further information regarding this project, please contact Project Planner, Wendell Bugtai at 951-955-2419 or email wbugtai@rctilma.org, or go to the County Planning Department’s Planning Commission agenda web page at http://www.tlma.co.riverside.ca.us/planning/content/hearings/pc/current_pc.html.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a negative declaration. The Planning Commission will consider the proposed project and the proposed negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration may be viewed Monday through Thursday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92502. For further information or an appointment, contact the project planner.

Any person wishing to comment on a proposed project may do so, in writing, between the date of this notice and the public hearing or appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Wendell Bugtai
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 10/11/2011

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ07762/TR36327 For

Company or Individual's Name Planning Department

Distance buffered 1000'

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

TITLE GIS Analyst

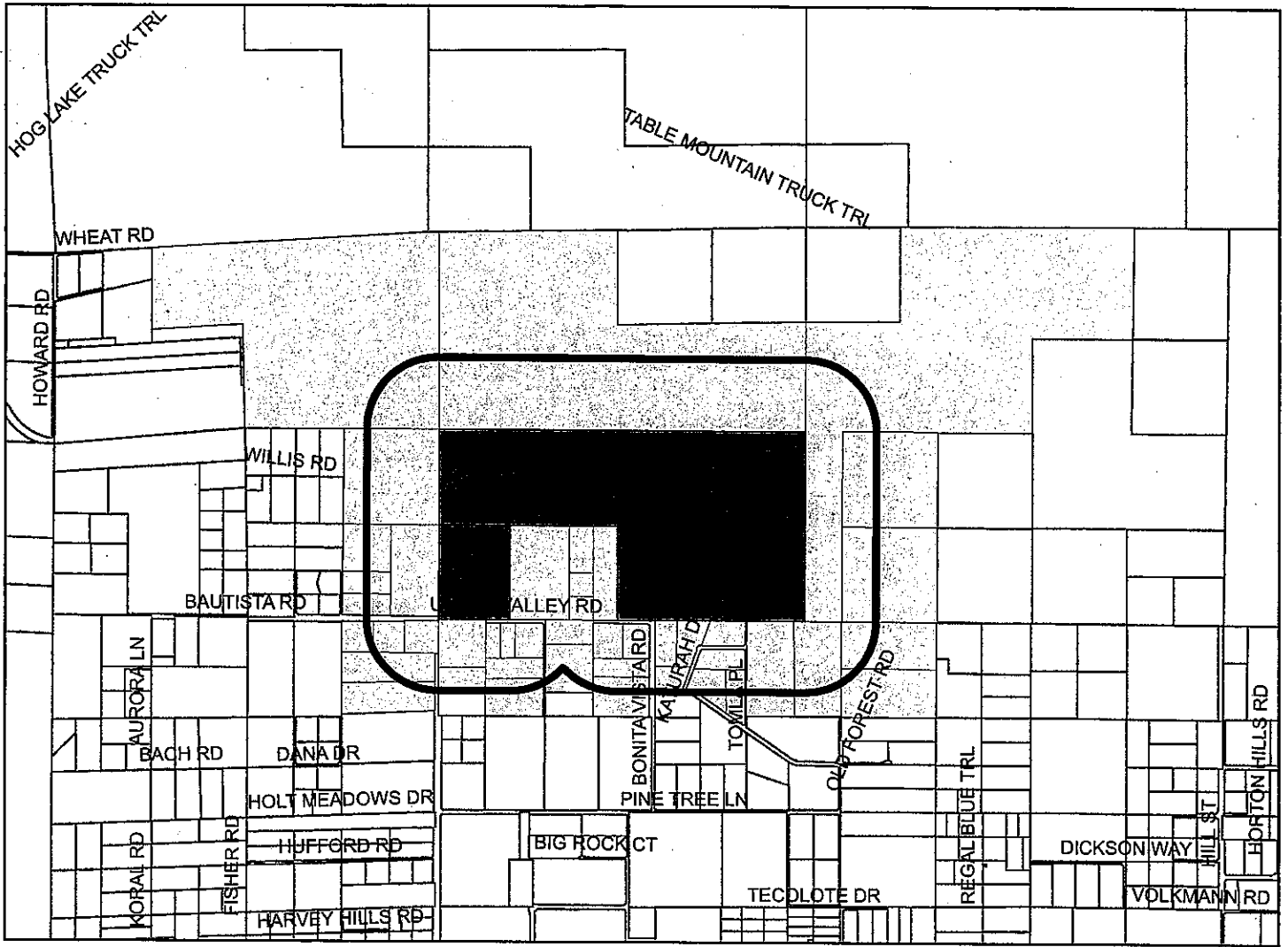
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

