

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



FROM: Economic Development Agency

SUBMITTAL DATE:
August 8, 2013

SUBJECT: Larry D. Smith Correctional Facility Expansion No. 4 – Adoption of Addendum No. 1 to Mitigated Negative Declaration; Adoption of Resolution No. 2013-214; and Approval of the Larry D. Smith Correctional Facility Expansion No. 4 Project.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2013-214 adopting Addendum No. 1 to the previously adopted Mitigated Negative Declaration (Environmental Assessment No. 20063738) for the Larry D. Smith Correctional Facility Expansion No. 3, State Clearinghouse No. 2007071030; approving the Larry D. Smith Correctional Facility Expansion No. 4 Project; and authorizing the Economic Development Agency to pursue funds for the construction of said Project through Senate Bill 1022; and

(Continued on attached pages)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2013/14

COMPANION ITEM ON BOARD AGENDA: No	
SOURCE OF FUNDS: Capital Improvement Program	Positions To Be Deleted Per A-30 <input type="checkbox"/>
	Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Jennifer L. Sargent

County Executive Office Signature

- Dep't Recomm.: Consent
- Per Exec. Ofc.: Consent
- Policy
- Policy

5812 406 12 AM 3:55
APPROVED BY: JENNIFER L. SARGENT
DATE: 8/14/13

Prev. Agn. Ref.: 3.10 of 3/22/11; 3.22 of 10/02/07 | **District:** 5/5 | **Agenda Number:** **3-108**

FORM APPROVED BY COUNTY COUNSEL
BY: Karin L. Watts-Bazan
DATE: 8/14/13
Departmental Concurrence

RECOMMENDED MOTION: (Continued)

2. Direct the Clerk of the Board to file the attached Notice of Determination (NOD) with the County Clerk for posting within 5 days of this Board meeting.

BACKGROUND:

On October 2, 2007, the Board of Supervisors approved the Larry D. Smith (LDS) Correctional Facility Expansion No. 3 project and adopted a Mitigated Negative Declaration (MND) for said project. The project discussed and analyzed in the MND was the third expansion to the existing LDS Correctional Facility, located in the City of Banning.

Since the approval and construction of the LDS Correctional Facility Expansion No. 3 project, Riverside County is still in need of additional space to address the continued growing inmate population and meet the minimum standards required by the California Code of Regulations

The proposed LDS Correctional Facility No. 4 Project will result in the addition of approximately 582 new beds. The housing will be new construction and built to house all inmate classification levels. Adjacent support space will include programming and counseling space in the form of large and small classrooms. A highly efficient housing unit plan will be utilized to meet the needs of the inmate population and incorporates significant staff to inmate efficiencies. Separate from the housing units, two new inmate training buildings will be built to provide hands on vocational training to the inmates. Other necessary site construction will include a Central Plant facility to provide service to the new construction. In addition, a new fuel station will be built to replace the existing fuel station which must be demolished in order for the new construction to occur.

Addendum No.1 was prepared to evaluate the environmental impacts associated with the proposed LDS Correctional Facility Expansion No. 4 Project. The analysis contained in Addendum No. 1 concluded that no new significant impacts upon the environment will occur.

On July 23, 2013, the Board of State and Community Corrections issued a Request for Proposal (RFP) in order to establish a conditional award and allocate \$500,000,000 as authorized in Senate Bill 1022 for the construction of adult local criminal justice facilities. This funding is similar to the conditional awards the County has already received from the State under Assembly Bill 900 Phase II and Senate Bill 81. As a large county, Riverside County is eligible to apply for a maximum amount of \$80,000,000 in funding to expand the LDS Correctional Facility. The RFP timeline requires the application to be submitted by October 24, 2013 and the expected award notification is anticipated in January 2014. The Economic Development Agency and Sheriff's Department have jointly established a team to coordinate the funding application including the required preliminary project feasibility studies.

The expansion of jail beds is still the County's highest priority for capital improvement. The funding available under Senate Bill 1022 would assist in the goal of building new jail beds as quickly as possible. Senate Bill 1022 allows for construction of jail beds and program space focused on providing rehabilitative programming and services to the inmate population in order to reduce recidivism. In addition, the RFP gives priority preferences to counties with projects ready to move forward toward construction, i.e. those that have completed CEQA review.

The Economic Development Agency, Sheriff's Department, and other County partners continually assess all available funding resources to meet this public safety need. Per staff assessments,

The Honorable Board of Supervisors
Economic Development Agency
Larry D. Smith Correctional Facility Expansion No. 4
August 8, 2013
Page 3 of 3

Senate Bill 1022 funding is best suited to the County's correctional needs and offers a significant opportunity to secure State funding for a local jail construction project.

It is therefore recommended that the Board adopt the attached Resolution and authorize the established project team to take all necessary steps to submit a competitive application to the State Corrections Standards Authority.

Attachments:

Resolution No. 2013-214
Addendum No. 1 - Mitigated Negative Declaration
Notice of Determination

RF:LB:TM:CW:RB:tri/tv 12147 FM08250005601
S:\Project Management Office\FORM 11'S\Form 11's in Process\12147 - 005601 - Larry D Smith Correc Fac Exp No. 4-Adopt Resolution and Addendum No. 1 to MND_082013.doc

2
3 RESOLUTION NO. 2013-214

4 ADOPTING ADDENDUM NO. 1 TO THE PREVIOUSLY ADOPTED MITIGATED
5 NEGATIVE DECLARATION (ENVIRONMENTAL ASSESSMENT NO. 20063738) FOR
6 THE LARRY D. SMITH CORRECTIONAL FACILITY EXPANSION NO. 3 PROJECT
7 (SCH NO. 2007071030); APPROVING THE LARRY D. SMITH CORRECTIONAL
8 FACILITY EXPANSION NO. 4 PROJECT; AND AUTHORIZING THE ECONOMIC
9 DEVELOPMENT AGENCY TO PURSUE FUNDS FOR THE CONSTRUCTION OF THE
10 PROJECT THROUGH SENATE BILL 1022

11
12 **WHEREAS**, as the lead agency, the County of Riverside (“County”) prepared an initial
13 study/mitigated negative declaration (“IS/MND”) (Environmental Assessment No. 20063738) for the
14 Larry D. Smith Correctional Facility Expansion No. 3 Project (SCH No. 2007071030) in accordance
15 with the California Environmental Quality Act (Pub. Res. Code, § 21000 *et seq.* [“CEQA”]), the
16 implementing CEQA Guidelines (14 Cal. Code Regs., § 15000 *et seq.*), and the Riverside County
17 CEQA implementing procedures. The IS/MND, together with a mitigation monitoring and reporting
18 program (“MMRP”), was adopted by the Board of Supervisors on October 2, 2007, pursuant to
19 Minute Order 3.22. The IS/MND and MMRP is attached hereto as Exhibit “A” and fully incorporated
20 herein by reference. The project discussed and analyzed in the IS/MND was the Phase No. 3
21 Expansion of the existing Larry D. Smith Correctional Facility (“LDS Correctional Facility Expansion
22 No. 3 Project”) located in Banning, California. The LDS Correctional Facility Expansion No. 3
23 Project included the construction of three single-levels with mezzanine units all having two-man
24 cell/dayroom configurations capable of accommodating up to 582 inmates, bringing the current total
25 capacity of the facility to approximately 1,518 inmates; and

26 **WHEREAS**, since the adoption of the IS/MND, the County is still in need of additional space
27 to address the continued growing inmate population and in order to meet the minimum standards
28 required by laws, statutes and regulations. As a large county, the County is eligible pursuant to Senate

FORM APPROVED COUNTY COUNSEL
KARIN L. WATTS-BAZAN
DATE 8/14/13

1 Bill 1022 (“SB 1022”) to apply for a maximum amount of \$80,000,000 in funding to expand the LDS
2 Correctional Facility. The expansion of jail beds is the County’s highest priority for Capital
3 Improvement and the funding available under SB 1022 would assist in the goal of building new jail
4 beds as quickly as possible. Accordingly, the County desires to secure State funding through SB 1022
5 to proceed with construction of the proposed Larry D. Smith Correctional Facility Expansion No. 4
6 Project (“LDS Correctional Facility Expansion No. 4 Project”); and

7 **WHEREAS**, in connection with the proposed LDS Correctional Facility Expansion No. 4
8 Project, an addendum to the previously approved IS/MND (“Addendum”) has been prepared in order
9 to determine whether any significant impacts which were not identified in the previously approved
10 IS/MND would result or whether previously identified significant impacts would be substantially
11 more severe. The analysis contained in the Addendum concluded that no new significant impacts
12 upon the environment will occur. The Addendum is attached hereto as Exhibit “B” and fully
13 incorporated herein by reference. The IS/MND, the Addendum, together with the MMRP, shall be
14 referred to herein collectively as the “CEQA Documents”; and

15 **WHEREAS**, in connection with the County’s review of the Addendum, the Board of
16 Supervisors has independently reviewed all of the CEQA Documents and has exercised its
17 independent judgment in making the findings and determinations set forth herein; and

18 **WHEREAS**, in accordance with CEQA Guidelines section 15164(c), it is not necessary to
19 circulate the Addendum for public review, however, CEQA Guidelines section 15164(d) requires the
20 decision-making body to consider the Addendum and previously approved IS/MND prior to making a
21 decision on the LDS Correctional Facility Expansion No. 4 Project; and

22 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED**
23 by the Board of Supervisors of the County of Riverside, in regular session assembled on August 20,
24 2013, that:

25 A. The above recitations are true and constitute findings of the Board of Supervisors with
26 respect to the LDS Correctional Facility Expansion No. 4 Project; and,

27 B. The LDS Correctional Facility Expansion No. 4 Project will result in the addition of
28 approximately 582 new beds, bring the potential capacity of the facility to approximately 2,100

1 inmates. The housing will be new construction and built to house all inmate classification levels.
2 Adjacent support space will include programming and counseling space in the form of large and small
3 classrooms. A highly efficient housing unit plan will be utilized to meet the needs of the inmate
4 population and incorporates significant staff to inmate efficiencies. Separate from the housing units,
5 two new inmate training buildings will be built to provide hands on vocational training to the inmates.
6 Other necessary site construction will include a Central Plant facility to provide service to the new
7 construction. In addition, a new fuel station will be built to replace the existing fuel station which
8 must be demolished in order for the new construction to occur.

9 **BE IT FURTHER RESOLVED** that based upon a thorough review of the CEQA
10 Documents, the County Board of Supervisors has determined as follows:

11 (1) That the Addendum was prepared in compliance with the requirements of CEQA, the
12 CEQA Guidelines, and the Riverside County CEQA implementing procedures; and

13 (2) That, based upon the evidence submitted and as demonstrated by the analysis included
14 in the Addendum, none of the conditions described in Sections 15162 or 15163 of the CEQA
15 Guidelines calling for the preparation of a subsequent or supplemental EIR or negative declaration
16 have occurred.

17 **BE IT FURTHER RESOLVED** that, pursuant to the above findings, the Board of
18 Supervisors of Riverside County determines that the previously approved CEQA Documents, together
19 with the Addendum, are adequate for the LDS Correctional Facility Expansion No. 4 Project and serve
20 as the required environmental documentation to allow the Economic Development Agency to apply
21 for and obtain State funding through SB 1022 to pursue construction of the LDS Correctional Facility
22 Expansion No. 4 Project.

23 **BE IT FURTHER RESOLVED** that based upon the CEQA Documents and other materials
24 that constitute the entire Administrative Record before the Board, the Board of Supervisors approves
25 the Addendum.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of the CEQA
27 Documents shall be placed on file with the Clerk of the Board and in the Office of the Economic
28 Development Agency.

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BE IT FURTHER RESOLVED that the Board of Supervisors approves the LDS Correctional Facility Expansion No. 4 Project.

BE IT FURTHER RESOLVED that the Economic Development Agency is authorized and granted full authority to apply for and secure State funding through SB 1022 to pursue construction of the LDS Correctional Facility Expansion No. 4 Project, as SB 1022 funding is best suited to the County's correctional needs and offers a significant opportunity to secure State funding for a local jail construction project.

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



ADDENDUM NO. 1 – Larry D. Smith Correctional Facility Phase III Expansion Initial Study and Mitigated Negative Declaration

INTRODUCTION

On October 2, 2007, the Riverside County Board of Supervisor's adopted Motion Order No. 3.22 adopting the Mitigated Negative Declaration for the Larry D. Smith (LDS) Correctional Facility Phase III Expansion, located in the city of Banning, County of Riverside, California (figure 1). The Initial Study and Mitigated Negative Declaration evaluated the impacts of expanding the already existing LDS Correctional Facility with the construction of three single-level mezzanine units all having two-man cell/dayroom configurations capable of accommodating up to 582 inmates and would bring the total capacity of the correctional facility to approximately 1,518 inmates. Also, a central Heating Ventilation and Air Conditioning (HVAC) plant would be constructed as part of the expansion project.

The purpose of this addendum is to address the need for additional inmate space to expand the existing project site which is consistent with the original project build out since the Initial Study and Mitigated Negative Declaration was prepared in August 2007. This Addendum addresses the additional space needed and State funding required to expand the original project build out.

STATUTORY BACKGROUND

Under the California Environmental Quality Act (CEQA), an addendum to a certified Environmental Impact Report (EIR) or a Negative Declaration is needed if minor technical changes or modifications to the proposed project occur (CEQA Guidelines §15164). An addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts or a substantial increase in severity of previously identified significant impacts. The addendum need not be circulated for public review (CEQA Guidelines §15164[c]); however, an addendum is to be considered along by the decision-making body prior to making a decision on the project (CEQA Guidelines §15164[d]).

This Mitigated Negative Declaration Addendum demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the Larry D. Smith (LDS) Correctional Facility Phase III Expansion Mitigated Negative Declaration remain substantively unchanged by the situation described herein, and supports the finding that the proposed project does not raise any new issues and does not exceed the level of impacts identified in the previous Mitigated Negative Declaration.

EVALUATION OF MODIFICATION

The Initial Study and Mitigated Negative Declaration prepared in August 2007 evaluated the expansion of the LDS Correctional Facility with the construction of three single-level mezzanine units all having two-man cell/dayroom configurations capable of accommodating up to 582 inmates and would bring the total capacity of the correctional facility to approximately 1,518 inmates. Also, a central Heating Ventilation and Air Conditioning (HVAC) plant would be constructed as part of the expansion project.



Since the adoption of the IS/MND, Riverside County is still in need of additional space to address the continued growing inmate population and meet the minimum standards required by the California Code of Regulations, and the Memorandum of Understanding between the County of Riverside and the City of Banning. In order to meet this requirement, State funding is required for the original project build out of the already existing LDS Correctional Facility.

The proposed LDS Correctional Facility No. 4 Project will result in the addition of approximately 582 new beds. The housing will be new construction and built to house all inmate classification levels. Adjacent support space will include programming and counseling space in the form of large and small classrooms. A highly efficient housing unit plan will be utilized to meet the needs of the inmate population and incorporates significant staff to inmate efficiencies. Separate from the housing units, two new inmate training buildings will be built to provide hands on vocational training to the inmates. Other necessary site construction will include a Central Plant facility to provide service to the new construction. In addition, a new fuel station will be built to replace the existing fuel station which must be demolished in order for the new construction to occur. The proposed LDS Correctional Facility No. 4 Project is consistent with the original project build out of the site.

SUMMARY AND FINDINGS

In preparing this Addendum, all of the potential impacts identified on the CEQA "Environmental Checklist Form" were considered. For all impact areas, a preliminary review indicated that the proposed project is consistent with mitigation already identified in the Larry D. Smith (LDS) Correctional Facility Phase III Expansion Mitigated Negative Declaration.

In summary, the analysis concludes that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Negative Declaration have occurred, and thus an Addendum to the Larry D. Smith (LDS) Correctional Facility Phase III Expansion Mitigated Negative Declaration is appropriate to satisfy CEQA requirements for the proposed project.

APPLICABLE REPORTS IN CIRCULATION

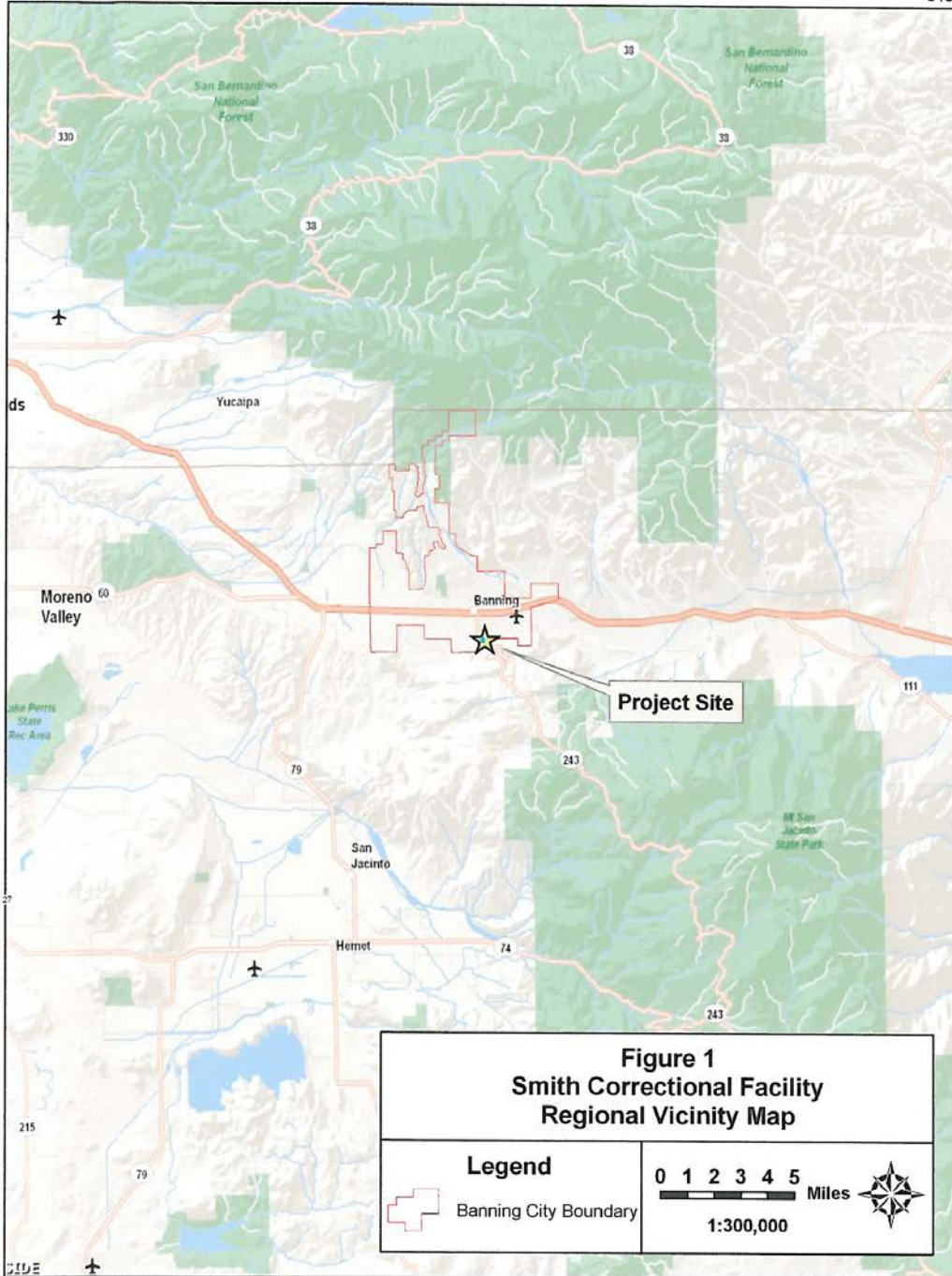
This addendum is written as an addition to the Larry D. Smith (LDS) Correctional Facility Phase III Expansion Mitigated Negative Declaration, certified October 2, 2007. A copy of this document is available for review at the Riverside County Economic Development Agency, 3403 10th Street, Suite 400, Riverside, CA 92501.



FIGURE 1 - PROJECT LOCATION MAP

Chambers Group, Inc.

8488



\\CGI-rdc1\8000e\8488 06-183 Smith Correctional Facility ISMND - Sub to ICFGIS\Vicinity Map.mxd
Sources: TigerData, ESRI



NOTICE OF AVAILABILITY / NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Larry D. Smith Correctional Facility Phase III Expansion

CEQA LEAD AGENCY AND CONTACT

Riverside County Department of Facilities Management
Claudia Steiding
Senior Environmental Planner
3133 Mission Inn Avenue
Riverside, CA 92507
(951) 955-8174

PROJECT PROPONENT

Riverside County Department of Facilities Management
Claudia Steiding
Senior Environmental Planner
3133 Mission Inn Avenue
Riverside, CA 92507
(951) 955-8174

PROPOSED FINDING

Based upon the information contained in the Initial Study, the Riverside County Department of Facilities Management finds that there would not be a significant effect to the environment because the mitigation measures would be incorporated as part of the project.