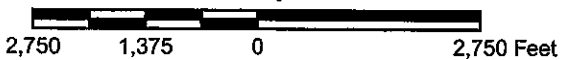
✓ CGM 10/12/11
Expires: 4/11/2012

1000 foot buffer



Selected Parcels

573-110-025	573-040-003	573-080-059	573-060-051	573-080-063	573-080-013	573-080-006	573-080-049	573-030-041	573-030-042
573-030-052	573-080-062	573-080-005	573-080-071	573-040-002	573-060-052	573-040-001	573-050-001	573-080-053	573-080-055
573-040-005	573-060-049	573-040-004	573-080-057	573-080-050	573-080-051	573-080-001	573-080-003	573-040-007	573-030-049
573-030-051	573-110-026	573-060-053	573-050-015	573-050-016	573-080-056	573-030-044	573-060-050	573-080-012	573-040-006
573-080-061	573-080-058	573-080-054	573-080-072	573-080-060	573-020-015	573-050-010	573-030-050		



Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

ASMT: 573030042, APN: 573030042
COMBS ART TRUST
1824 RAILROAD ST
CORONA CA 92880

ASMT: 573040004, APN: 573040004
DAWNA LANGE, ETAL
P O BOX 391095
ANZA CA 92539

ASMT: 573030044, APN: 573030044
PATRICK TRUXILLO
36990 BAUTISTA RD
ANZA, CA. 92539

ASMT: 573040005, APN: 573040005
PATRICIA BARRETT, ETAL
P O BOX 390777
ANZA CA 92539

ASMT: 573030049, APN: 573030049
MARY BOEHME, ETAL
1035 STONECREST LN
ESCONDIDO CA 92027

ASMT: 573040006, APN: 573040006
ANGELINA TURULL, ETAL
P O BOX 390553
ANZA CA 92539

ASMT: 573030050, APN: 573030050
PATSY HOSBAND, ETAL
7698 E HALLOW OAK RD
ANAHEIM CA 92808

ASMT: 573040007, APN: 573040007
LONE SIMPSON, ETAL
C/O LONE G SIMPSON
P O BOX 211
SAN ANDREAS CA 95249

ASMT: 573030051, APN: 573030051
MARILYN SHEEHAN, ETAL
P O BOX 391267
ANZA CA 92539

ASMT: 573050016, APN: 573050016
KSY INV
2736 RAINBOW VALLEY BLV
FALLBROOK CA 92028

ASMT: 573030052, APN: 573030052
LETA HIGGINBOTHAN, ETAL
30400 WOODBURY CIR
MENIFEE CA 92584

ASMT: 573060049, APN: 573060049
JUDY DOEZIE, ETAL
54755 BAUTISTA RD
ANZA, CA. 92539

ASMT: 573040003, APN: 573040003
ARTHUR RINGHAND
1660 LEORA LN
ENCINITAS CA 92024

ASMT: 573060050, APN: 573060050
PERRIE PATTERSON
23 TAYLOR AVE
PALM DESERT CA 92260

ASMT: 573060051, APN: 573060051
JEAN LAYNE, ETAL
2920 BAVARIA DR
CORONA CA 92881

ASMT: 573080013, APN: 573080013
CHERYL THAISS
48244 NORWEGIAN HOLLOW
SOLDIERS GROVE WI 54655

ASMT: 573060052, APN: 573060052
DARCY SKINNER, ETAL
P O BOX 390870
ANZA CA 92539

ASMT: 573080050, APN: 573080050
JOSEPHINE PENN, ETAL
807 BERYL ST
REDONDO BEACH CA 90277

ASMT: 573060053, APN: 573060053
JAMES HILE, ETAL
9438 S PARISE DR
WHITTIER CA 90603

ASMT: 573080051, APN: 573080051
JOSEPHINE PENN, ETAL
37150 BONITA VISTA RD
ANZA, CA. 92539

ASMT: 573080003, APN: 573080003
VICTORIA JARVIS, ETAL
P O BOX 390897
ANZA CA 92539

ASMT: 573080054, APN: 573080054
RYALL STEWART