PROJECT DESCRIPTION

Riverside County is proposing to expand the Larry D. Smith Correctional Facility located near the City of Banning, Riverside County, California. The goal and objective of the Proposed Project is to address the growing inmate population in Riverside County and the need to meet the minimum standards required by the *California Code of Regulations*. The Riverside County Sheriff's Department has determined the need for additional bed space at Smith Correctional Facility.

The expansion project would include the construction of three single-level with mezzanine units all having two-man cell/dayroom configurations capable of accommodating up to 582 inmates and would bring the total capacity of the correctional facility to approximately 1,518 inmates. Currently there are 289 staff members. The expansion would require the addition of approximately 266 additional staff for a total of 555. A central HVAC plant would be constructed as part of the expansion project. The footprint of the expansion would be approximately 139,000 square feet.

Other facilities within the single-level unit include, staff offices, visiting rooms, dayrooms, and, on the main level of each unit, three enclosed recreation areas. The exterior of the proposed units would be different to the existing single-level units at the correctional facility (existing block walls versus tilt up concrete). The expansion site is located outside Banning city limits (APN 543-170-007) on property owned by the County of Riverside. There are no structures on this parcel. The expansion project is located immediately west of the existing correctional facility.

The project area also includes temporary construction staging areas (APNs. 543-160-006 and 543-140-022) north of Porter Street on County-owned property within Banning city limits. There are no structures on these parcels.

PROJECT LOCATION

The Proposed Project is located near the City of Banning, Riverside County, California at the base of the San Jacinto Mountains in the San Gorgonio Pass (as shown in Figure 1). The Proposed Project is located west of Hargrave Street and south of Porter Street.

PUBLIC HEARING

To be determined by the Lead Agency upon completion of the public review period.

DOCUMENT AVAILABILITY

The Initial Study/Mitigated Negative Declaration is available for review at the following locations:

City of Banning Library
21 W. Nicolet St.
Banning, CA 92220
(951) 849-3192

Riverside County
Department of Facilities
Management
3313 Mission Inn Avenue
Riverside, CA 92507
(951) 955-8174

Smith Correctional Facility
1627 S. Hargrave Street
Banning, CA 92220
(951) 922-7300

INITIAL STUDY PREPARED BY:

Chamber Group, Inc.
Lisa Sander, Ph.D.
Senior Environmental Planner
302 Brookside Avenue
Redlands, CA 92373
(909) 335-7068

FILING DATE:	July 9, 2007
PUBLIC REVIEW PERIOD:	July 10, 2007 to August 9, 2007
DATED:	July 6, 2007





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STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

August 8, 2007

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

Subject: Larry D. Smith Correctional Facility Phase III Expansion
SCH#: 2007071030

Dear Claudia Steiding:

The State Clearinghouse submitted the above named Negative Declaration 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 August 7, 2007, 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

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Comment letter 1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2007071030
Project Title Larry D. Smith Correctional Facility Phase III Expansion
Lead Agency Riverside County

Type Neg Negative Declaration
Description The proposed project would include the construction of three single-level with mezzanine units all having two-man cell/dayroom configurations capable of accommodating up to 582 inmates, bringing the capacity to 1,518 inmates. Expansion would require the addition of approximately 266 additional staff for a total of 555 staff. The footprint of the project would be 139,000 square feet.

Lead Agency Contact

Name Claudia Steiding
Agency County of Riverside Department of Facilities Management
Phone (951) 955-8174 **Fax**
email
Address 3133 Mission Inn Avenue
City Riverside **State** CA **Zip** 92507

Project Location

County Riverside
City Banning
Region
Cross Streets Hargrave / Porter Street
Parcel No. 543-170-007
Township 3S **Range** 1E **Section** 15 **Base** SBB&M

Proximity to:

Highways I-10
Airports
Railways
Waterways Smith Creek
Schools
Land Use Vacant Land / R-A / R-A

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

Reviewing Agencies Caltrans, District 8; California Highway Patrol; Department of Conservation; Department of Water Resources; Department of Fish and Game, Region 6; Department of Forestry and Fire Protection; Department of General Services; Office of Historic Preservation; Native American Heritage Commission; Department of Parks and Recreation; Regional Water Quality Control Board, Region 7; Resources Agency; Department of Toxic Substances Control

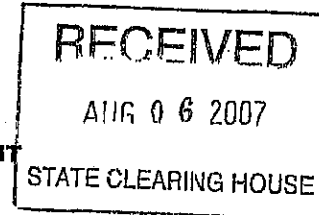
Date Received 07/09/2007 **Start of Review** 07/09/2007 **End of Review** 08/07/2007

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



July 24, 2007



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Ms. Claudia Steiding, Senior Environmental Planner

COUNTY OF RIVERSIDE DEPARTMENT OF FACILITIES MANAGEMENT
 3133 Mission Inn Avenue
 Riverside, CA 92507

Re: SCH#2007071030: CEQA Notice of Completion: Negative Declaration for Larry D. Smith Correctional Facility Phase III Expansion Project: County of Riverside Department of Facilities Management, Riverside County, California

Dear Ms. Steiding:

Thank you for the opportunity to comment on the above-referenced document. The Native American Heritage Commission is the state's Trustee Agency for 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 CEQA guidelines § 15064.5(b)(c). 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. 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). 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/1068/files/IC%20Roster.pdf> 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:
- * A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity that may have additional cultural resource information. Please provide this office with the following citation format to assist with the Sacred Lands File search request: USGS 7.5-minute quadrangle citation with name, township, range and section.
 - The NAHC advises the use of Native American Monitors 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).
- √ 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.
 - 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

comment letter 2

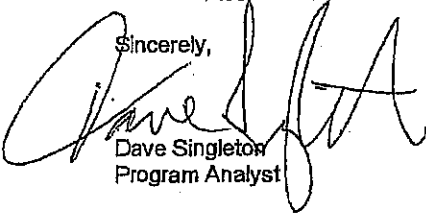
NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens.

√ Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the CEQA Guidelines mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in § 15370 of the CEQA Guidelines, when significant cultural resources are discovered during the course of project planning.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton". The signature is stylized and cursive, written over the typed name and title.

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: List of Native American Contacts

980 E. Tahquitz, Suite C
Palm Springs, CA 92262

FAX TRANSMITTAL COVER SHEET

To: Claudia Steiding, Sr. Environmentalist Planner, Riverside County Dept of Facilities Mngt FAX #: 951)955-4890

Date: August 08, 2007

Number of Pages (including cover sheet): 2

From: M. Denney, ~~Revenue~~ Officer

Identification Number: 33-05309

FAX: 760 322-0892

Voice: (760)322-1010X122

Message: I am sending additional comments regarding the Larry Smith Facility which should be attached to the letter I previously mailed to your office. This, at least, provides me with some confirmation that your department has a written response from Marsha Denney, owner of 248 E.Wesley, Banning, CA 92220. My work phone # 760322-1010X122-until 9/28/07.
My home phone # 951849-7912

I spoke with Lisa Sander last week who informed me all letters of inquiry were merely placed in a file until August 9th. It is my understanding the review period runs from July 10, 2007 to (and including) August 9th.

Again, these are my concerns: My real property devaluation. State law requires real estate sellers to disclose specific items peculiar to a property-this will include disclosing the proximity of a prison in the back yard.

This disclosure will make selling my home more difficult in an already difficult market.

This facility enlargement begins just as I am planning to retire.

CONFIDENTIALITY NOTICE

This communication is intended for the sole use of the individual to whom it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient or the employee or agent for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication may be strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone (collect if necessary), and return the communication to the address above via the United States Postal Service. Thank you.

Comment letter 3

Part of my retirement plan is to maximize my home equity for purposes of retirement subsidy & relocation-which until now was an option. The option is gone as I do not choose to live out my later years worrying about a prison breakout. You may say this is preposterous-it is not, evidenced by my neighbor having two inmates inside her home a few years ago. That says it all.

The increased staff plus inmates will create an increase of, at least, 1200 cars on these streets over the weekends -staff & visitors. The increase prison population will cause additional helicopters, police cars up & down the neighborhood, noise, light pollution,etc.

Our family has owned this property all of my life-purchased in the 1940s and 1950s and on a government pension I am not able to move within California without my homes full value. Furthermore, I should not have to feel like I have to move-but I do. Riverside County is responsible for this, especially when these homes were identified by your planners and ignored. All of the homeowners on the directly affected south side of Wesley Street, except one, are occupied by single women--how safe do you think we feel? Not. I know this is a "Stagecoach Town", however, I am not a gun owner. If I were to stay in this home I would feel the need to purchase a gun and then have instruction so as not to shoot my own foot. This may seem funny, but it is not. This is scary, I do not feel I can remain in this house or neighborhood and I expect compensation from Riverside County for forcing this on me.

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Riverside County Dept of Facilities Management
Claudia Steiding, Sr. Environmental Planner
3133 Mission Inn Avenue
Riverside, Ca 92507

July 18, 2007

Dear Claudia Steiding:

I have received your Notice of Availability/Notice of Intent to Adopt a Negative Declaration in regard to the Larry Smith Correctional Facility. I am one of the property owners on the south side of Wesley Street in Banning. I am a positively affected property owner-in a negative way. I am responding to your Notice with my concerns.

While I can appreciate the need for inmate housing I do not appreciate the expected devaluation of my home. This is one impact to the neighborhood which your study decides to ignore.

I was once employed by Riverside county and am now retiring from a federal government job just in time for my retirement to be wholly impacted by this prison. My family has owned these parcels of land and lived on Wesley Street continually for over 60 years. Our family has a history of house swapping on Wesley Street. It's jokingly known as our families neighborhood. In the last ten years I purchased a home on Wesley from my sister, then sold it back to the original builder in favor of moving to my mother's home two doors up the street. My parents had the same habits. They moved around (as I did with them) in several of these homes. To give you some idea of how long we have been here I still recall our first phone number when I was a child on this street-Victor 9-2562. That's how long we have been here. I recently moved from 330 Wesley to 246 Wesley for two reasons-my mother passed away and the house was available and I thought it wise to move away from the "road camp". The prison is now coming west too.

My retirement choices are now stay in this home and lose any feeling of safety or move off the street. This was not in my retirement planning and I can not afford to move anywhere in the state of California-I've looked all over the state for comparable prices. It is now impossible to replace my home, with the acre, for the same purchase price. My government retirement also limits my financial ability. I am either stuck next to a prison or forced to take a large loss on my property in order to sell it. That is not fair.

These are my current concerns:

1. A prison in the back yard- the loss of my personal safety and solitude.
2. The noise associated with the additional traffic-visitors, police units, helicopters overhead, etc.
3. Additional light pollution
4. The loss of our buffer zone-I presently enjoy a beautiful and unobstructed view of the mountain knowing that in an expanding California no one could build between my home and the mountain because my aunt owns the property. It's also a riverbed, our families play ground where we walk our dogs and train our horses. I don't know that we can comfortably continue to walk adjacent to a prison wall.
5. The devaluation of my property AND/OR the inability to sell it period-in this California real estate market who could have planned for that?

I now hear that some of the neighbors are considering selling land to the county for the prison. So, some residents might be pleased and rewarded while the rest of us are ignored? Neither my nor Maria Mathey's property is on the prison fence however we are both affected by inverse condemnation.

I expect compensation for my property devaluation. I have communicated with The Institute for Justice and have a relative who negotiates inverse condemnation issues for the State of California. I am told I am due compensation.

COMMENT LETTER 4

Riverside County needs to consider compensation for my anticipated property devaluation. This is a decided encroachment on a quiet and tranquil neighborhood of single family homes. I see in the Supervisors and Sheriffs minutes that this neighborhood was identified as a residential area and the County Sheriff and Board of Supervisors chose to ignore this fact. I also spoke with the Assistant Sheriff who just shrugged her shoulders when I asked her about my property devaluation. Apparently the Riverside County Board of Supervisors do not care about this neighborhood, but I do. Throughout my life I have lived in four of the five houses on the west end of Wesley. This street has been my home for many years. Finally, just as I am retiring, I have to live next to a maximum security prison or try to find another comparable home which I can't, quite frankly, afford. I expect to be compensated by Riverside County for inverse condemnation.

Sincerely,

A handwritten signature in cursive script that reads "Marsha Denney". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Marsha Denney
246 E. Wesley
Banning, Ca 92220
(951) 829-7912

Letter of Protest

July 17, 2007

To: Lisa Sanders, Ph.D.
Senior Environmental Planner
302 Brookside Avenue
Redlands, Ca. 92373

CC:
Riverside County Department of Facilities Management
Claudia Steiding
Senior Environmental Planner
3133 Mission Inn Ave
Riverside, Ca. 92507

Dear Ms. Sanders,

I live at 270 Wesley Street in Banning California. I am writing this letter in regards to the proposed expansion of the Larry D. Smith Facility. I have enclosed a copy of a letter sent to Supervisor Marion Ashley's office in March of this year. The Supervisors Administrative Assistant Jamie called and promised that the facilities manager would call me right away in regards to my concerns. That never happened and after laying my husband to rest yesterday I want you to know I am even more in protest of the expansion, and you should know my husband passed away worried about the impending expansion. A report for negative impact to human life forms should be reported as: The expansion of the Larry D. Smith Facility Expansion will:

1. Compromises the safety to local residents
2. Poses considerable fear and stress in near by human life form- upsetting the eco-system of humans.
3. Will create noise, lights, traffic, disturbance to the human environment.
4. Invades the level of privacy to nearby human environment.
5. Depreciates the neighborhood
6. Has already caused several homes to list on the market - Flight of humans
7. Has already impacted the value of homes affecting the overall well being of people.
8. Violates common sense and moral ethics by punishing the law-abiding citizens who support them selves and pay taxes and rewards the criminals with a new facility in a nice neighborhood.
9. Contradicts the entire ethics of redevelopment for city improvements, building better communities, safe neighborhoods, and raising the standards of Banning.
10. Directly dumps prisoners who serve time and are released onto city streets, as it stands now they dump prisoners off in front of City Hall and if they tell you otherwise its a lie, when the population increases they will have to drop them off in several places when they are released.
11. Raises the potential level of burglary & crime - could have a substantial increase of insurance fees and protection fees directly affecting the budget of homeowners.

It's a darn shame that the City of Banning sold - out their intire town for a few hundred thousand dollars of revenue a year. The entire town of Banning should be protesting and voting any Mayor or Councilmembers out of office for approving the ruination of so many good residents happiness, peace of mind, and financial circumstances. Already homes are not selling, listing prices have falling more than the market standard. Further more the employees of the prison go in racing down this

Letter of Protest

street because they are late or hate their job, when they leave they go even faster. Orange Jump suites have even been found in the bushes close to this area. Builders will pull out, homes will not sell properties will become rentals or go into foreclosure, relatives of offenders will locate closer to the prison (many more dysfunctional people will move to the area) crime will go up, drug deals and manufacturing will increase.

Directly affecting me will be the tail end of the facility practically in my back yard, my ability to relax and enjoy the view of the mountain while I swim and garden. At this point I envision that I will have to purchase a gun for protection to wear in my back yard when I go out to the garage, and chicken coop. Thanks a lot to everyone who approved this deal, my late husband and I never thought that I would have to start over at age 50. I think a survey should be taken to see how many of the people responsible for approving this slaughter of the human environment are living on Wesley street or the adjoining streets. If they lived on this street I could bet it would not have been voted in. There's something wrong here when a kangaroo rat, spotted owl and tumble weeds have more rights and more people. You can bet that if this was going to affect the K-rat it would have made the national and local news, our local officials would have campaigned to save the environment residents would be up in arms with protest signs to save the environment. But apparently nobody cares about people. Additionally even if I decided to leave and take a \$200,000 loss in sale as soon as we disclosed the Maximum Security Prison and proposed reverse 911 call in the event of an emergency, the buyers will get scared and back out. What are they thinking will they call us and have us go into police custody because someone has escaped, because the prison is rioting in my back yard?

Furthermore one of the last conversations I had with my husband was about after he was gone, he wanted me to stay here and look around, remember the fun times we had together, see the new kitchen cabinets he installed, the tile work, the yard work, the room he built. He said we had a lot of good memories here and that he was leaving me set-up for life in this place. How appaulingly awful of everyone involved to do this to me, and to each and every other person on this street who all have similar reasons and concerns for protesting this expansion. Each and every person involved in the approval of this project needs to come off their pedestal and place themselves in our positions and see how safe they would feel, see if they are willing to take the depreciation on their property, see how they like hearing the prison noise, seeing the prison lights, wall wire and gun towers.

Thank you for your time, if you need to contact me I can be reached at 951-922-3694 or 951-943-6603

Sincerely,

Maria Mathey, Home Owner

Maria Stewart

From: "Maria Stewart" <MStewart@cityofperris.org>
To: <jhurtado@rcbos.org>
Cc: <Maria_949@msn.com>
Sent: Thursday, March 01, 2007 10:51 AM
Subject: My Home on Wesley Street Banning ca.

Hi Jaime, sorry to just be getting back to you, regarding my concerns, we have met do you remember me from Relay for Life and here at the City of Perris. Anyway as you know I am very busy at work and very busy with doctor's appointments as my husband is very ill and has under a year to live. Keep us in heart so that we could have a miracle and have more time together he is only 57yrs old and worked here at the City of Perris for 22 years before her retired 1year ago.

Anyway my neighbors have been going to the meetings regarding the plans for the expansion for the Prison facility down the street from my home. To date other than some apology letters regarding the plans to exercise eminent domain and condemnation of land, we do not know what is going on. First of all you can imagine that not a single person on the street and there is a lot of us most of them (Allen descendants) welcome the facilities plans to become a max security facility and to add 600 more prisoners. Think of how you would react if your City sold your side of town down the river.

We want to see the plans on paper, to know exactly how it will impact the street and surrounding area and nobody has responded to that request. My neighbors asked me to see if we could find out the exact plans and lay out for the expansion. (We prefer that it is not in our neighborhood but it dose not look like we have any say in the decision since it's a done deal.

My concern is that I have worked so hard all my life to set my self up and made such good investments only to loose this home and investment at age 50 and for my husband James Mathey it's even more upsetting. Since I will be living alone soon I don't know if I want to stay with the prison in sight and the thought of the added danger and traffic to our quiet rural neighborhood, and if I wait to sell my home I may not be able to get the price to replace my 4bedroom 2bath Queen Ann High basement Historic Home. In fact I probably won't get the real value now since the Prison plans will have to be disclosed and since all the publicity has come up.

Attached is a description of the property 270 Wesley Street
The North 212.00 feet of the West 267.00 feet of lot 82 of Banning Colony Lands, as shown by map on file in book 3 pages 149 of Maps, Records of San Diego County, California. Except the west 185 feet (easement from Georgia Craig)

See what you can do for us we want to know exactly what changes are being made through construction and roads and so on and since this is impacting us all too some degree it seems only right to work with the neighborhood. If you want to come and view my home and the wonderful view of horses and Idywild Mountain you are very welcome.

Thanks for your time Jamie, please contact me at work 943-6603 or at home 922-3694 or by my email at home: maria_949@msn.com My email at home is best for emailing thank you! PS I lost your cell number

7/17/2007



NOTICE OF AVAILABILITY / NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Larry D. Smith Correctional Facility Phase III Expansion

CEQA LEAD AGENCY AND CONTACT

Riverside County Department of Facilities Management
Claudia Steiding
Senior Environmental Planner
3133 Mission Inn Avenue
Riverside, CA 92507
(951) 955-8174

FILED
RIVERSIDE COUNTY

JUL 09 2007

By *M. Meyer* M. Meyer
Deputy

PROJECT PROPONENT

Riverside County Department of Facilities Management
Claudia Steiding
Senior Environmental Planner
3133 Mission Inn Avenue
Riverside, CA 92507
(951) 955-8174

PROPOSED FINDING

Based upon the information contained in the Initial Study, the Riverside County Department of Facilities Management finds that there would not be a significant effect to the environment because the mitigation measures would be incorporated as part of the project.

PROJECT DESCRIPTION

Riverside County is proposing to expand the Larry D. Smith Correctional Facility located near the City of Banning, Riverside County, California. The goal and objective of the Proposed Project is to address the growing inmate population in Riverside County and the need to meet the minimum standards required by the *California Code of Regulations*. The Riverside County Sheriff's Department has determined the need for additional bed space at Smith Correctional Facility.

The expansion project would include the construction of three single-level with mezzanine units all having two-man cell/dayroom configurations capable of accommodating up to 582 inmates and would bring the total capacity of the correctional facility to approximately 1,518 inmates. Currently there are 289 staff members. The expansion would require the addition of approximately 266 additional staff for a total of 555. A central HVAC plant would be constructed as part of the expansion project. The footprint of the expansion would be approximately 139,000 square feet.