P O BOX 391640
ANZA CA 92539

ASMT: 573080005, APN: 573080005
ERIC GAHLER
P O BOX 391096
ANZA CA 92539

ASMT: 573080055, APN: 573080055
DAWN RIDDER, ETAL
455 W 12TH ST
CLAREMONT CA 91711

ASMT: 573080006, APN: 573080006
CHUN KUAN
12977 E MOORSHIRE DR
CERRITOS CA 90703

ASMT: 573080056, APN: 573080056
DOLORES HICKCOX, ETAL
P O BOX 391667
ANZA CA 92539

ASMT: 573080012, APN: 573080012
CHERI SZUTZ, ETAL
74930 COUNTRY CLUB DR 510
PALM DESERT CA 92260

ASMT: 573080057, APN: 573080057
JANE RECHT
P O BOX 390878
ANZA CA 92539

ASMT: 573080058, APN: 573080058
ZUZANA THOMPSON, ETAL
P O BOX 893238
TEMECULA CA 92589

ASMT: 573080072, APN: 573080072
TBG INC
P O BOX 391111
ANZA CA 92539

ASMT: 573080059, APN: 573080059
SHELLEY GREEN, ETAL
16220 INDIAN
MORENO VALLEY CA 92551

ASMT: 573110025, APN: 573110025
ALVIN KRANZ, ETAL
44105 TULE VALLEY RD
AGUANGA CA 92536

ASMT: 573080060, APN: 573080060
SARA COPPLE, ETAL
4718 E BLUEBIRD AVE
ORANGE CA 92869

ASMT: 573110026, APN: 573110026
JUAN CHAVEZ
37200 OLD FOREST RD
ANZA, CA. 92539

ASMT: 573080061, APN: 573080061
ROBERT DUNHAM
41917 PLUM ST
MURRIETA CA 92562

ASMT: 573080062, APN: 573080062
KIM WILLIAMS, ETAL
P O BOX 390863
ANZA CA 92539

ASMT: 573080063, APN: 573080063
BETH GRAY, ETAL
125 N STAGECOACH
FALLBROOK CA 92028

ASMT: 573080071, APN: 573080071
FRANK BEEAL
941 DAISY AVE
CARLSBAD CA 92011

Anza Valley Municipal Advisory Council
P.O. 391076
Anza, CA 92539

Bureau of Land Management,
U.S. Department of the Interior
22835 Calle San Juan de los Lagos
Moreno Valley, CA 92553

Centralized Correspondence,
Southern California Gas Company
P.O. Box 3150
San Dimas, CA 91773

Eastern Information Center
Dept. of Anthropology
1334 Watkins Hall, University of
California, Riverside
Riverside, CA 92521-0418

ATTN: Elizabeth Lovsted
Eastern Municipal Water District
2270 Trumble Rd.
P.O. Box 8300
Perris, CA 92570

Forest Service, Corona
U.S. Department of Agriculture
1147 E. Sixth St.
Corona, CA 91719

Hemet Unified School District
2350 W. Latham Ave.
Hemet, CA 92545-3654

ATTN: Executive Officer
Reg. Water Quality Control Board #8
Santa Ana
3737 Main St., Suite 500
Riverside, CA 92501-3348

Southern California Edison
2244 Walnut Grove Ave., Rm 312
P.O. Box 600
Rosemead, CA 91770

Aida Martin
c/o Rural Community United
P.O. Box 760
Aguanga, CA 92536

Ramona Band of Cahuilla Indians
P.O. Box 391670
Anza, CA 92539

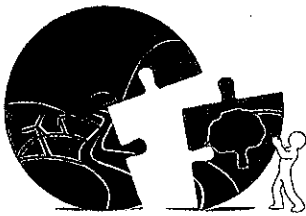
Anza Municipal Advisory Council
P.O. Box 391076
Anza, CA 92539

Bureau of Land Management
John R. Kalish, Field Manager
Palm Springs-South Coast Field Office
1201 Bird Center Drive
Palm Springs, CA 92262