Other facilities within the single-level unit include, staff offices, visiting rooms, dayrooms, and, on the main level of each unit, three enclosed recreation areas. The exterior of the proposed units would be different to the existing single-level units at the correctional facility (existing block walls versus tilt up concrete). The expansion site is located outside Banning city limits (APN 543-170-007) on property owned by the County of Riverside. There are no structures on this parcel. The expansion project is located immediately west of the existing correctional facility.

COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (E.A.) Number: EA 20063738
Project Case Type (s) and Number(s): Larry D. Smith Correctional Facility Phase III Expansion
Lead Agency Name: Department of Facilities Management
Address: 3133 Mission Inn Ave, Riverside, CA 92507
Contact Person: Claudia Steiding, Senior Environmental Planner
Telephone Number: (951) 955-8174

I. PROJECT INFORMATION

A. Project Description:

Riverside County is proposing to expand the Larry D. Smith Correctional Facility located near the City of Banning, Riverside County, California at the base of the San Jacinto Mountains in the San Gorgonio Pass (see Figures 1 and 2). The Proposed Project addresses the growing inmate population in Riverside County and the need to meet the minimum standards required by the *California Code of Regulations*. The Riverside County Sheriff's Department has determined the need for additional bed space at Smith Correctional Facility.

The expansion project would include the construction of three single-level with mezzanine units all having two-man cell/dayroom configurations capable of accommodating up to 582 inmates and would bring the total capacity of the correctional facility to approximately 1,518 inmates. Currently there are 289 staff members. The expansion would require the addition of approximately 266 additional staff for a total of 555. A central HVAC plant would be constructed as part of the expansion project. The footprint of the expansion would be approximately 139,000 square feet (see Figure 3).

Other facilities within the single-level unit include, staff offices, visiting rooms, dayrooms, and, on the main level of each unit, three enclosed recreation areas. The exterior of the proposed units would be different to the existing single-level units at the correctional facility (existing block walls versus tilt up concrete). The expansion site is located outside Banning city limits (APN 543-170-007) on property owned by the County of Riverside. There are no structures on this parcel. The expansion project is located immediately west of the existing correctional facility.

The project area also includes temporary construction staging areas (APNs 543-160-006 and 543-140-022) north of Porter Street on County-owned property within Banning city limits. There are no structures on these parcels.

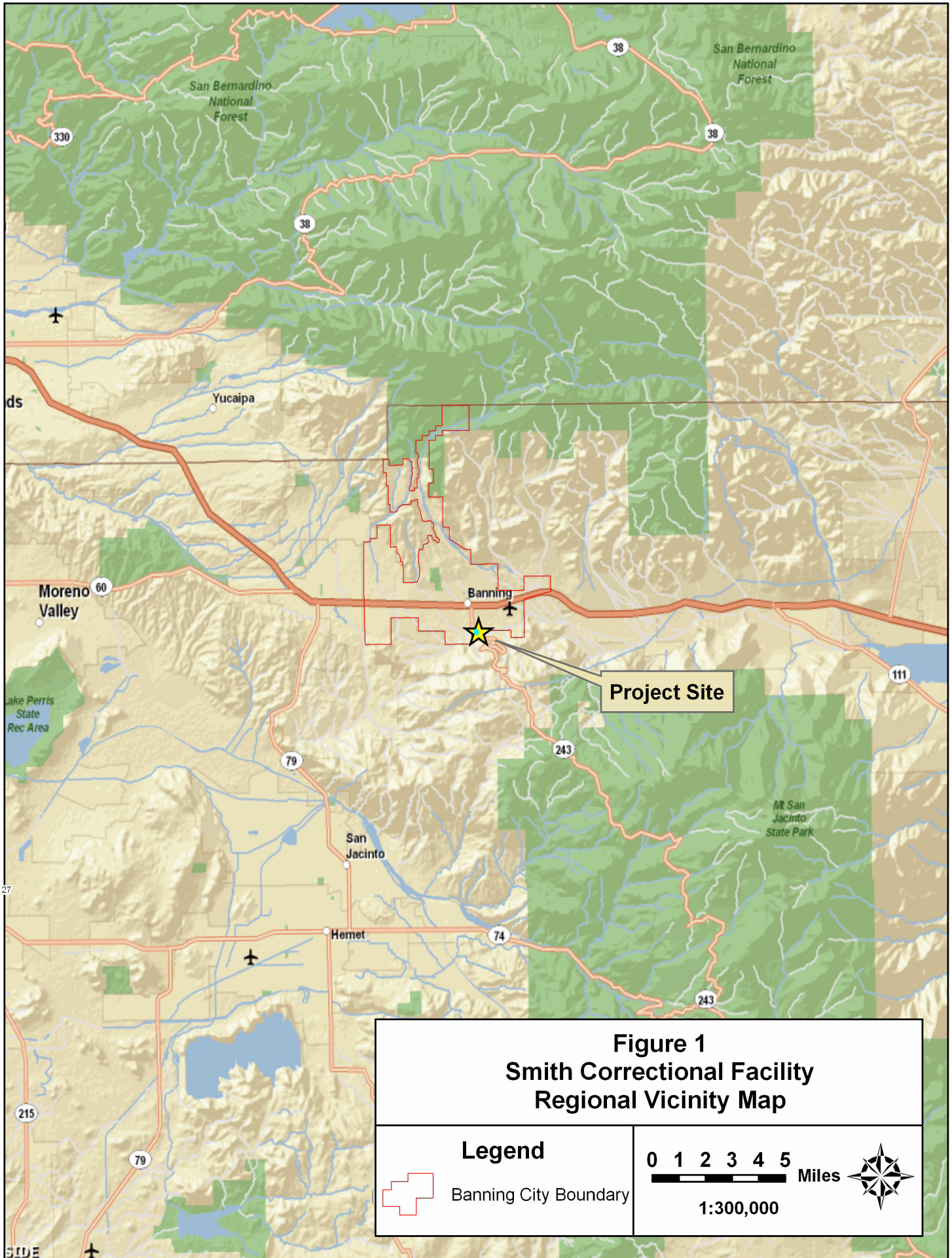
B. Type of Project: Site Specific ; Countywide ; Community ; Policy .

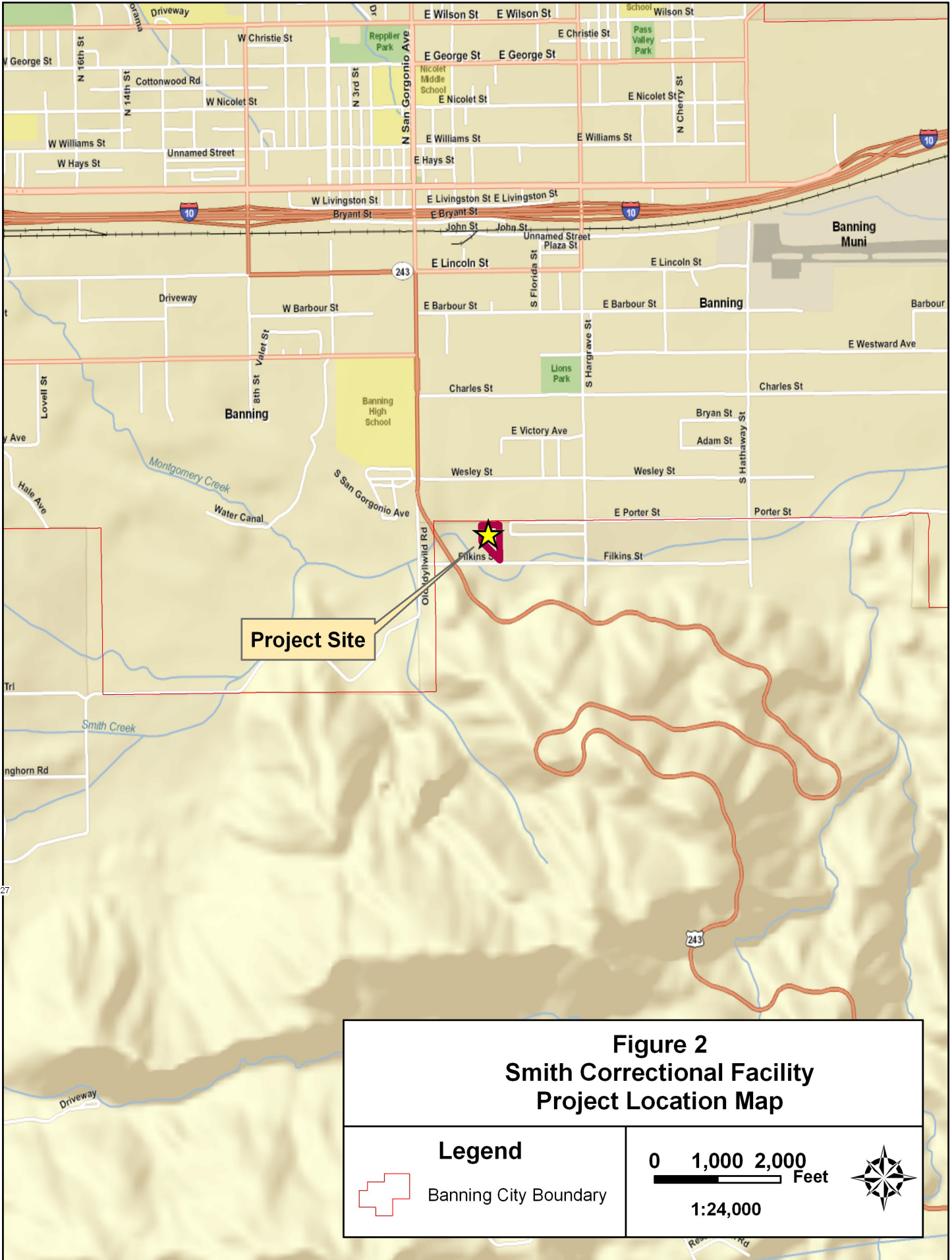
C. Total Project Area: 12.25 acres

Residential Acres: 12.25	Lots: 3	Units: 3	Projected No. of Residents: 582
Commercial Acres:	Lots:	Sq. Ft. of Bldg. Area: 139,000 sq. ft.	Est. No. of Employees: 266
Industrial Acres:	Lots:	Sq. Ft. of Bldg. Area:	Est. No. of Employees:
Other:			

D. Assessor's Parcel No(s): 543-170-007, 543-160-006, 543-140-022



E. Street References: The Proposed Project is located west of Hargrave Street and south of Porter Street.

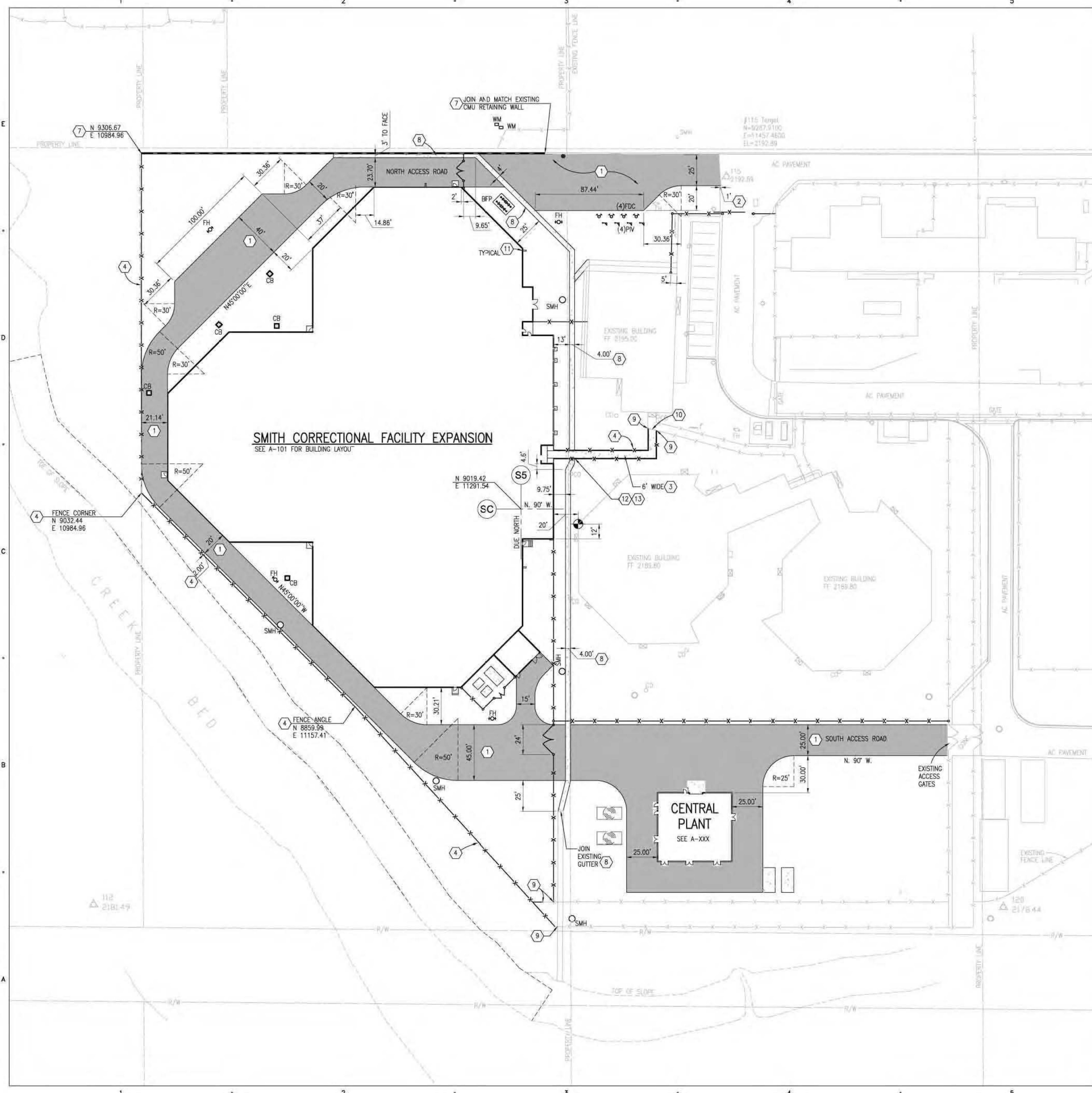




Project Site

Figure 2
Smith Correctional Facility
Project Location Map

<p>Legend</p> <p> Banning City Boundary</p>	<p>0 1,000 2,000 Feet</p> <p>1:24,000</p> 
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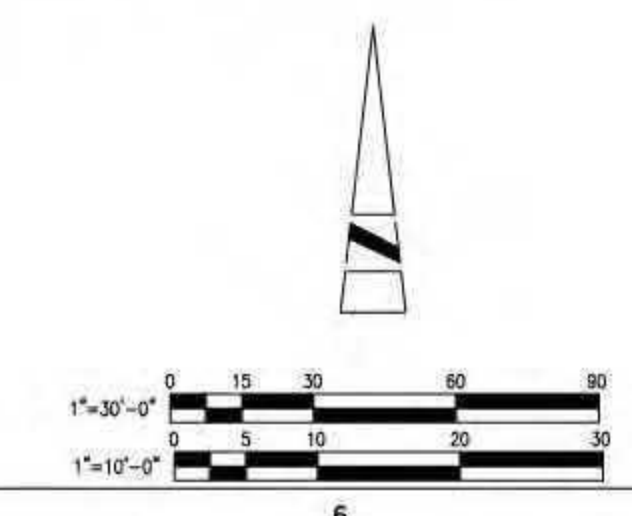


KEY CONSTRUCTION NOTES:

- ① AC PAVEMENT. SEE DETAIL $\frac{1}{C901}$
- ② SAWCUT AND JOIN EXISTING AC PAVEMENT. SEE DETAIL $\frac{2}{C901}$
- ③ CONCRETE SIDEWALK. SEE DETAIL $\frac{5}{C901}$
- ④ CHAIN LINK FENCE. SEE DETAIL $\frac{X}{C901}$
- ⑤ VEHICLE ACCESS GATE. SEE DETAIL $\frac{X}{C901}$
- ⑥ PERSONNEL ACCESS GATE. SEE DETAIL $\frac{X}{C901}$
- ⑦ CMU RETAINING WALL. SEE DETAIL $\frac{X}{C901}$
- ⑧ CONCRETE CROSS GUTTER. SEE DETAIL $\frac{3}{C901}$
- ⑨ JOIN AND MATCH EXISTING CHAIN LINK FENCE
- ⑩ JOIN AND MATCH EXISTING CONCRETE SIDEWALK
- ⑪ CONCRETE DOWNSPOUT CHANNEL. SEE DETAIL $\frac{4}{C901}$
- ⑫ CONCRETE SIDEWALK CULVERT. SEE DETAIL $\frac{6}{C901}$
- ⑬ CONCRETE CURB WALL. SEE DETAIL $\frac{9}{C901}$

NOTES:

- 1. SEE DRAWING C001 FOR CIVIL LEGEND, ABBREVIATIONS AND GENERAL NOTES.
- 2. SEE ELECTRICAL DRAWINGS FOR SITE LIGHTING.



REGISTRATION

NOT FOR CONSTRUCTION OR RECORDING

ISSUE

MARK	DATE	DESCRIPTION
03/29/07	03/29/07	SCHEMATIC DESIGN

PROJECT NO: 60022895
DRAWN BY: J.Wheat
CHECKED BY:

KEY PLAN

SHEET TITLE
HORIZONTAL CONTROL SITE PLAN

F. Section, Township & Range Description or reference/attach a Legal Description: T3SR1E
Sec 15

G. Brief description of the existing environmental setting of the project site and its surroundings: The Proposed Project site is located at the base of the foothills of San Jacinto Mountains in the San Gorgonio Pass. The site is located on a terrace in the flood plain of Smith Creek at an elevation of approximately 2,200 feet above sea level. The site is relatively planar and slopes to the southwest. Soils at the site consist of fine-grained alluvium with little gravel or cobble at the surface. The site is bounded to the north by a vacant field, to the east by existing correctional facility buildings, and to the south and southwest by Smith Creek. There are also several residences located north of the project site along Wesley Street. The Proposed Project is located approximately 700 feet south of Wesley Street, 1,300 feet west of Hargrave Street, and 800 feet east of Highway 243 (Figure 4).

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. **Land Use:** The Proposed Project would not require a change in zoning and is consistent with the character of existing land uses in the vicinity.
2. **Circulation:** The Proposed Project meets with all applicable circulation policies of the Riverside County General Plan.
3. **Multipurpose Open Space:** The Proposed Project meets all applicable Multipurpose Open Space element policies.
4. **Safety:** The Proposed Project site is located in a hazardous fire area and within 100-year flood zone. Construction of the Proposed Project would be completed in compliance with the Uniform Building Code to address any potential seismic hazard. The Proposed Project has allowed for the sufficient provision of emergency response services.
5. **Noise:** The Proposed Project meets all applicable Noise element policies.
6. **Housing:** The Proposed Project meets with all applicable Housing element policies.
7. **Air Quality:** The Proposed Project contains measures to control fugitive dust during construction activities. The Proposed Project meets all other applicable Air Quality element policies.

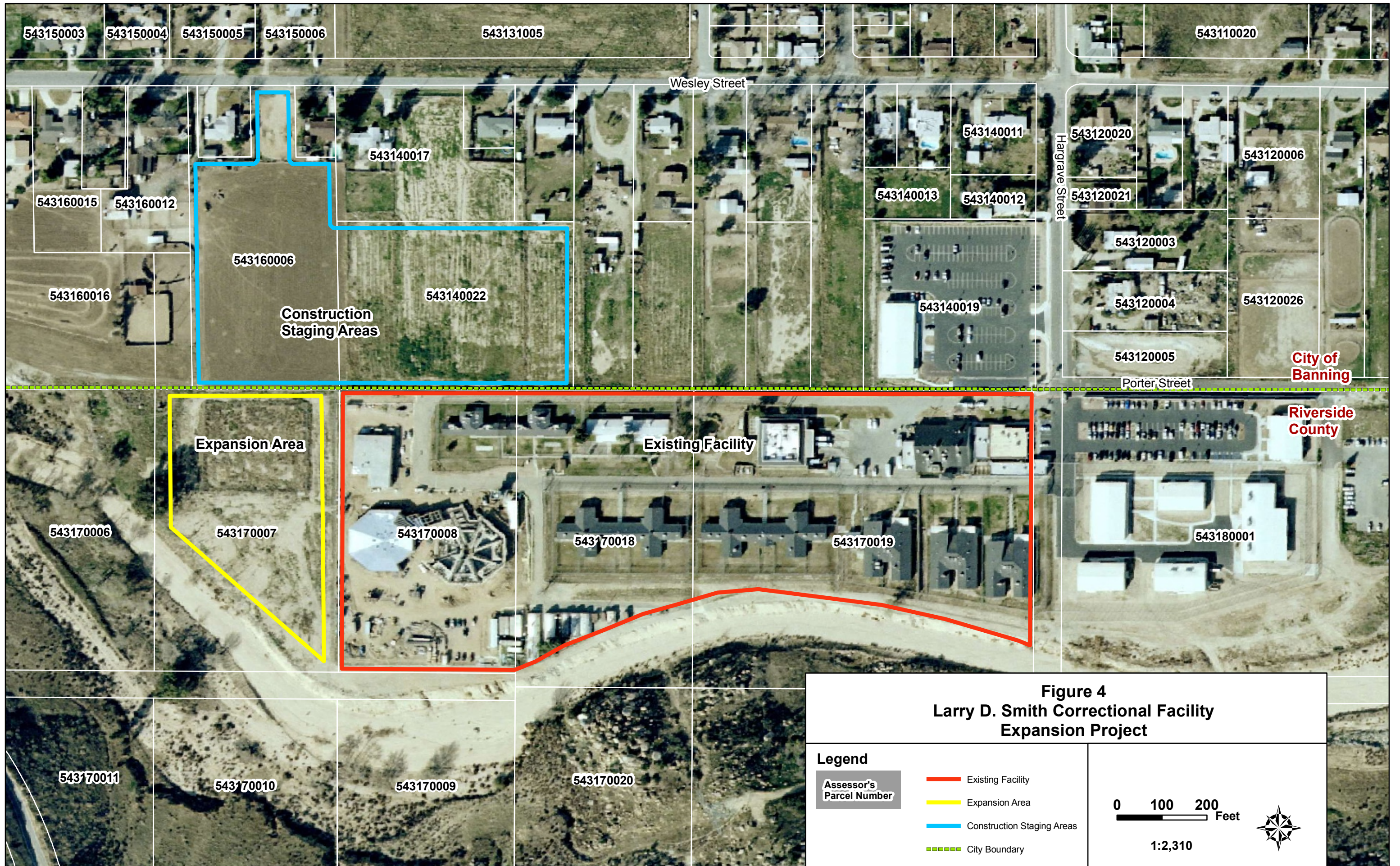
B. General Plan Area Plan(s): The Pass Area Plan

C. Foundation Component(s): N/A

D. Land Use Designation(s): Rural-Residential, Regulated Development Area (R-R, R-D)

E. Overlay(s), if any: N/A

F. Policy Area(s), if any: N/A



G. Adjacent and Surrounding Area Plan(s), Foundation Component(s), Land Use Designation(s), and Overlay(s) and Policy Area(s), if any: The Pass Area Plan, Rural-Residential, Regulated Development Area

H. Adopted Specific Plan Information

- 1. **Name and Number of Specific Plan, if any:** N/A
- 2. **Specific Plan Planning Area, and Policies, if any:** N/A

I. Existing Zoning: R-A (Residential-Agriculture)

J. Proposed Zoning, if any: N/A

K. Adjacent and Surrounding Zoning: R-A (Residential-Agriculture)

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (x) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture Resources | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Other |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

IV. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED

- I find that the Proposed Project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the Proposed Project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED

- I find that although the Proposed Project could have a significant effect on the environment **NOTHING FURTHER IS REQUIRED** because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the Proposed Project.
- I find that although all potentially significant effects have been adequately analyzed in an earlier

EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Section 15162 exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following:(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.

Claudia Steiding 7/3/07
Signature Date

Claudia Steiding
Senior Environmental Planner
County of Riverside
Department of Facilities Management

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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V. ENVIRONMENTAL ISSUES ASSESSMENT

In accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21178.1), this Initial Study has been prepared to analyze the Proposed Project to determine any potential significant impacts upon the environment that would result from construction and implementation of the project. In accordance with California Code of Regulations, Section 15063, this Initial Study is a preliminary analysis prepared by the Lead Agency, the County of Riverside, in consultation with other jurisdictional agencies, to determine whether a Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report is required for the Proposed Project. The purpose of this Initial Study is to inform the decision-makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the Proposed Project.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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AESTHETICS Would the project

1. Scenic Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Have a substantial effect upon a scenic highway corridor within which it is located?				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure C-7 "Scenic Highways"; ICF

Findings of Fact: a) The Proposed Project site is located north and northeast of Highway 243, a Designated State Scenic Highway. The Proposed Project would be of comparable size and character to other structures found in the surrounding project area. Impacts are considered less than significant.

b) The project site is located approximately 0.25 miles from the base of the San Jacinto Mountains near the Banning City limit. The design of the proposed single-level units would resemble in size, shape, and height the existing correctional facility housing units adjacent to the project site and would not damage scenic resources. The proposed expansion units would contain a main-level with mezzanine; therefore, the Proposed Project would not obstruct any prominent scenic vista or view open to the public or create an aesthetically offensive site open to public view. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

2. Mt. Palomar Observatory	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655 ?				

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: GIS database, Ord. No. 655 (Regulating Light Pollution); RCIP

Findings of Fact: a) The Proposed Project is approximately 38 miles from Mt. Palomar Observatory. According to the RCIP, the project site is located within the 45-mile (Zone B) Special Lighting Area that surrounds Mt. Palomar Observatory. Ordinance No. 655 contains approved materials and methods of installation, definition, general requirements, requirements for lamp source and shielding, prohibitions, and exceptions. The Proposed Project would adhere to the lighting requirements of Riverside County Ordinance No. 655. Therefore, impacts from nighttime lighting would be less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

3. Other Lighting Issues

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

b) Expose residential property to unacceptable light levels?

Source: ICF; RCIP

Findings of Fact: a) The Proposed Project would introduce additional sources of nighttime light and glare into the area from security and outdoor lighting on the units. Using hoods and other design features on light fixtures within the Proposed Project can reduce spill of light onto surrounding properties. Inclusion of these design features in the project is addressed through standard County conditions of approval and permitting procedures. Impacts associated with glare will be reduced to below the level of significance.

b) The residential units on the adjacent properties are located on Wesley Street north of the Proposed Project site. The residential units are approximately 0.15 mile from the proposed expansion units. The distance of the residential units and the use of hoods and other project design features per County standards would reduce light spill. Therefore, impacts from lighting to the surrounding residential uses are considered to be less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

AGRICULTURE RESOURCES Would the project

4. Agriculture

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
non-agricultural use?				
b) Conflict with existing agricultural use, or a Williamson Act (agricultural preserve) contract (Riv. Co. Agricultural Land Conservation Contract Maps)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure OS-2 "Agricultural Resources"; RCIP; RCLIS

Findings of Fact: a) According to the Riverside County General Plan, the Proposed Project site is not designated as a Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. According to the Riverside County Land Information System, the project area is designated as Farmland of Local Importance. The project site, however, is vacant and not currently used for agriculture. The southwestern portion of the project area is designated as grazing land. No impact would occur.

b) The project site is zoned R-A (Residential-Agriculture) and is not in a Williamson Act contract. No impact would occur.

c) The Proposed Project is in a residential area and would not cause development of non-agricultural uses within 300 feet of land zoned for primarily agricultural purposes.

d) The project site is on land owned by the County of Riverside and is surrounded by pre-existing facilities and a combination of rural residential and vacant parcels. The project site is not listed as Farmland (see 4a); therefore, the Proposed Project would not result in conversion of Farmland to non-agricultural uses. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

AIR QUALITY Would the project				
5. Air Quality Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: SCAQMD CEQA Air Quality Handbook Table 6-2; ICF; SCAQMD

Findings of Fact: a) The project site lies in the South Coast Air Basin, a region under jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Proposed Project would not conflict or obstruct implementation of the Basin's Air Quality Management Plan. Construction and operational emissions from the Proposed Project fall below the significance level (see 5 b-c).

b-c) The Clean Air Act as amended {40 CFR Part 50} sets National Ambient Air Quality Standards (NAAQS) for six criteria pollutants: lead, particulate matter (PM), ozone (O₃), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), and carbon monoxide (CO). In addition, California has established ambient air quality standards for three other criteria pollutants: hydrogen sulfide (H₂S), sulfates, and visibility reducing particles (VRP). The California Environmental Quality Act (CEQA) {PRC § 21000 *et seq.*} requires consideration of all potential adverse environmental impacts of a project, along with alternatives and mitigation measures to eliminate or lessen those impacts. Air quality management is coordinated generally by the Air Resources Board with the assistance of local air districts.

The project site lies in the South Coast Air Basin, a region (1) under jurisdiction of the South Coast Air Quality Management District (SCAQMD), (2) determined as non-attainment of the Federal and State O₃, PM₁₀ (serious), and PM_{2.5} standards, (3) considered Federal serious non-attainment for CO but in attainment for State standards, and (4) unclassified for H₂S and VRP. To help mitigate emissions from projects in the Basin and improve the above designations, the SCAQMD has prepared an *Air Quality Analysis Guidance Handbook* to help agencies determine the significance of construction and operation of projects relative to the Air Quality Management Plan (AQMP) developed for the region. Analysis of air quality impacts for this facility was performed using the most recent Localized Significance Threshold (LST) methodology in accordance with the *Handbook*. This methodology is appropriate given the estimated project footprint (approximately 0.3 acres (1,100 m²)) and the species considered: NO_x, PM₁₀, PM_{2.5}, and CO.

Potential air quality impacts from the project arise from both construction and operation of the Proposed Project.

Construction-related impacts could result from fugitive dust (PM₁₀ and PM_{2.5}) and exhaust emissions from construction equipment. Ground-disturbing activities for the project would be limited in scope and duration and would use appropriate mitigation techniques. As a result, air quality impacts are expected to be minimal and short-term. Impacts were estimated using the most recent version of SCAQMD's sample construction scenario for a one acre site, with slight modifications to update emission factors to conservative, screening-level EMFAC2007 values for the current year, eliminate demolition emissions, scale the project footprint to the correct size, and update the significance thresholds to values representative of the closest receptor (25 m) and appropriate for the Banning area. As shown in Table 5.1, all construction activities are anticipated to have impacts below levels considered locally significant.

Potentially Significant Impact Less than Significant with Mitigation Incorporated Less Than Significant Impact No Impact

Table 5.1 Results of Significance Level Screening Tests for Facility Construction Emissions

Activity	Emissions (lbs/day)			
	CO	NOx	PM10	PM2.5
Demolition	0	0	0.0	0.0
Site Preparation	9	21	1.5	1.2
Grading	17	37	2.1	1.8
Building	12	28	1.7	1.6
Arch Coating and Paving	18	36	2.6	2.4
Localized Significance Threshold	550	100	6.0	4.0
Any Exceed Significance?	NO	NO	NO	NO

Operational impacts on air quality would be due primarily to increased traffic near the facility. Other activities could potentially have impacts, such as from HVAC or kitchen use, however these are anticipated to be negligible. Current heavy-duty vehicle emissions at the Smith Correctional Facility are due primarily to 10 delivery trucks per day, which is not anticipated to increase for the Proposed Project. Light-duty vehicle emissions at the Facility are primarily due to a current level of 200 daily employee trips plus 10 public/business visits per day. Under the Proposed Project, traffic could increase to 300 employee trips and 15 public/business visits per day.

Operating emissions from the Proposed Project were conservatively estimated using SCAQMD's screening level on-road emissions factors from EMFAC2007 for the current year. The resulting levels of emissions are much less than one pound per day and far below any significant level for all species.

d) The Proposed Project does not involve the development of point source pollutant concentration emissions. Operational impacts on air quality would be due primarily to increased traffic near the facility (see 5c) and would result in emissions far below significant levels for all criteria pollutants. Therefore, the project will not expose sensitive receptors located within one miles of the project site to substantial point sources emissions, and the impact would be less than significant.

e) The Proposed Project involves expanding a correctional facility, which is considered a sensitive receptor. However, the projected operational emissions of the facility itself are less than one pound per day (see 5c) and below the significant level for all criteria pollutants. Therefore, the impacts to sensitive receptors from the Proposed Project are anticipated to be less than significant.

f) Construction activities associated with the expansion project may result in potentially objectionable odors; however, such odors would be temporary and cease upon completion of construction. Impacts would be less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

BIOLOGICAL RESOURCES Would the project

6. Wildlife & Vegetation

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan,

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
or other approved local, regional, or state conservation plan?				
b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: WRCMSHCP database review; Bioreconnaissance survey conducted March 5, 2007; RCIP

Findings of Fact: Chambers Group, Inc. biologists conducted a Multiple Species Habitat Conservation Plan (MSHCP) bioreconnaissance survey on March 5, 2007 (Attachment A). The project site is largely composed of ruderal vegetation with a small area of ornamental landscaping in the western portion of the project site adjacent to Smith Creek. Ruderal areas are typically characterized by heavily compacted or frequently disturbed soils. These areas are dominated by pioneering herbaceous plants that readily colonize disturbed ground. The ruderal areas within the project area were largely bare ground devoid of vegetative cover due to discing or by the use as a horse corral. Ruderal vegetation occurring within the project area includes black mustard, London rocket, Russian thistle, red- and white-stemmed filaree, and horsehound. Non-native grasses including Bermuda grass and wild oat were also present.

a) A literature review was conducted and all sensitive species identified with a potential for occurrence on the project site were included in the habitat assessment. The site was also assessed for the potential to support riparian/riverine habitat, wetlands, coastal sage scrub habitats, vernal pools, and jurisdictional waters. The expansion site and construction staging areas are not located within a proposed criteria area of the Multiple Species Habitat Conservation Plan area for Western Riverside

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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County. The bio reconnaissance report (Attachment A) is written in accordance with MSHCP guidelines. The proposed expansion site and construction staging areas do not conflict with provisions of a Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.

b) The project site supports a limited amount of suitable habitat for Stephen's kangaroo rat, a federal-listed endangered species; therefore, this species has a moderate potential to occur. The RCIP does not require a habitat assessment and the project site is not located in a Stephen's Kangaroo Rat Habitat Conservation Plan Fee Assessment Area. A less than significant impact is anticipated.

c) According to the MSHCP database review, two narrow endemic plant species (Marvin's onion and many-stemmed dudleya) were identified as having a potential to occur on the project site; however, due to lack of habitat present on the project site, the two narrow endemic plant species are considered absent from the project site. The burrowing owl is a California species of concern. Potential suitable habitat for the burrowing owl was detected on the project site; however, the habitat was of low quality. Although the burrowing owl did not come up on the CNDDDB database search, RCIP still requires surveys. The Burrowing Owl Survey Instructions for the Western Riverside MSHCP have determined that a Focused Burrow Survey is required. Incorporation of Mitigation Measures BIO-1, BIO-2, and BIO-3 would result in impacts less than significant.

Mitigation: BIO-1: In accordance with the MSHCP (Species-Specific Objective 6), the County shall retain a qualified biologist to conduct a Focused Burrow Survey. The location of all burrowing owl habitat, potential owl burrows, burrowing owl signs, and any owls observed should be recorded and mapped. If no potential burrows are detected, *no Focused Burrowing Owl Survey is required (BIO-2).*

BIO-2: If potential burrows are detected, the County shall retain a qualified biologist to conduct a Focused Burrowing Owl Survey.

BIO-3: According to the MSHCP (Species-Specific Objective 6), all project sites containing burrows or suitable habitat (see Attachment A), whether owls were found or not, require pre-construction surveys that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls.

Monitoring: After completion of appropriate surveys, a qualified biologist shall submit a final report to the County, which discusses the survey methodology, transect width, duration, conditions, and results of the survey. Appropriate maps showing burrow locations shall be included.

d) Expansion of the correctional facility would not interfere substantially with the movement of native resident or migratory fish or wildlife species. The expansion site and construction staging areas do not contain native wildlife nursery sites (see Attachment A). No impact would occur.

e) The habitat assessment does not identify any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service. No impact would occur.

f) All drainage features in the project area, including Smith Creek to the south, are isolated, intrastate waters and are, therefore, not subject to the Army Corps of Engineers jurisdiction under Section 404 of the Clean Water Act. No impact would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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g) The Proposed Project expands an existing facility on vacant, County-owned land. The project would not conflict with local policies or ordinances protecting biological resources (see Attachment A). No impact would occur.

CULTURAL RESOURCES Would the project

7. Historic Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Alter or destroy an historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Record search at Eastern Information Center; Archaeological field survey conducted March 5, 2007

Findings of Fact: a) A Chambers Group, Inc., archaeologist conducted a record search at the Eastern Information Center on March 12, 2007. The cultural resource report is contained in Attachment B. No historic sites are located on the project site of the proposed units. No impact would occur.

b) Two historic hard-rock mine sites are located south of the project site within a 0.5 -mile radius and nine historic-era homes were identified north of the project area within a 0.5-mile radius; however, the expansion of the correctional facility would not impact these sites. The footprint of the expansion project site is limited to APN 543-170-007; therefore, the Proposed Project would not cause a substantial adverse change to historical resources. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

8. Archaeological Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Alter or destroy an archaeological site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Record search at Eastern Archaeological Information System; Archaeological field survey conducted March 5, 2007

Findings of Fact: a-b) A Chambers Group, Inc. archaeologist conducted a record search at the Eastern Information Center on March 12, 2007. No prehistoric sites have been recorded within the expansion project site and construction staging areas. A Chambers Group, Inc. archaeologist conducted a field survey on March 5, 2007. No indicators of prehistoric activity within the expansion site and construction staging areas project area were observed (Attachment B). A previous field survey conducted for the most recent expansion of the facility east of the project area did not find

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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surface artifacts in the project vicinity. Three prehistoric sites were located within 0.5-mile radius of the project area. The expansion project and construction staging areas would not reach or impact these sites. No impact would occur.

c) The project area, including the construction staging area, has not been used as formal cemetery and funeral remains are not anticipated to be present. If suspected cultural materials are encountered during construction, Mitigation Measure CR-1 will be implemented. Incorporation of CR-1 would result in a less than significant impact.

Mitigation: CR-1: If suspected human remains of any kind are found, all activities shall cease immediately and a qualified archaeologist and the Riverside County Sheriff-Coroner will be notified. If the coroner determines the remains to be of Native American origin, the Native American Heritage Commission (NAHC) will be notified. The NAHC will subsequently identify the most likely descendants to be consulted regarding treatment and/or repatriation of the remains.

Monitoring: Compliance with Mitigation Measure CR-1 will be accomplished through verification and certification by County personnel.

d) The expansion site and construction staging areas do not contain nor restrict religious or sacred uses (see Attachment B). No impact would occur.

9. Paleontological Resources

a) Directly or indirectly destroy a unique paleontological resource, or site, or unique geologic feature?

Source: Riverside County General Plan Figure OS-8 "Paleontological Sensitivity"; RCLIS

Findings of Fact: a) The Proposed Project site is situated upon surface exposures of Recent alluvium. This lithologic unit has low potential to contain significant nonrenewable paleontologic resources. However, this Recent alluvium overlies sediments of older Pleistocene age units in the subsurface at an undetermined depth that have potential to yield remains of plants and extinct terrestrial Pleistocene vertebrates. Excavation for the Proposed Project is not expected to exceed six feet in depth. However, if suspected fossil resources are encountered, a less than significant impact would occur with the incorporation of Mitigation Measures CR-2.

Mitigation: CR-2: If suspected paleontological specimens are encountered during ground disturbance, a paleontological monitor shall be notified to identify, remove, document, and evaluate the find. Recovered specimens must be curated in a museum repository with permanent retrievable storage (e.g., San Bernardino County Museum). A report shall be submitted to the County of Riverside along with confirmation of the curation of recovered specimens into an accredited museum repository.

Monitoring: Compliance with Mitigation Measure CR-2 will be accomplished through verification and certification by County personnel.

GEOLOGY AND SOILS Would the project

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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10. Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zones

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death?

b) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Riverside County General Plan Figure S-2 “Earthquake Fault Study Zones”; ICF; CHJ

Findings of Fact: a-b) The Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazards of surface faulting and fault rupture to built structures. Fault rupture generally occurs within 50 feet of an active fault line and is limited to the immediate area of the fault zone where the fault breaks along the surface. The Proposed Project site is not located within an Alquist-Priolo Earthquake Fault Zone. No active or potentially active faults are shown on or in the immediate vicinity of the published geologic maps. No evidence for active faulting on or immediately adjacent to the site was observed during the geologic reconnaissance or on the aerial photographs reviewed. The closest mapped fault, part of the San Gorgonio Pass Fault Zone, is approximately 2.25 miles north of the site. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

11. Liquefaction Potential Zone

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a) Be subject to seismic-related ground failure, including liquefaction?