Applicant:
Tricia Napolitano
P.O. Box 39111
Anza, CA 92539

Eng-Rep:
Alejandro Alatorre
250 S. Lyon Ave. Ste E-35
Hemet, CA 92544

Owner:
Gregory Burnett
P.O. Box 39111
Anza, CA 92539



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

TO: Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

Change of Zone 7762 / Tentative Tract Map No. 36327 / Environmental Assessment No. 42349
Project Title/Case Numbers

Wendell Bugtai
County Contact Person

951-955-2419
Phone Number

N/A
State Clearinghouse Number (if submitted to the State Clearinghouse)

Tricia Napoliano
Project Applicant

P.O. Box 39111, Anza, CA 92539
Address

Change of Zone No. 7762 proposes to change the zoning classification for the subject property from Rural Residential – 5 Acre Minimum (R-R-5), Rural Residential – 10 Acre Minimum (R-R-10) and Rural Residential – 20 Acre Minimum (R-R-20) to Rural Residential – 4 Acre Minimum (R-R-4), Rural Residential – 2 Acre Minimum (R-R-2) and Open Space Combining Zone – Residential Developments (R-5). Tentative Tract Map No. 36327 is a Schedule "C" subdivision of 265.2 gross acres into 46 single-family residential lots arranged in a clustered development with a lot size ranging from two (2) to four (4) gross acres, and one (1) approximately 180 gross acre common lot for open space with an overall density of 0.173 dwelling units per acre (or an average of 1 dwelling unit per 5.89 acres.) The project proposes a private internal road system and post and beam foundations for all structures.
Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on _____, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act (\$2,044.00 + \$64.00).
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the Mitigated Negative Declaration, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

Signature

Title

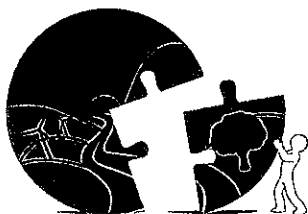
Date

Date Received for Filing and Posting at OPR: _____

DM/rj
Revised 8/25/2009
Y:\Planning Case Files-Riverside office\TR36327\CZ7762 - TR36327 - NOD Form -12-7-11.docx

Please charge deposit fee case#: ZEA42349 ZCFG 5711

FOR COUNTY CLERK'S USE ONLY



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: CHANGE OF ZONE NO. 7762 / TENTATIVE TRACT MAP NO. 36327

Based on the Initial Study, it has been determined that the proposed project, subject to the proposed mitigation measures, will not have a significant effect upon the environment.

PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment and Conditions of Approval)

COMPLETED/REVIEWED BY:

By: Wendell Bugtai Title: Project Planner Date: December 7, 2011

Applicant/Project Sponsor: Tricia Nopolitano Date Submitted: July 14, 2010

ADOPTED BY: Board of Supervisors

Person Verifying Adoption: _____ Date: _____

The Mitigated Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department 4080 Lemon Street, 12th Floor, Riverside, CA 92501

For additional information, please contact wbugtai@rctlma.org at 951-955-2419.

Revised: 10/16/07

Y:\Planning Case Files-Riverside office\TR36327\TR36327 - Mitigated Negative Declaration - 9-15-11.docx

Please charge deposit fee case#: ZEA42349 ZCFG5711

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

O* REPRINTED * R1007800

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: NAPOLITANO TRICIA
paid by: CK 5694
CFG FOR EA42349
paid towards: CFG05711 CALIF FISH & GAME: DOC FEE
at parcel: 36990 BONITA VISTA RD ANZA
appl type: CFG3

\$64.00

By _____ Jul 14, 2010 12:44
MGARDNER posting date Jul 14, 2010

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

Overpayments of less than \$5.00 will not be refunded!

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

O* REPRINTED * R1105274

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: NAPOLITANO TRICIA \$2,044.00
paid by: CK 5963
CFG FOR EA42349
paid towards: CFG05711 CALIF FISH & GAME: DOC FEE
at parcel: 36990 BONITA VISTA RD ANZA
appl type: CFG3

By _____ May 26, 2011 15:21
MGARDNER posting date May 26, 2011

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,044.00

Overpayments of less than \$5.00 will not be refunded!