Source: Riverside County General Plan Figure S-3 “Generalized Liquefaction”; ICF; CHJ

Findings of Fact: a) According to the geotechnical investigation conducted by CHJ for the Proposed Project, the depth to water in State Well No. T1S/R1E14A01S, located approximately 1.5 miles northeast of the site, was 368 feet on April 28, 1999. The depth to water in State Well No. T1S/R1E14B01S, located approximately 1.5 miles northeast of the site was 411 feet on May 18, 2006. Depth to water in State Well No. T1S/R1E10N01S, located approximately 1.5 miles north of the site was 488 feet on November 1, 2005. The project site is located within an area identified by the Riverside County General Plan (see Figure S-3) as having sediments susceptible to earthquake-induced liquefaction and/or settlement; however, based on the cited water well data, the depth to groundwater beneath the area of the expansion site is anticipated to be greater than 300 feet. Therefore, the potential for liquefaction-induced settlement is not considered to be a hazard. No impact would occur.

Mitigation: No mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required.

12. Ground-shaking Zone

Be subject to strong seismic ground shaking?

Source: Riverside County General Plan Figure S-4 "Earthquake-Induced Slope Instability Map," and Figures S-13 through S-21 (showing General Ground Shaking Risk)

Findings of Fact: a) The Proposed Project site is located in a region known to be seismically active and seismic shaking of the site can be expected during the lifetime of the proposed structures. However, compliance with existing Uniform Building Code would address potential seismic hazards. A less than significant impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

13. Landslide Risk

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazards?

Source: Riverside County General Plan Figure S-5 "Regions Underlain by Steep Slope"; CHJ

Findings of Fact: According to the Riverside County General Plan, the Proposed Project site has a generally flat topography and is located in area of gently sloping terrain with a low potential for landslides. The northeast bank of Smith Creek forms a slope located southwest of the project site boundary. This slope consists of an approximately 2:1 stream bank that is locally mantled by concrete debris. The native geologic materials in the slope are relatively flat-lying and are considered grossly stable with regard to potential deep-seated slope issues. Therefore, deep-seated slope instability is not considered a hazard to the proposed development of the site. The expansion site is approximately 0.25 mile to the north of the San Jacinto Mountains; the risk of landslide is considered to be non-existent. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

14. Ground Subsidence

a) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?

Source: Resolution No. 94-125; CHJ

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: a) Severe seismic shaking causes dry sands to densify, resulting in settlement expressed at ground surface. Seismic settlement in dry soils generally occurs in loose sands and silty sands. Cohesive and fine-grained soils are less prone to significant settlement. Strata of sandy silts, silty sands, and sands were encountered within all exploratory borings during the on-site geotechnical investigation. Results indicate that a maximum settlement between approximately 1.5 and 2 inches can be anticipated at the ground surface with native soils in their present condition. However, based upon the materials and conditions encountered, excessive settlement appears unlikely for properly designed and constructed structures on a properly prepared, graded, and maintained site and a less than significant impact is expected to occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

15. Other Geologic Hazards

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a) Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

Source: CHJ

Findings of Fact: a) The expansion site and construction staging areas are not located in an area susceptible to seiche, mudflow, or volcanic hazards. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

16. Slopes

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a) Change topography or ground surface relief features?

b) Create cut or fill slopes greater than 2:1 or higher than 10 feet?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Result in grading that affects or negates subsurface sewage disposal systems?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Riv. Co. 800 Scale Slope Maps; CHJ

Findings of Fact: a) The expansion site and construction staging areas are not affected by significant topography, surface relief features, or slopes. No impact would occur.

b) The expansion site is relatively planar. The Proposed Project does not propose significant slopes. No impact would occur.

c) The Proposed Project is estimated to excavate to depth up to seven feet and would not result in grading that would affect or negate subsurface sewage disposal systems. No impact would occur.

Mitigation: No mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required.

17. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Result in substantial soil erosion or the loss of topsoil?				
b) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: USDA; CHJ

Findings of Fact: a) The soil type within the Proposed Project site is within the Greenfield Series. Greenfield sandy loam, 2 to 8 percent slopes, eroded (GyC2), is a gently to moderately sloping soil which occurs on alluvial fans and terraces. This soil type has a slight to moderate hazard of erosion. Construction at the expansion site would be balanced; no significant import or export of fill is expected. A less than significant impact would occur.

b) Soils in the project area are generally granular and considered non-expansive. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

18. Erosion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Change deposition, siltation, or erosion that may modify the channel of a river or stream or the bed of a lake?				
b) Result in any increase in water erosion either on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: USDA; CHJ

Findings of Fact: a) The expansion site is located on the north terrace of Smith Creek. The Proposed Project would not change deposition, siltation, or erosion that would modify the channel of a river, stream, or the bed of a lake.

b) The surficial soils at the site are silty sands that are moderately susceptible to erosion by water. Positive drainage will be provided, and water will not be allowed to pond on site. Water will not be allowed to flow over graded or natural areas in such a way as to cause erosion. Standard erosion control measures and best management practices (BMPs) will be included in site grading and construction activities as specified in the Stormwater Pollution Prevention Plan that will be prepared for the project. Therefore, impacts will be reduced to less than significant through standard engineering design practices.

Mitigation: No mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required.

19. Wind Erosion and Blowsand from project either on or off site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?				

Source: Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map," Ord. 460, Sec. 14.2 & Ord. 484

Findings of Fact: a) According to the Riverside County General Plan, the Proposed Project site is located within in a moderate area of wind erosion. The project site consists primarily of alluvium deposits, which contains fine grained and silty sand. Fine, sandy deposits are susceptible to wind erosion and would be disrupted during the grading and construction process. The project site is not located within the boundaries of Riverside County's Agricultural Dust Control Area. During the construction process, all grading activities will be required to use BMPs, including compliance with SCAQMD Rule 403, to prevent wind erosion. Use of BMPs would reduce to less than significant wind erosion and blowsand impacts caused by the development of the Proposed Project.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

HAZARDS AND HAZARDOUS MATERIALS Would the project

20. Hazards and Hazardous Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Project Application Materials; ICF

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: a) The Proposed Project does not involve the routine transport, use, or disposal of hazardous materials. No impact would occur.

b) The Proposed Project does not involve the release of hazardous materials into the environment. No impact would occur.

c) The Proposed Project does not impair implementation of or physically interfere with an adopted emergency or evacuation plan. No impact would occur.

d) The Proposed Project would not emit or handle hazardous materials, substances, or waste within 0.25-mile of a school. The Proposed Project is approximately 0.5 mile from the nearest school, Banning High School. No impact would occur.

e) The Proposed Project is not located on a site included on the Hazardous Waste and Substances Sites (Cortese) List of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
21. Airports	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Result in an inconsistency with an Airport Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require review by the Airport Land Use Commission?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure S-19 "Airport Locations"; RCALUC

Findings of Fact: a) The Banning Municipal Airport Master Plan was adopted in 1989 by the City of Banning. The expansion site is outside airport Compatibility Zones. No impact would occur.

b) The project site is located outside the Compatibility Zones as delineated by the Riverside County Airport Land Use Commission and not subject to review. No impact would occur.

c) The project site is approximately 1.2 miles from Banning Municipal Airport; however, due to the San Jacinto Mountains to the south of Banning, the airport has a smaller influence area as shown on Figure S-19 of the Riverside County General Plan. As a result, the Proposed Project is outside the

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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airport influence area and would not create a safety hazard for people residing or working at the project site. No impact would occur.

d) The project site is located outside the Banning Municipal Airport influence boundary and would not result in a safety hazard for people working or residing at the project site. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

22. Hazardous Fire Area

a) 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?

Source: RCLIS; Riverside County General Plan Figure S-11 "Wildfire Susceptibility"; RCIP

Findings of Fact: a) According to the Riverside County General Plan, the project site is located in a high fire area. Land to north, east, and west of the project site is developed. The project site is located approximately 0.25-mile north of the San Jacinto Mountains, but on the north side of Smith Creek, which could serve as a natural fire break. A less than significant impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

HYDROLOGY AND WATER QUALITY Would the project

23. Water Quality Impacts

a) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

b) Violate any water quality standards or waste discharge requirements?

c) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

d) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

e) Place housing within a 100-year flood hazard

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
f) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Include new or retrofitted stormwater Treatment Control Best Management Practices (BMPs) (e.g. water quality treatment basins, constructed treatment wetlands), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County Flood Control District Flood Hazard Report/Condition; Project description; Riverside County General Plan Figure S-9 “100- and 500-Year Flood Hazard Zones”; RCIP

Findings of Fact: a) The Proposed Project would construct three single-level with mezzanine units that have the potential to alter surface drainage patterns at the project site. A Stormwater Pollution Prevention Plan (SWPPP) would need to be created prior to construction in order to address these impacts and reduce impacts to below the level of significance.

Mitigation: WQ-1: Prepare a SWPPP prior to the commencement of construction activities.

Monitoring: Verification would be conducted by qualified, County personnel.

b) The Proposed Project would not produce wastewater discharge. A Water Quality Management Plan (WQMP) would need to be created prior to construction in order to address surface runoff. Implementation of WQ-1 would address water quality standards associated with storm runoff into Smith Creek.

c) The Proposed Project would not deplete groundwater supplies or interfere with groundwater recharge. No impact would occur.

d) The Proposed Project would result in a decrease of permeable surface area; however, the project would not create additional runoff that would exceed the capacity of stormwater drains.

e-f) The Proposed Project would place the single-level units within a 100-year flood hazard area that could impede or redirect flood flows from Smith Creek; however, the Riverside County General Plan requires that the ground floor of any development proposed for human occupancy within any area determined to be a flood hazard shall, at a minimum, be constructed one foot above the projected inundation depth. Compliance with the General Plan requirements would address potential flood impact and reduce impacts to below the level of significance.

g) The Proposed Project would not result in any other activities that would degrade water quality. No impact would occur.

f) The Proposed Project does not include new or retrofitted stormwater Treatment Control Best Management Practices such as water quality treatment basins or wetlands; therefore, no impact would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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24. Floodplains

Degree of Suitability in 100-Year Floodplains. As indicated below, the appropriate Degree of Suitability has been checked.

NA - Not Applicable <input checked="" type="checkbox"/>	U - Generally Unsuitable <input type="checkbox"/>	R - Restricted <input type="checkbox"/>		
a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Changes in absorption rates or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan Figure S-9 “100- and 500-Year Flood Hazard Zones”; Figure S-10 “Dam Failure Inundation Zone”; Riverside County Flood Control District Flood Hazard Report/Condition; RCIP; FEMA

Findings of Fact: a-b) The Proposed Project will be required to create a Water Quality Management Plan to address drainage, run-off, and absorption rates. Impacts associated with altered drainage patterns, run-off, and absorption rates will be reduced to below the level of significance through standard County practices and procedures and adherence to the Water Quality Management Plan.

c) The project site is not located in a Dam Inundation Area. A review of the flood insurance rate map (FIRM) prepared by the Federal Emergency Management Agency (FEMA) indicates that the Proposed Project is located within the 100- and 500-year floodplains. According to the Riverside County General Plan, “The ground floor of any development proposed for human occupancy within any area determined to be a flood hazard shall, at a minimum, be constructed one foot above the projected inundation depth.” Impacts associated with flooding would be reduced to below the level of significance through standard County practices and procedures.

d) The Proposed Project would not involve or result in a change in the amount of surface water in any water body, including Smith Creek. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

LAND USE/PLANNING Would the project

25. Land Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Result in a substantial alteration of the present or				

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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planned land use of an area?

b) Affect land use within a city sphere of influence and/or within adjacent city or county boundaries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: RCIP; Project description

Findings of Fact: a) The Proposed Project would not conflict with the surrounding land use as it would expand an existing facility. No impact would occur.

b) The Proposed Project is located adjacent to the City of Banning, but would not affect land use within the City of Banning. The Proposed Project is consistent with existing land use patterns. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

26. Planning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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a) Be consistent with the site's existing or proposed zoning?

b) Be compatible with existing surrounding zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Be compatible with existing and planned surrounding land uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Be consistent with the land use designations and policies of the Comprehensive General Plan (including those of any applicable Specific Plan)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Riverside County General Plan Land Use Element; RCIP; GIS

Findings of Fact: a-b) The Proposed Project would expand the existing Smith Correctional Facility by constructing single-level with mezzanine units. The Proposed Project is located in an area zoned as Residential-Agriculture (R-A); however, the project site is on County land and would not require a change in zoning. No impact would occur.

c-d) The Proposed Project is an expansion of an existing correctional facility and would be consistent with the character of existing land uses in the area. No impact would occur.

e) The Proposed Project would expand the correctional facility on adjacent, County-owned land. The expansion project would not disrupt or divide the physical arrangement of an established community. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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MINERAL RESOURCES Would the project

27. Mineral Resources

a) Result in the loss of availability of a known mineral resource in an area classified or designated by the State that would be of value to the region or the residents of the State?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?

d) Expose people or property to hazards from proposed, existing or abandoned quarries or mines?

Source: Riverside County General Plan Figure OS-5 “Mineral Resources Area”; RCIP

Findings of Fact: a) The Proposed Project site is located in an area where the available geologic information indicates that mineral deposits are likely to exist; however, the significance of the deposit is undetermined. The project area is currently zoned Residential-Agriculture and precludes quarries and mining activity, therefore, the Proposed Project would not result in the loss of mineral resources of value to region. No impact would occur.

b-c) According to the Riverside County General Plan, the project site is zoned for residential land uses, which preclude mining activities. No impact would occur.

d) No abandoned, existing, or proposed quarries or mines are located on or within the immediate project vicinity. The Proposed Project would not expose people to hazards from mines or quarries. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

NOISE Would the project result in

Definitions for Noise Acceptability Ratings

Where indicated below, the appropriate Noise Acceptability Rating(s) has been checked.

NA - Not Applicable

A - Generally Acceptable

B - Conditionally Acceptable

C - Generally Unacceptable

D - Land Use Discouraged

28. Airport Noise

a) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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NA <input type="checkbox"/>	A <input checked="" type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>				
b) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?					<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NA <input type="checkbox"/>	A <input checked="" type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>				

Source: Riverside County General Plan Figure S-19 "Airport Locations"; RCALUC

Findings of Fact: a-b) The Proposed Project site is located approximately 1.15 miles from Banning Municipal Airport and is not located within the Airport Influenced Policy Plan Area. Banning Municipal Airport has a single east/west runway. Aircraft noise impacts mostly overlap noise from Interstate 10 and the Union Pacific Railroad line that parallel the runway to the north. The Proposed Project is located outside the 60 dB CNEL contour of current and future noise impacts. No significant impacts are anticipated.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

29. Railroad Noise					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NA <input type="checkbox"/>	A <input checked="" type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>				

Source: Riverside County General Plan Figure C-1 "Circulation Plan"; RCIP

Findings of Fact: The Proposed Project is located approximately 0.9 miles from the nearest railroad. The project site is located outside the 60 dB CNEL contour for a railroad. No impacts are anticipated.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

30. Highway Noise					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NA <input type="checkbox"/>	A <input checked="" type="checkbox"/>	B <input type="checkbox"/>	C <input type="checkbox"/>	D <input type="checkbox"/>				

Source: Riverside County General Plan Figure C-1 "Circulation Plan"; RCIP

Findings of Fact: The Proposed Project is located approximately one mile south of Interstate 10, which is accessible from Hargrave Street. The Proposed Project is approximately 0.20 miles from Highway 243, a State Scenic Highway and mountain arterial highway. The project site is located outside the 60 dB CNEL contour for a mountain arterial highway. No impacts are anticipated.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

31. Other Noise					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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NA A B C D

Source: Project description

Findings of Fact: No other noise sources have been identified at or near the project site that would contribute a significant amount of noise. No impacts will occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

32. Noise Effects on or by the Project	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: RCIP

Findings of Fact: a) The Proposed Project would expand the correctional facility and would not result in a substantial permanent increase in ambient noise levels. A less than significant impact would occur.

b) The Proposed Project would generate noise that is not currently present at the project site during its construction phase. The Proposed Project could potentially generate ground-borne vibration and noise during construction. These impacts are temporary and would cease upon completion of construction. A less than significant impact would occur with the incorporation of Mitigation Measure N-1.

Mitigation: N-1: All grading and construction activities shall be limited to the hours from 6:00 a.m. to 6:00 p.m., in order to mitigate the increase in ambient noise levels in the early morning and evening hours from construction activities.

Monitoring: Compliance with mitigation measure N-1 will be accomplished through verification and certification by qualified, County personnel.

c) The Proposed Project would not expose persons or generate noise in excess of general plan standards. No impact would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) The Proposed Project could expose persons to ground-borne vibrations or noise during construction, but these would be temporary and cease upon completion of construction. A less than significant impact would occur with the incorporation of Mitigation Measure N-1.

POPULATION AND HOUSING Would the project

33. Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect a County Redevelopment Project Area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: RCIP; Riverside Sheriff Department

Findings of Fact: a) The Proposed Project would convert a vacant County-owned lot to a developed lot with single-level with mezzanine units as part of an expansion of the adjacent Smith Correctional Facility. The expansion project would not displace any existing housing. No impact would occur.

b) The Proposed Project would add 582 inmates and 266 additional staff. The additional 266 staff members could create a minor demand for housing; however, sufficient housing is available in the vicinity of the project site. A less than significant impact would occur.

c) The Proposed Project would convert a vacant County-owned lot to a developed lot with single-level with mezzanine units as part of the expansion of Smith Correctional Facility and would not displace substantial numbers of people. No impact would occur.

d) The Proposed Project would not affect a County Redevelopment Area. No impact would occur.

e) The Proposed Project would add up to 582 inmates and 266 staff members. The City of Banning has approximately 29,000 residents and is projected to have 42,900 residents by 2020. The Proposed Project would not exceed official regional or local population projections. No impact would occur.

f) The Proposed Project expands the Larry D. Smith Correctional Facility. The Proposed Project does not induce growth directly by proposing new homes or businesses, nor does the project induce indirect population growth through the extension of roads or other infrastructure. No impact would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

34. Fire Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Project description

Findings of Fact: The Riverside County Fire Department would provide fire and rescue services for the Proposed Project. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

35. Sheriff Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Project description

Findings of Fact: The Riverside County Sheriff's Department provides law enforcement services at the Smith Correctional Facility. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

36. Schools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------	--------------------------	--------------------------	--------------------------	-------------------------------------

Source: Project description

Findings of Fact: The Proposed Project is a secure correctional facility and would not increase the demand for schools. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

37. Libraries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Project description

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: The Proposed Project is a secure correctional facility and would not result in an increase demand for library services. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

38. Health Services

Source: Project description

Findings of Fact: The Proposed Project would not increase demand for health services. Health services are provided by the County at the Smith Correctional Facility. However, for more serious medical attention needs, those would be transported to either the Riverside County Regional Medical Center or the San Geronio Memorial Hospital.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

RECREATION

39. Parks and Recreation

a) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

b) Would the project include the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

c) Is the project located within a C.S.A. or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?

Source: Ord. No. 460, Section 10.35 (Regulating the Division of Land – Park and Recreation Fees and Dedications); Ord. No. 659 (Establishing Development Impact Fees); Parks & Open Space Department Review

Findings of Fact: a) The Proposed Project includes in-house recreational facilities that would not have an adverse physical effect on the environment. No impact would occur.

b) The Proposed Project is an expansion of a secured correctional facility, thus it would not require the use of neighborhood or regional parks. No impact would occur.

c) The Proposed Project is not located within a C.S.A. or recreation and park district. No impact would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

40. Recreational Trails

Source: Riv. Co. 800 Scale Equestrian Trail Maps; Open Space and Conservation Map for Western County trail alignments

Findings of Fact: The Proposed Project is a secure correctional facility and no County designated trails are located on the Proposed Project site. The Proposed Project would not result in an increase in demand for recreational trails. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

TRANSPORTATION/TRAFFIC Would the project

41. Circulation

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

b) Result in inadequate parking capacity?

c) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated road or highways?

d) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

e) Alter waterborne, rail or air traffic?

f) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

g) Cause an effect upon, or a need for new or altered maintenance of roads?

h) Cause an effect upon circulation during the project's construction?

i) Result in inadequate emergency access or access to nearby uses?

j) Conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?

Source: Riverside County Sheriff Department

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: a) Current bus traffic at Smith Correctional Facility consists of 10 delivery trucks per day. This number is not anticipated to increase with the Proposed Project because Facility staff would be able to order supplies by truckload rather than partial loads. Current employee traffic at the Facility consists of 200 employee trips in a 24-hour period. The Proposed Project has the potential to increase employee traffic to 300 trips per day. The Facility currently experiences 10 public/business visits per day; the expansion has the potential to increase this to 15 public/business visits per day, resulting in five additional public/business visits per day. The increase in traffic is below the level of significance.

b) The Proposed Project would result in approximately 266 additional staff members, working in shifts. Currently, the facility has 116 parking spaces on-site. The use of a County-owned, unpaved lot, approximately 0.75-acre in size, located at the corner of Hargrave and Porter Streets (APN 543-120-005) would provide adequate parking for the additional facility staff. No impact would occur.

c) The increase in traffic for both employees and visitors would not be large enough to degrade the level of service (see 41a). The increase in traffic for both employees and visitors would not be large enough to degrade the level of service (see 41a). Visitation is limited to 4 hours per day and would occur primarily during off-peak hours. A less than significant impact would occur.

d-e) The Proposed Project would not result in a change in air traffic patterns or alter waterborne, rail, or air traffic. No impact would occur.

f) The Proposed Project would not increase hazards to a design feature. The project will meet all county safety standards and regulations. No impact would occur.

g) The increase in vehicle trips associated with the Proposed Project is not expected to affect the maintenance of the roads significantly. No impact would occur.

h) Construction of the Proposed Project would occur within the project boundaries and construction vehicles would enter via Wesley Street. Traffic along Wesley Street may be affected due to movement of construction equipment; however, these impacts would be temporary and cease upon completion of construction. Construction equipment would be stored in the construction staging area, limiting the movement of large machinery along surface streets. Construction worker daily trips to and from the project would account for the average daily traffic from the project. A less than significant impact would occur.

i) The Proposed Project would not result in inadequate emergency access. Emergency access exists for the correctional facility and will be incorporated into the project design. No impact would occur.

j) The Proposed Project would not conflict with adopted policies supporting alternative transportation. No impact would occur.

42. Bike Trails

Source: RCIP

Findings of Fact: The Proposed Project site does not contain designated bike trails and would not result in an increase in demand for bike trails. No impact would occur.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

UTILITY AND SERVICE SYSTEMS Would the project

43. Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Source: Webb

Findings of Fact: a) The Proposed Project would not result in the construction of new water treatment facility or the expansion of existing facilities. The Proposed Project would be served through the existing waterline from the City of Banning. However, the County of Riverside would be required to install a new 8-inch PVC waterline to connect the waterline in Hargrave Street with the City of Banning's water system. The construction of the new 8-inch waterline would take place within County-owned land or existing utility easements. The City would take ownership of the waterline once completed and the County would be required to grant the City of Banning all utility easements necessary for maintenance of the waterline. No impact would occur.

b) The average daily demand of the existing correctional facility is 0.12 million gallons per day (MGD). The average daily demand for the Proposed Project is 0.11 MGD. The total demand for the existing facility plus the Proposed Project is 0.23 MGD. The Proposed Project would have sufficient, existing water supplies available. According to Webb Associates, the water system will be able to provide 500 gallons per minute (GPM) @ 75 PSI through the sprinkler system without any fire hydrants open. Once any hydrants are operated, the system pressure will likely drop to around 30 PSI @ 2,000 GPM as indicated by the City's recent fire flow test at Porter and Hargrave where the system pressure went from a static pressure of 115 PSI to 20 PSI @ 3,000 GPM. If the system must maintain a pressure of 75 PSI with hydrants operating, a small fire pump would need to be provided to maintain the 75 PSI requirement. A less than significant impact would occur.

Mitigation: No mitigation measures required.

Monitoring: No monitoring measures required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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44. Sewer

a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?

b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Source: Webb

Findings of Fact: a) The ultimate treatment capacity of the City of Banning's wastewater treatment plant is approximately 3.6 MGD and is currently treating 2.9 MGD. Approximately 80% of the total water used at the project site will return to the City's wastewater treatment plant. It is estimated that average daily sewer flows from the Proposed Project will be approximately 0.08 MGD with maximum daily flows of 0.16 MGD. The average daily flow being treated at the City's wastewater treatment plant would only increase approximately 0.10 MGD from current levels and would not exceed the available capacity of the plant. Therefore, the Proposed Project would not require the construction of new wastewater treatment facilities. No impact would occur.

b) The City of Banning owns and operates an existing 21-inch gravity sewer line located immediately north of the Smith Correctional Facility. Due to the topography of the project site, the Proposed Project would not be able to flow by gravity to the north and connect to the 21-inch gravity line. It will be necessary to construct approximately 850 to 1,000 feet of new 8-inch sewer line connecting to the existing on-site 12-inch sewer line on the southern portion of Smith Correctional Facility. As stated in 44a), the Proposed Project would not result in the construction of new wastewater treatment facilities and the existing provider has adequate capacity. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

45. Solid Waste

a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

b) Comply with federal, state, and local statutes and regulations related to solid wastes (including the County Integrated Waste Management Plan)?

Source: RCIP; Solid Waste; Riverside County Sheriff Department

Findings of Fact: a) The Proposed Project does not include trash receptacle facilities. The project would be served by the Lamb Canyon Sanitary Landfill, owned and operated by the Riverside County Waste Resources Management District. The Lamb Canyon Landfill is permitted to accept 3,000 tons per day. The remaining capacity is approximately 20,908,171 cubic yards of waste and its closing

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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date is 2023. The existing correctional facility has one 30-cubic yard trash compactor at the kitchen that is picked up and emptied two times per week and five 12-cubic yard trash bins that are emptied once a week. The additional single-level units would not exceed the capacity of the landfill. A less than significant impact would occur.

b) The Proposed Project would comply with federal, state, and local statutes, including the County Integrated Waste Management Plan, related to solid wastes. No impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

46. Utilities

a) Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?

a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Conflict with adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Project Description; RCIP; Webb

Findings of Fact: The Proposed Project would create incremental system capacity demand for energy systems, communication systems, stormwater drainage systems, street lighting systems, maintenance of public facilities, including roads and, potentially, other governmental systems. Impacts would be less than significant based on the availability of existing public facilities that support local systems.

a) The City of Banning owns and operates the electrical grid that provides electrical service to the existing Correctional Facility. The City has an existing on-site primary underground 480-volt electric feed located along the north access road of the existing Correctional Facility. Electrical vaults located immediately south of the Facility’s northern block wall would provide the necessary connection points for electrical service to the Proposed Project. According to Webb Associates, the City of Banning determined that the City would provide a secondary electric feed to the prison expansion project from Wesley Street, within the same easement and the proposed 8-inch waterline. The electric feed will provide power to the Proposed Project and will also tie into the existing electrical grid on the on the property. A less than significant impact would occur.

b) The Correctional Facility currently takes service from two existing gas lines owned by Southern California Gas Company. Southern California Gas Company indicated that their system would require approximately 850 feet of off-site 2-inch polyethylene gas line be installed along the northern portion of the Correctional Facility to connect the two existing 2-inch gas lines feeding the Correctional Facility. According to Webb Associates, the Southern California Gas Company is calculating the increased gas load on the existing gas meter and will then decide if the gas system will be looped.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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If Southern California Gas Company finds that there is no reason to loop the system, the Company will simply increase the size of the existing gas meter if necessary. A less than significant impact would occur.

c) The Proposed Project would use existing facility communication services. Because service exists within the project area and at the existing correctional facilities, extending communication service to the Proposed Project would be considered a less than significant impact.

d) The Proposed Project would not require the construction of additional on-site storm water drainage systems to carry flows away from the project site. Construction of on-site drainage systems and any potential impacts due to increased storm water runoff from the Proposed Project will be described in the required Water Quality Management Plan (WQMP) and reduced to a less than significant impact through standard design practices.

e) The Proposed Project would not require the addition of new street lighting on the streets adjacent to the project boundaries. The project would not interfere with existing streetlights and is considered less than significant.

f) The Proposed Project would not result in the need for road improvements or require maintenance. No impact would occur.

g) Riverside County will provide governmental services for the Proposed Project. No other governmental services are expected to be required for the project. No impact would occur.

h) The Proposed Project will meet all requirements of Title 24 California Code of Regulations for energy savings. As a result, no impact would occur.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

OTHER

47. Other: N/A

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Source: Not applicable

Findings of Fact: No other specific factors have been identified for discussion at this time.

Mitigation: None required.

Monitoring: None required.

OTHER

48. Other: N/A

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------

Source: Not applicable

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: No other specific factors have been identified for discussion at this time.

Mitigation: None required.

Monitoring: None required.

OTHER

49. Other: N/A

Source: Not applicable

Findings of Fact: No other specific factors have been identified for discussion at this time.

Mitigation: None required.

Monitoring: None required.

MANDATORY FINDINGS OF SIGNIFICANCE

50. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare, or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Source: Above checklist

Findings of Fact: The Proposed Project would expand the Larry D. Smith Correctional Facility by adding three additional single-level units on vacant, County-owned property to the west of the existing facility. The project site does not contain wetlands or riparian habitat. The project site is largely composed of ruderal vegetation with a small area of ornamental landscaping in the western portion of the site adjacent to Smith Creek. The project site contains potential suitable habitat for the burrowing owl, a California species of concern. A less than significant impact would occur with the incorporation of Mitigation Measures BIO-1, BIO-2, and BIO-3.

No historic or prehistoric sites were observed or recorded on the project site. If suspected cultural materials are encountered during construction, implementation of Mitigation Measure CR-1 would result in a less than significant impact. The site is situated upon Recent alluvium, which has low potential for significant paleontological resources; however, if suspected fossil resources are encountered, implementation of Mitigation Measure CR-2 would result in a less than significant impact.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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51. Does the project have the potential to achieve short-term environmental goals, to the disadvantage of long-term environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Above checklist

Findings of Fact: The Proposed Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. No impact would occur.

52. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects as defined in California Code of Regulations, Section 15130)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Above checklist

Findings of Fact: The Proposed Project would not result in any impacts that would be considered cumulatively considerable as there are no other projects taking place within the vicinity of the project site. No impact would occur.

53. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Source: Above checklist

Findings of Fact: The Proposed Project is expected to have a less than significant impact on the environment. The Proposed Project is not expected to significantly impact any resource area in a manner that cannot be reduced to a level of insignificance through the incorporation of mitigation measures. With the incorporation of the suggested mitigation measures, the Proposed Project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, [Section 15063 \(c\) \(3\) \(D\)](#). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any:

ICF Initial Study Smith Correctional Facility Expansion Banning, California (OJP Reference Number CA_086), February 2004. Riverside, California.

Location Where Earlier Analyses, if used, are available for review:

Location: County of Riverside Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92505

VII. REFERENCES

The following documents were referred to as information sources during preparation of this document. They are available for public review at the locations abbreviated after each listing and spelled out at the end of this section.

<u>Cited As:</u>	<u>Source:</u>
CHJ	Fred Yi, Ph.D. <i>Geotechnical Investigation Larry D. Smith Correctional Facility Proposed Housing Unit Expansion</i> (Job No. 07255-3). April 11, 2007. (Available at Riverside County Planning).
FEMA	Flood map. (Available at http://map1.msc.fema.gov/idms/IntraView.cgi?KEY=51203387&IFIT=1).
GIS	County of Riverside, <i>Geographic Information System Database</i> . (Available at Riverside County Planning or at www3.tlma.co.riverside.ca.us/pa/rclis/index.html).
ICF	ICF Consulting. <i>Initial Study for Smith Correctional Facility Expansion</i> . February 2004. (Available at Riverside County Planning).
MSHCP	County of Riverside, Riverside County Multi-Species Habitat Conservation Plan, June 17, 2003. (Available at Riverside County Planning and at www.rcip.org).
Ord. No. 460	Riverside County Ordinance No. 460 – Regulating the Division of Land (Available at Riv Co – Transportation)
Ord. No. 484	Riverside County Ordinance No. 484 – Control of Blowing Sand (Available at Riv Co – Clerk of the Board)
Ord. No. 625	Riverside County Ordinance No. 625 – Right to Farm (Available at Riv Co – Planning & Clerk of the Board)

Ord. No. 655	Riverside County Ordinance No. 655 – Regulating Light Pollution (Available at Riv Co – Planning & Clerk of the Board)
Ord. No. 659	Riverside County Ordinance No. 659 – Development Mitigation Fee for Residential Development (Available at Riv Co – Clerk of the Board)
Riverside County Sheriff Department	Fredendall, Dana, Riverside Sheriff Department. Communication regarding solid waste disposal at Larry D. Smith Correctional Facility. April 27, 2007. Fredendall, Dana. Riverside Sheriff Department. Communication regarding traffic and parking lot capacity. May 18, 2007.
RCALUC	Riverside County Airport Land Use Commission. Riverside County Airport <i>Land Use Compatibility Plan: Banning Municipal Airport</i> . October 2004. (Available at http://www.rcaluc.org/filemanager/plan/new//06-%20Vol.%201%20Banning%20Municipal.pdf).
RCIP	County of Riverside, Riverside County Integrated Project. General Plan. March 2003. (Available for review at Riverside County Planning and at www.rcip.org).
RCLIS	County of Riverside Transportation and Land Management Agency. Riverside County Land Information System. March 2007. (Available at http://www3.tlma.co.riverside.ca.us/pa/rclis/index.html).
Res. No. 94-125	Riverside County Board of Supervisors Resolution No. 94-125. (Available at Riv Co – County Geologist)
SCAQMD	South Coast Air Quality Management District. <i>CEQA Air Quality Handbook</i> . April 1993, with November 1993 update. (Available at SCAQMD).
SCAQMD 2003	Final Localized Significance Threshold Methodology. (Available at SCAQMD).
SCAQMD 2005	Sample Construction Scenarios for Projects Less Than Five Acres in Size. (Available at SCAQMD).
SCAQMD 2006	Final Methodology to Calculate Particulate Matter (PM) 2.5 and PM _{2.5} Significance Thresholds. (Available at SCAQMD).
Solid Waste	California Integrated Waste Management. (Available at http://www.ciwmb.ca.gov/agendas/mtgdocs/2003/12/00012971.doc).
USDA	U.S. Department of Agriculture. Soil Survey: Western Riverside Area, California.
USGS	U.S. Department of the Interior, Geological Survey, <i>Beaumont</i> and <i>Cabazon</i> , California, USGS 7.5-minute quadrangles. (Available at Riverside County Planning).
Webb	Albert A. Webb Associates. <i>Larry D. Smith Correctional Facility Expansion</i>

Project Preliminary Utilities Plan. December 2006. (Available at Riverside County Planning).

WRCMSHCP Riverside County Integrated Project. June 2003. (Available at <http://www.rcip.org/conservation.htm>).

Location:

Address:

Riverside County Planning

County of Riverside, 4080 Lemon Street, 9th Floor,
Riverside, CA 92502

SCAQMD

South Coast Air Quality Management District,
21865 East Copley Drive, Diamond Bar, CA 91765

VIII. LIST OF INTIAL STUDY PREPARERS

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ATTACHMENT A
RESULTS OF BIORECONNAISSANCE SURVEY

**Results of the Bioreconnaissance Survey
for the Smith Correctional Facility
Expansion Property (Assessor Parcel Numbers
543-160-006, 543-140-022, and 543-170-007),
City of Banning, Riverside County, California**

Prepared for:

**COUNTY OF RIVERSIDE
FACILITIES MANAGEMENT
3133 Mission Inn Ave.
Riverside, California 92507**

Prepared by:

**CHAMBERS GROUP, INC.
17671 Cowan Avenue, Suite 100
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MARCH 2007

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INTRODUCTION

Chambers Group, Inc. (Chambers Group) was retained by ICF International to conduct a Multiple Species Habitat Conservation Plan (MSHCP) bioreconnaissance survey. This report summarizes the results of the survey conducted at the Smith Correctional Facility property [Assessor Parcel Numbers (APNs) 543-160-006, 543-140-022, and 543-170-007] located south of Interstate 10 near the City of Banning, Riverside County, California.

BACKGROUND

Chambers Group, Inc. (Chambers Group) was retained by ICF International to conduct an MSHCP habitat assessment. A literature review was conducted and all sensitive species identified with a potential for occurrence on the project site were included in the habitat assessment. The site was also assessed for the potential to support riparian/riverine habitat, wetlands, coastal sage scrub habitats, vernal pools, and jurisdictional waters.

The project site comprising approximately 4.91 acres for the Smith Correctional Facility expansion is located south of the City of Banning in the County of Riverside. Approximately 7.34 acres set aside as staging areas for construction equipment is located within the City of Banning in Riverside County, California. The site and staging areas are not located within a proposed criteria area as part of the Multiple Species Habitat Conservation Plan (MSHCP) area for Western Riverside County. The following report has been written in accordance with MSHCP guidelines (RCIP 2007). The purpose of this report is to document the results of the habitat assessment and sensitive habitat evaluation.

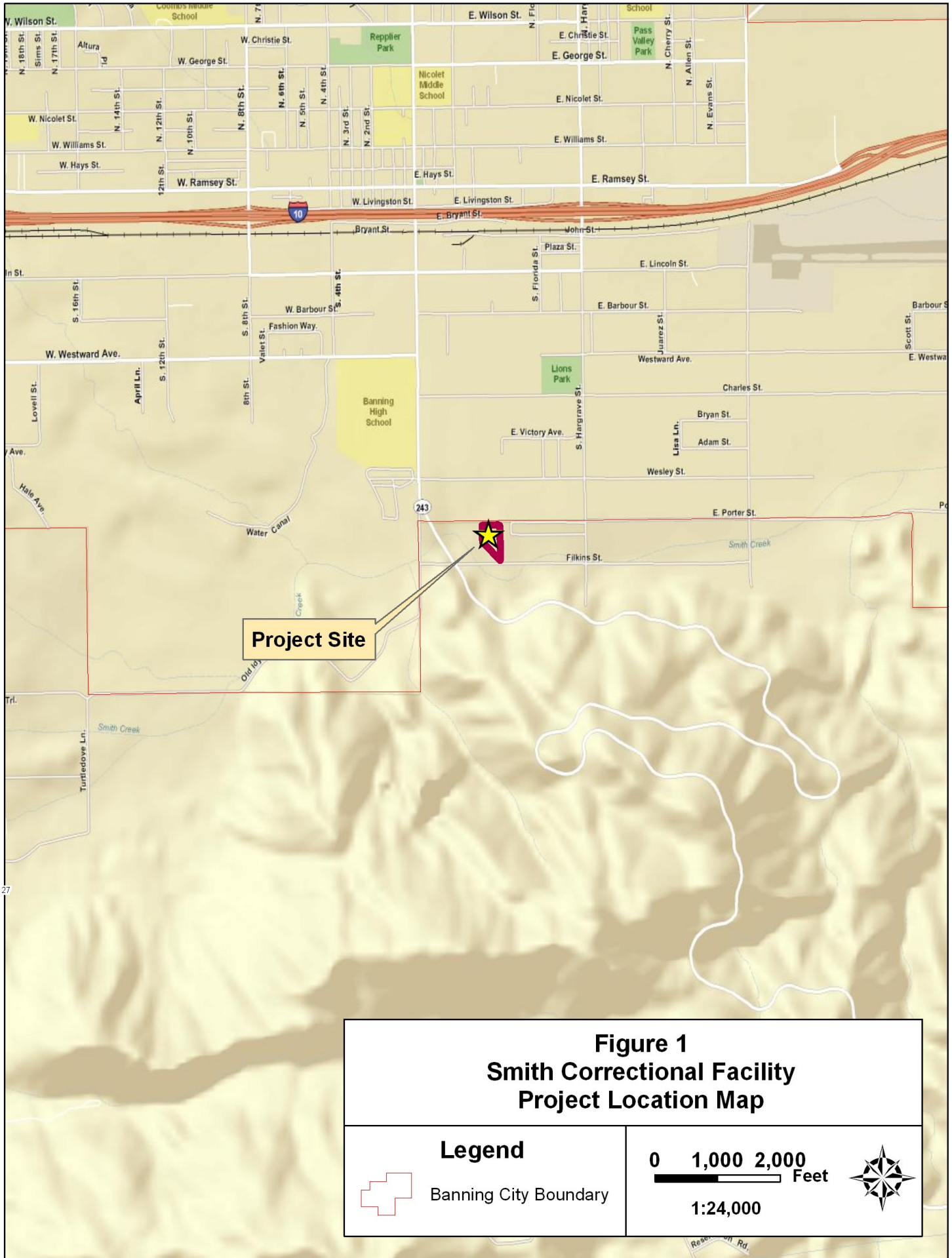
SITE LOCATION AND DESCRIPTION

The approximate 12.25-acre Smith Correctional Facility project site is located south of Interstate 10 south of the City of Banning, east of State Highway 243, between Wesley Street to the north and Filkins Street to the south (**Figure 1**). The project site is located in MSHCP Area Plan "The Pass." The site is located on the U.S. Geological Survey (USGS) *Cabazon*, California 7.5-minute topographic quadrangle in Section 15 of Township 3 South, Range 1 East. The elevation at the site is approximately 2,200 feet above mean sea level (msl). The project site was largely composed of ruderal vegetation with a small area of ornamental landscaping (Sawyer and Keeler-Wolf, 1995).

METHODOLOGY

Literature Review

Prior to performing the reconnaissance-level field survey, Chambers Group staff reviewed existing documentation relevant to the project site. The most recent records of the California Natural Diversity Database (CNDDDB 2007) and the California Native Plant Society Electronic Inventory of Rare and Endangered Vascular Plants of California (CNPSEI 2007) were reviewed for the quadrangles containing and adjacent to the project site (i.e. *Beaumont* and *Cabazon*, California, USGS 7.5-minute quadrangles). These databases contain records of reported occurrences of federal- and/or state-listed endangered or threatened species, California special concern species (CSCs), or otherwise sensitive species or habitats that may occur on or in the immediate vicinity of the project site. The Riverside County Integrated Project (RCIP) Multiple Species Habitat Conservation Plan was also reviewed for species recommendations (RCIP 2007).



Project Site

Figure 1
Smith Correctional Facility
Project Location Map

Legend

 Banning City Boundary

0 1,000 2,000 Feet
1:24,000



Soils

Before conducting the surveys, soil maps were referenced for Western Riverside County to determine the types of soil found on the site. Soils were determined in accordance with categories set forth by the U.S. Department of Agriculture (USDA) Soil Conservation Service and by referencing the USDA Soil Survey: Western Riverside Area, California (USDA 1971).

Vegetation

A field survey was conducted on the project site in order to identify the potential for occurrence of sensitive species or vegetation communities onsite. The survey was conducted by walking throughout the project site and noting plant species and soil types observed. All data sheets can be found in **Appendix A**.

Plant communities were determined in accordance with the categories set forth in Holland (1986) or Sawyer and Keeler-Wolf (1995). Plant communities on the project site were identified, qualitatively described, and mapped onto a 1:120 aerial photograph. Plants of uncertain identity were collected and subsequently identified from keys, descriptions, and illustrations in Abrams (1923, 1944, 1951), Abrams and Ferris (1960), Hickman (1993), and Munz (1974). Plant nomenclature follows that of *The Jepson Manual: Higher Plants of California* (Hickman 1993). A list of the plant species observed during the survey is presented in **Appendix B**.

Wildlife

A field survey was conducted on the project site in order to identify any potential for occurrence of sensitive wildlife species or habitats to support sensitive wildlife species. The survey was conducted on foot throughout the project site. All wildlife and wildlife signs observed and detected, including tracks, scat, carcasses, burrows, nests, eggs, larvae, excavations, and vocalizations, were recorded on standardized data sheets (**Appendix A**). Additional survey time was spent in those habitats most likely to be utilized by wildlife (undisturbed native habitat, wildlife trails, etc.) or in habitats with the potential to support state- and/or federal-listed or proposed listed species. Notes were made on the general habitat types, species observed, and the conditions of the site. A list of the wildlife species observed during the site visit is included as **Appendix C**.

RESULTS

SOILS

One soil type occurs within the project site. This soil type is within the Greenfield Series (USDA, 1971).

Greenfield sandy loam, 2 to 8 percent slopes, eroded (GyC2), is a gently to moderately sloping soil, which occurs on alluvial fans and terraces. This soil type has a slight to moderate hazard of erosion. Greenfield sandy loam is used for dryland grain, pasture, irrigated alfalfa, potatoes, citrus, and peaches, and for homesites.

VEGETATION

General

The project site was largely composed of ruderal vegetation with a small area of ornamental landscaping in the western portion of the project site adjacent to Smith Creek. The vegetation communities are shown on the biological resources map included as **Attachment E-5**. Representative site photographs are included as **Attachment E-6**. The following section summarizes the principal characteristics of the vegetation communities. A list of the plant species that were observed during the survey is presented as **Appendix B**.

Vegetation Community Description

Ruderal Vegetation

Ruderal areas are typically characterized by heavily compacted or frequently disturbed soils. These areas are dominated by pioneering herbaceous plants that readily colonize disturbed ground. The vegetation in these areas is adapted to living in compact soils where water does not readily penetrate the soil. The ruderal areas within the project site were largely bare ground devoid of vegetative cover, due to a discing or by use as a horse corral. The project site was dominated by ruderal vegetation, including non-native herbaceous species such as black mustard (*Brassica nigra*), London rocket (*Sisymbrium irio*), Russian thistle (*Salsola tragus*), red-stemmed filaree (*Erodium cicutarium*), white-stemmed filaree (*Erodium moschatum*), and horehound (*Marrubium vulgare*), as well as non-native grasses, such as wild oat (*Avena* sp.) and Bermuda grass (*Cynodon dactylon*). Native species found within the ruderal vegetation consisted of telegraph weed (*Heterotheca grandiflora*), common fiddleneck (*Amsinckia menziesii*), dove weed (*Eremocarpus setigerus*), phacelia (*Phacelia* sp.), and jimson weed (*Datura wrightii*), among others (**Appendix B**).

Ornamental Landscaping

Ornamental landscaping includes areas where vegetation is dominated by non-native horticultural plants. Ornamental landscaping occurred in a small portion along the western border of the project site adjacent to Smith Creek. The vegetation in this area was comprised solely of gum tree (*Eucalyptus* sp.).

Sensitive Plant Species

According to the MSHCP database review, two narrow endemic plant species were identified as having a potential to occur on the Smith Correctional Facility expansion project site. According to the CNDDDB and CNPSEI database reviews, 11 additional sensitive plants species were identified as having a potential to occur on the Smith Correctional Facility expansion project site. Two of the 11 species are federal- or state-listed as threatened or endangered.

Status Codes

Federal

FE = Federally listed; Endangered
FT = Federally listed; Threatened
FC = Federal Candidate for listing

State

- ST = State-listed; Threatened
SE = State-listed; Endangered
RARE = State-listed; Rare (Listed "Rare" animals have been re-designated as Threatened, but Rare plants have retained the Rare designation.)
CSC = State Species of Special Concern

CNPS

- List 1A = Plants presumed extinct in California.
List 1B = Plants rare and endangered in California and throughout their range.
List 2 = Plants rare, threatened or endangered in California but more common elsewhere in their range.
List 3 = Plants about which we need more information; a review list.
List 4 = Plants of limited distribution; a watch list.

CNPS List Extension

- 0.1 = Seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat)
0.2 = Fairly endangered in California (20-80% of occurrences threatened)
0.3 = Not very threatened in California (<20% of occurrences threatened)

Due to a lack of habitat present on the project site, the two narrow endemic plant species listed below are considered **absent** from the project site:

- Marvin's onion (*Allium marvinii*) – CNPS List 1B.1; and
- many-stemmed dudleya (*Dudleya multicaulis*) – CNPS List 1B.2.

The following 11 species are covered species under the MSHCP, but were identified in the CNDDDB and CNPSEI database search as having a potential for occurrence on the project site; no survey requirements were prescribed for these species by the RCIP report generator. Two of the 11 species, Mojave tarplant (*Deinandra mohavensis*) and slender-horned spineflower (*Dodecahema leptoceras*), are federal- or state-listed as threatened or endangered. Mojave tarplant and slender-horned spineflower are considered absent from the project site due to lack of appropriate habitat. Two of the 11 sensitive species with potential for occurrence on the project site, Jaeger's milk-vetch (*Astragalus pachypus* var. *jaegeri*) and Plummer's mariposa lily (*Calochortus plummerae*), have the potential to occur on the project site, due to the presence of suitable habitat; however, these two species are covered under the MSHCP, and focused surveys are not therefore required.

- Jaeger's milk-vetch (*Astragalus pachypus* var. *jaegeri*) – CNPS List 1B.1;
- Plummer's mariposa lily (*Calochortus plummerae*) – CNPS List 1B.2;
- smooth tarplant (*Centromadia pungens* ssp. *laevis*) – CNPS List 1B.1;
- Parry's spineflower (*Chorizanthe parryi* var. *parryi*) – CNPS List 3.2;
- white-bracted spineflower (*Chorizanthe xanti* var. *leucotheca*) – CNPS List 1B.2;
- Mojave tarplant (*Deinandra mohavensis*) – SE;

- slender-horned spineflower (*Dodecahema leptoceras*) – FE, SE;
- mesa horkelia (*Horkelia cuneata* ssp. *puberula*) - CNPS List 1B.1;
- lemon lily (*Lilium parryi*) – CNPS List 1B.1;
- San Bernardino aster (*Symphyotrichum defoliatum*) – CNPS List 1B.2; and
- Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*) – CNPS List 2.1.

WILDLIFE

General

The habitat assessment was conducted between 1015 and 1130 hours on March 5, 2007. Weather conditions during the survey included temperatures of 71 degrees Fahrenheit with average wind speeds at 4.5 mph, and clear skies. **Appendix C** contains a list of the wildlife species observed on the site, and **Appendix A** contains all field data sheets.

Reptiles

One species of reptile, common side-blotched lizard (*Uta stansburiana*), was observed on the project site during the survey.

Birds

Three species of birds were detected on the project site during the survey. Observations included the red-tailed hawk (*Buteo jamaicensis*), American crow (*Corvus brachyrhynchos*), and house finch (*Carpodacus mexicanus*).

Mammals

Four mammal species were detected on the site during the survey. Species detected included desert cottontail (*Sylvilagus audubonii*), Botta's pocket gopher (*Thomomys bottae*), coyote (*Canis latrans*), and horse (*Equus caballus*). Rodent burrows were also observed on site.

Sensitive Wildlife Species

According to the CNDDDB literature review, a total of 17 sensitive wildlife species were identified as having the potential to occur on the project site.

The following three species require habitat types not present on the project site. Therefore, these species are considered **absent** from the site.

- Dulzura pocket mouse (*Chaetodipus californicus femoralis*) – CSC;
- mountain yellow-legged frog (*Rana muscosa*) – FE, CSCL; and

- Le Conte's thrasher (*Toxostoma lecontei*) – CSC.

The project site supports a limited amount of poor quality habitat for the following species; therefore, the following 12 species have a **low** potential for occurrence on the project site.

- Pallid bat (*Antrozous pallidus*) – CSC;
- orange-throated whiptail (*Aspidoscelis hyperythra*) - CSC;
- dulzura pocket mouse (*Chaetodipus californicus femoralis*) – CSC;
- northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*) – CSC;
- pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*) – CSC;
- northern red-diamond rattle snake (*Crotalus ruber ruber*) – CSC;
- San Diego desert woodrat (*Neotoma lepida intermedia*) – CSC;
- Los Angeles pocket mouse (*Perognathus longimembris brevinasus*) - CSC;
- coast (San Diego) horned lizard (*Phrynosoma coronatum blainvillei*) - CSC;
- purple martin (*Progne subis*) – CSC;
- Palm Springs round-tailed ground squirrel (*Spermophilus tereticaudus chlorus*) – FC, CSC; and
- American badger (*Taxidea taxus*) – CSC.

The project site supports a limited amount of suitable habitat for the following species; therefore, the following two species have a **moderate** potential to occur on the project site.

- Stephen's kangaroo rat (*Dipodomys stephensi*) – FE, CT;
- western spadefoot (*Spea hammondi*) – CSC.

CONCLUSIONS AND RECOMMENDATIONS

RIPARIAN/RIVERINE, WETLAND, AND VERNAL POOL HABITATS

The Smith Correctional Facility expansion project site does not support any riparian/riverine or wetland habitats. Additionally, there are no vernal pools or jurisdictional waters present on the site.

SENSITIVE SPECIES

Sensitive Plant Species

The MSHCP database review indicated that of 13 sensitive plant species that have the potential to occur on the project site, 11 species are covered under the MSHCP; therefore, focused surveys for these covered species are not required. The two sensitive, narrow endemic plant species not covered under

the MSHCP, Yucaipa onion and many-stemmed dudleya, are considered absent from the project site due to lack of suitable habitat; therefore, focused surveys are not required.

Sensitive Wildlife

According to the MSHCP database review, the only species that are not covered under the MSHCP are the burrowing owl (*Athene cunicularia*) and the Los Angeles pocket mouse (*Perognathus longimembris brevinasus*), both of which are California species of concern (CSC). Focused surveys will be required for the following species if potential habitat is present on the project site.

Burrowing Owl

The Burrowing Owl is a California species of concern. Although the burrowing owl did not come up on the CNDDDB database search, RCIP still requires surveys. The Burrowing Owl Survey Instructions for the Western Riverside MSHCP have determined that a Focused Burrow Survey is required unless "burrowing owl habitat is not present-on-site (i.e. if the site is completely covered by chaparral, cement or asphalt)" (TLMA 2007). Potential habitat for the burrowing owl includes; drainage ditches, grasslands, shrub lands, pastureland, and agricultural use areas. Potential suitable habitat was detected on the project site, therefore a Focused Burrow Survey will be required. Additionally, a 30-day pre-construction clearance survey will be required by Riverside County (TLMA 2007).

Los Angeles Pocket Mouse

The Los Angeles pocket mouse is a California species of special concern. The Western Riverside County MSHCP requires focused surveys for the Los Angeles pocket mouse if potential habitat occurs on site. Potential habitat for this species includes; fine sandy soils, sparse vegetation, Riversidean alluvial fan sage scrub, and chaparral. After conducting the habitat assessment it was determined that this species has a low potential to occur on site. A limited amount of poor quality habitat exists on site, and recent occurrences for this species do not exist within the vicinity of the site. Therefore, focused surveys are not recommended.

The Stephen's kangaroo rat and the western spadefoot are fully-covered under the MSCHP, and RCIP does not require a habitat assessment. However, it was determined that Stephen's kangaroo rat and western spadefoot toad have a moderate potential to occur on site.

Stephens' Kangaroo Rat

Stephens' kangaroo rat is a federal-listed **endangered** and state-listed **threatened** species that primarily inhabits annual and perennial grasslands, but is also known to occur in sagebrush and coastal sage scrub communities where shrub cover is sparse. Loose, friable, well-drained soils and gently sloping terrain is preferred by this species. Multiple records of this species' occurrence exist in the vicinity of the site and suitable habitat exists on the project site. The project site does not exist in Stephens' Kangaroo Rat Habitat Conservation Plan Fee Assessment Area (RCIP 2007).

Western Spadefoot

The western spadefoot toad is a California species of special concern. Habitat for this species includes; sandy, gravelly soils, mixed woodlands, grasslands, sandy washes, river floodplains, and rain pools for

breeding. A limited amount of suitable habitat exists on site for this species and occurrences exist within the vicinity of the project site.

CHAMBERS GROUP, INC.

A handwritten signature in black ink, appearing to read 'Shari Norton', written in a cursive style.

Shari Norton
Staff Biologist

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2007 Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat
Conservation Plan Area. Riverside, California.
- U.S. Department of Agriculture (USDA)
1971 Soil Survey: Western Riverside Area, California.
- U.S. Geological Survey (USGS)
Beaumont and Cabazon, California, USGS 7.5-minute quadrangles.

APPENDIX A
FIELD DATA SHEETS



Biological Resources Survey Form

Chambers Group, Inc.

Project Name Banning Prison Expansion Project # 8488 Task 001 Billing Group 01

Location Smith Correction Facility Survey Type _____

Surveyor(s) S. Norton, J. Sander, S. Skidmore Date 3/5/07 Time (Start) 10:15 (End) 11:30

General Habitat Description of Area Ruderal

Weather (Cloud cover, Estimated wind speed, precipitation) no 14.0, 4.9, no

Temperature (In C, taken at 6" above the ground in the shade) (Start) 70.3 (End) 70.7

Time		Wildlife Species
10:15	Cottontail scat	Cottontail
	Rodent burrows	RTHA
	Gopher burrows	AMCR
	scrubjay feathers?	COYOTE SCAT
		SBLI
		HOPI
	- Fields disced	
	photo #1 - From NW corner of expansion site, Facing east	
	photo #2 - From S end of expansion Facing S - creek & highway	
	photo #3 - taken from S tip Facing N	
	photos #4 & 5 - Staging areas	
	↘ horses	

General Comments: S = mountains, highway & creek
 N = agricultural fields & residential - horses
 E = prison W = creek & highway

APPENDIX B

PLANT SPECIES LIST

Appendix B
Smith Correctional Facility Expansion Project Site
Plant Species List

Scientific Name	Common Name
ANGIOSPERMS (DICOTYLEDONS)	
ASTERACEAE	SUNFLOWER FAMILY
<i>Ambrosia</i> sp.	bursage
<i>Heterotheca grandiflora</i>	telegraph weed
BORAGINACEAE	BORAGE FAMILY
<i>Amsinckia menziesii</i>	common fiddleneck
BRASSICACEAE	MUSTARD FAMILY
<i>Brassica nigra</i> *	black mustard
<i>Sisymbrium irio</i> *	London rocket
CAPRIFOLIACEAE	HONEYSUCKLE FAMILY
<i>Sambucus mexicana</i>	Mexican elderberry
CHENOPODIACEAE	GOOSEFOOT FAMILY
<i>Salsola tragus</i> *	Russian thistle
EUPHORBIACEAE	SPURGE FAMILY
<i>Eremocarpus setigerus</i>	dove weed
GERANIACEAE	GERANIUM FAMILY
<i>Erodium cicutarium</i> *	red-stemmed filaree
<i>Erodium moschatum</i> *	white-stemmed filaree
HYDROPHYLLACEAE	WATERLEAF FAMILY
<i>Phacelia</i> sp.	phacelia
LAMIACEAE	MINT FAMILY
<i>Marrubium vulgare</i> *	horehound
MYRTACEAE	MYRTLE FAMILY
<i>Eucalyptus</i> sp.*	gum tree
SOLANACEAE	NIGHTSHADE FAMILY
<i>Datura wrightii</i>	jimson weed
ANGIOSPERMS (MONOCOTYLEDONS)	
POACEAE	GRASS FAMILY
<i>Avena</i> sp.*	wild oat
<i>Cynodon dactylon</i> *	Bermuda grass
<i>Vulpia</i> sp.	fescue

* Denotes Non-Native Species

APPENDIX C

WILDLIFE SPECIES LIST

Appendix C
Smith Correctional Facility Expansion Project Site
Wildlife Species List

Scientific Name	Common Name	Sign
CLASS REPTILIA	REPTILES	
PHRYNOSOMATIDAE	ZEBRA-TAILED, EARLESS, FRINGE-TOED, SPINY, TREE, SIDE-BLOTCHED, AND HORNY LIZARDS	
<i>Uta stansburiana</i>	common side-blotched lizard	O
CLASS AVES	BIRDS	
ACCIPITRIDAE	HAWKS, KITES, EAGLES	
<i>Buteo jamaicensis</i>	red-tailed hawk	O
CORVIDAE	JAYS & CROWS	
<i>Corvus brachyrhynchos</i>	American crow	O, V
FRINGILLIDAE	FINCHES	
<i>Carpodacus mexicanus</i>	house finch	O, V
CLASS MAMMALIA	MAMMALS	
LEPORIDAE	HARES & RABBITS	
<i>Sylvilagus audubonii</i>	desert cottontail	O, S
GEOMYIDAE	POCKET GOPHERS	
<i>Thomomys bottae</i>	Botta's pocket gopher	S
HETEROMYIDAE	POCKET MICE & KANGAROO RATS	S
MURIDAE	MICE, RATS, AND VOLES	S
CANIDAE	WOLVES & FOXES	
<i>Canis latrans</i>	coyote	S
EQUIDAE	HORSES & BURROS	
<i>Equus caballus</i>	horse	O

O = Observed
V = Vocalized
S = Sign

ATTACHMENT E-3

BIOLOGICAL REPORT SUMMARY SHEET

BIOLOGICAL REPORT SUMMARY SHEET

(Submit two copies to the County)

Applicant Name: Riverside County, Facilities Management
 Assessor's Parcel Number (APN): 543-160-006, 543-140-022, & 543-170-007
 APN cont.: _____
 Site Location: Section: 15 Township: 35 Range: 1E
 Site Address: _____
 Related Case Number(s): _____ PDB Number: _____

CHECK SPECIES SURVEYED FOR	SPECIES or ENVIRONMENTAL ISSUE OF CONCERN	(Circle Yes, No or N/A regarding species findings on the referenced site)		
		Yes	No	N/A
	Arroyo Southwestern Toad	Yes	No	N/A
✓	Blueline Stream(s)	Yes	No	N/A
	Coachella Valley Fringed-Toed Lizard	Yes	No	N/A
	Coastal California Gnatcatcher	Yes	No	N/A
✓	Coastal Sage Scrub	Yes	No	N/A
	Delhi Sands Flower-Loving Fly	Yes	No	N/A
	Desert Pupfish	Yes	No	N/A
	Desert Slender Salamander	Yes	No	N/A
	Desert Tortoise	Yes	No	N/A
	Flat-Tailed Horned Lizard	Yes	No	N/A
	Least Bell's Vireo	Yes	No	N/A
✓	Oak Woodlands	Yes	No	N/A
	Quino Checkerspot Butterfly	Yes	No	N/A
	Riverside Fairy Shrimp	Yes	No	N/A
	Santa Ana River Woollystar	Yes	No	N/A
	San Bernardino Kangaroo Rat	Yes	No	N/A
	Slender Horned Spineflower	Yes	No	N/A
	Stephen's Kangaroo Rat	Yes	No	N/A
✓	Vernal Pools	Yes	No	N/A
✓	Wetlands	Yes	No	N/A

CHECK SPECIES SURVEYED FOR	SPECIES or ENVIRONMENTAL ISSUE OF CONCERN	(Circle Yes, No or N/A regarding species findings on the referenced site)		
		Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A
	Other	Yes	No	N/A

Species of concern shall be any unique, rare, endangered, or threatened species. It shall include species used to delineate wetlands and riparian corridors. It shall also include any hosts, perching, or food plants used by any animals listed as rare, endangered, threatened or candidate species by either State, or Federal regulations, or for Riverside County as listed by the California Department of Fish and Game Natural Diversity Data Base (NDDDB).

I declare under penalty of perjury that the information provided on this summary sheet is in accordance with the information provided in the biological report.

Saraiah Skidmore / Saraiah Skidmore, Chambers Group, Inc.
 Signature and Company Name Report Date

10(a) Permit Number (if applicable) Permit Expiration Date

County Use Only

Received by: _____ Date: _____
 HD#B# _____

ATTACHMENT E-4

LEVEL OF SIGNIFICANCE CHECKLIST

LEVEL OF SIGNIFICANCE CHECKLIST
 For Biological Resources
 (Submit Two Copies)

543-160-006
 543-140-022
 543-170-007

Case Number: _____ Lot/Parcel No. _____ EA Number _____

Wildlife & Vegetation

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

(Check the level of impact the applies to the following questions)

- a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?
- b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?
- c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?
- f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Source: CGP Fig. VI.36-VI.40

Findings of Fact: Project site is located within potential burrowing owl habitat, therefore a focused burrow survey + 30-day preconstruction survey will be required.

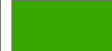

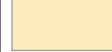
Proposed Mitigation:

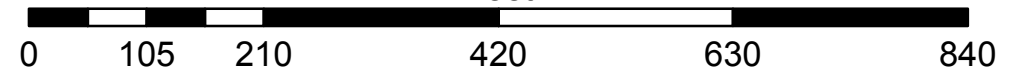
Monitoring Recommended:

ATTACHMENT E-5

BIOLOGICAL RESOURCES MAP



Vegetation Community	
	Disturbed Buckwheat Series (0.04 acres)
	Ornamental (0.13 acres)
	Ruderal (11.00 acres)



Smith Correctional Facility Expansion Project
 Vegetation Communities Map
 Attachment E-5

ATTACHMENT E-6
SITE PHOTOGRAPHS



Photo 1. Photo taken facing east from the western border of Assessor's Parcel Number 543-170-007, depicting ruderal vegetation on the project site adjacent to the Smith Correctional Facility.



Photo 2. Photo taken facing southwest from the western border of the project site in Assessor's Parcel Number 543-170-007, depicting ruderal vegetation on the project site in the foreground, and Smith Creek and the foothills of the San Jacinto mountains in the background.



Photo 3. Photo taken facing west from the eastern border of Assessor's Parcel Number 543-170-007, depicting ruderal vegetation adjacent to the Smith Correctional Facility.



Photo 4. Photo taken facing northeast from the southwestern boundary of Assessor's Parcel Number 543-140-022, depicting ruderal vegetation on the project site.



Photo 5. Photo taken facing northwest from the southeastern corner of Assessor's Parcel Number 543-160-006 depicting ruderal vegetation within active horse corral.

ATTACHMENT B
CULTURAL RESOURCES TECHNICAL REPORT

**Cultural Resources Inventory of 12.25 Acres:
APN: 543-170-007, 543-160-006, and 543-140-022
Banning, Riverside County, California**

Prepared For:

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

Prepared By:

**Jay K. Sander
Chambers Group, Inc.
302 Brookside Avenue
Redlands, California**

April 2007

U.S. Geological Survey 7.5' Quadrangle:
Cabazon, California (1996)

Area Surveyed: Approximately 12.25 Acres

Resources Identified:
None

Keywords: Archaeological Survey, Ethnohistory, History, Project Area,
Riverside County, Cahuilla, Banning

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Appendix A Paleontological Resources Files/Database Search
Appendix BCorrespondence with the Native American Heritage Commission

1.0 INTRODUCTION

This report provides the results of the cultural resources inventory for the proposed expansion of the Larry D. Smith Correctional Facility, Assessor Parcel Numbers (APNs) 543-170-007 near the City of Banning, Riverside County, California (Figures 1 and 2). The proposed expansion project includes construction staging areas, APN 543-160-006 and 543-140-022, within Banning city limits; however, the County of Riverside owns these parcels. State law, as set forth in the California Environmental Quality Act (CEQA), requires that a cultural resources evaluation of the 12.25-acre project area be completed before construction work can proceed.

In compliance with CEQA, the County of Riverside retained Chambers Group, Inc. (Chambers Group) to perform a records/literature review of cultural and paleontological resources known to exist in the project area, as well as an intensive archaeological field survey to identify any previously unrecorded cultural resources that may exist there. The cultural resources inventory presented here consists of the results of the cultural and paleontological resources record search/literature review and the results of the archaeological field survey of the proposed expansion area.

2.0 PROJECT DESCRIPTION

Riverside County is proposing to expand the Larry D. Smith Correctional Facility near Banning, California. The correctional facility dates to the 1920s and was originally used as a camp for prison road gangs. During World War II it served as a Japanese internment camp. The proposed project would include the construction of three two-story octagonal dormitory-style housing units capable of accommodating up to 600 inmates. This expansion would bring the total capacity of the correctional facility to approximately 1,530 inmates. The project site is located west of the existing facility on property owned by the County of Riverside.

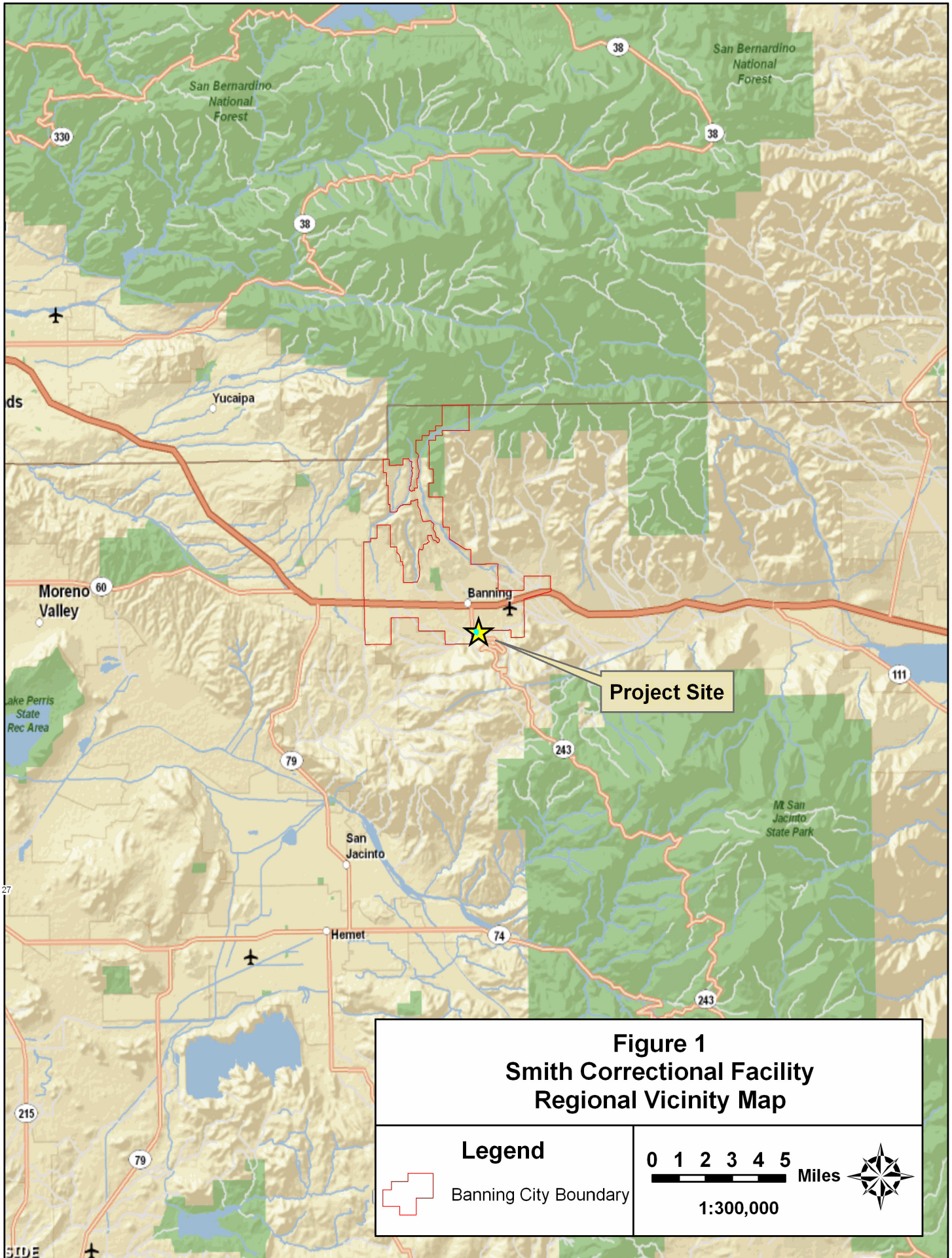
3.0 LOCATION AND ENVIRONMENTAL SETTING

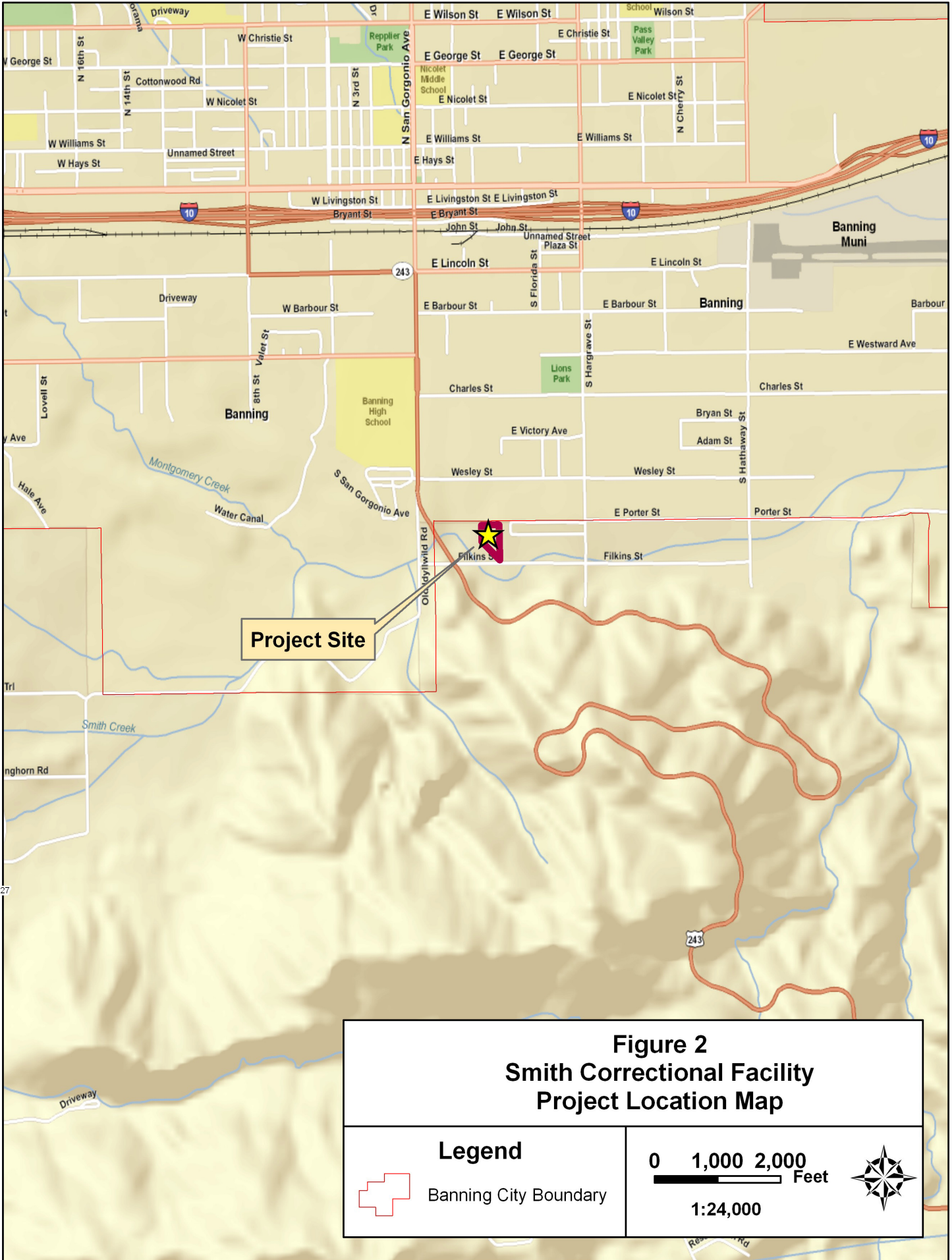
The proposed expansion site is located near the City of Banning, Riverside County, California and consists of APN 543-170-007 (4.91 acres). The County of Riverside owns the proposed expansion site property. The expansion project area also includes a construction staging area, APN 543-160-006 and 543-140-022, which encompasses 7.34 acres. The construction staging area property is located within Banning city limits, but owned by the County of Riverside. The expansion site and construction staging area encompass a total of 12.25 acres. The area surveyed is bounded to the south by Smith Creek, to the east by the current facility, to the north by the Wesley Street, and to the west by undeveloped desert.

The City of Banning is at the center of the San Geronio Pass, between the San Jacinto and San Bernardino Mountains. The city is approximately 20 miles west of Palm Springs. The confluence of Smith Creek (dry) and the San Geronio River (seasonal) is about 3.25 miles to the southeast.

The property lies within the western one-half of Section 15 of Township 3 South, Range 1 East, of the San Bernardino Base Meridian, as depicted on the U.S. Geological Survey (USGS) 7.5-minute *Cabazon, California* (1996) topographic quadrangle. The elevation is approximately 2,200 feet above mean sea level (see Figure 2).



The project area is relatively level and slopes down towards the southwest. Soils at the site consist of fine-grained alluvium with little gravel or cobble at the surface. Disturbances on the site exist in the form of off-road vehicle tracks, dumped trash, and bioturbation.





Project Site

Figure 2
Smith Correctional Facility
Project Location Map

<p>Legend</p> <p> Banning City Boundary</p>	<p>0 1,000 2,000 Feet</p> <p>1:24,000</p> 
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4.0 CULTURAL OVERVIEW

4.1 General Prehistory

Archaeological research in the San Geronio Pass and the adjacent Salton Trough region remains at an incipient stage despite more than 50 years of scientific interest. The region's prehistory can be characterized into three broad cultural periods: the Paleoindian, the Archaic, and the Patayan. The Paleoindian Period lasted from approximately 12,000 to 7,000 years before present (BP) and is believed to have been a hunting-gathering lifestyle focusing on Pleistocene megafauna. While some researchers have suggested that the area was occupied by humans prior to 12,000 years before present, conclusive evidence of such an early occupation in southern California has yet to be presented to the scientific community. The Archaic Period, characterized as a more diverse hunting-gathering tradition, lasted from approximately 7,000 to 1,075 years BP. Despite the lengthy duration of this period, few sites have provided evidence of Archaic occupation within the Salton Trough. The Patayan Period began after 1,075 years BP and lasted until the first Spanish explorers reached the area, around 1774. This culture was widely distributed across the Colorado Desert and is best identified by its distinct ceramic technology. The majority of archaeological sites identified in the Salton Trough region date to this period, yet the Patayan are still considered one of the least understood Southwestern prehistoric cultures (Cordell 1997; Reid and Whittlesey 1997).

The Paleoindian Period (12,000 to 7,000 years BP)

In the Colorado Desert, the Paleoindian Period is represented by the San Dieguito Complex. San Dieguito technology consisted of a wide array of bifaces, choppers, scrapers, crescents, and other tools associated with a hunting-gathering economy. This complex was first characterized by Malcolm Rogers in 1939 and was later refined by Claude Warren (1967) after conducting surface survey and excavation of the Harris site in San Diego County. Rogers distinguished three phases of San Dieguito tool production and use that depicted a developmental sequence towards increasing technological complexity and diversity. The earliest industry, termed San Dieguito I, consisted of chopping and scraping tools fashioned by percussion flaking. In these assemblages, projectile points were crude and relatively rare. The later San Dieguito II and San Dieguito III industries tended to contain greater amounts of finely manufactured projectile points, blades, and other pressure flaked objects.

Overall, the San Dieguito Complex shows strong affiliations with the Lake Mohave Complex to the north (Warren and True 1961). The similarity of these, and other paleoindian industries led researchers to propose the Western Stemmed Point Tradition, which subsumes both the San Dieguito and Lake Mohave Complexes and several other lithic industries throughout the Great Basin (Cordell 1997). Radiocarbon dates from Western Stemmed Point Tradition sites range between 11,200 and 7,500 years BP (Cordell 1997). Faunal assemblages of these sites typically contain remains of artiodactyls such as bighorn sheep, deer, and pronghorn; small game, such as jackrabbits; as well as freshwater mollusks—indicative of exploitation of lake and marshland environs. The faunal evidence attests, at least in this region, to a generalized hunting-gathering adaptation similar to what researchers often consider to characterize the Archaic period (Cordell 1997), not the focused adaptation to big-game hunting suspected for the Paleoindian Period in other regions. In all areas of southern California, Paleoindian sites are extremely rare and generally consist of unstratified lithic scatters or rock features found on desert pavements, near major drainage areas, or along the shorelines of Pleistocene lakes such as Ancient Lake Cahuilla, of the current project area (Apple 1997).

The Archaic Period (7,000 to 1,075 years BP)

The Archaic Period is poorly represented in the Colorado Desert region (Schaefer 1994) and over the years there has been much difficulty in deciding upon proper designation and temporal ranges of the period. This period incorporates both the Pinto and Gypsum periods as defined for the Mojave Desert region (Warren and Crabtree 1986). Rogers (1958) termed the culture which developed out of the San Dieguito Complex the Amargosa Tradition. Cordell (1997) prefers the term Archaic for this period, but also recognizes the term Desert Culture (Jennings 1957, 1973) as a suitable classifier. Recent syntheses (e.g. Cordell 1997) have subsumed the Amargosa and the Pinto Basin Complex into the San Dieguito-Pinto Tradition. Archaic sites of this tradition are generally identified by the presence of the distinctive Pinto Basin and Gypsum Cave type projectile points. These sites sometimes also contain ground stone tools.

The changes that define the transition from the Paleoindian Period to the Archaic have often been related to fluctuating climatic conditions. Regional paleoenvironmental studies (e.g. van Devender 1990) have helped to highlight the complex nature of broad climatic changes that occurred during the Holocene and adaptations that early peoples made to survive (Cordell 1997). Of particular relevance to the Archaic Period was the Altithermal, a climatic episode of hot and dry conditions that lasted from about 7,500 to 5,000 years BP. During the Middle Archaic, around 4,000 years BP, stabilization of vegetation within the Salton Trough region, which includes the Coachella Valley, is believed to have occurred (Flora of North America Association 1999). This would have been directly related to the closure of the Altithermal period. During his investigations, Rogers found no sites within the Salton Trough region which dated to the Archaic Period (Weide 1976a, Moratto 1984). Hayden (1976) suggests that this area may have been largely abandoned due to warm and dry conditions characterizing the Altithermal. Alternatively, if Archaic occupation of this region did occur, sites may have been lost or eliminated by natural processes or obscured by later settlements, and the region may not have been abandoned (Weide 1976b).

The Patayan Period (1,075 years BP to contact)

Beginning around 1,075 BP the first Patayan Phase is evidenced by the occurrence of Buff and Brown pottery wares in specific vessel forms. Five ceramic wares have been distinguished for this phase: Colorado Red, Black Mesa Buff, Black Mesa Red-on-buff, Colorado Beige, and Colorado Red-on-beige (Cordell 1997). Typical vessel forms include simple bowls and scoops, and large jars with tall tapered necks, direct rims, and "Colorado shoulders." Common traits of Patayan I pottery vessels include rim notching, incised decoration, basketry molding, burnishing, red slips, and occasionally lug and loop handles. The adoption of Cottonwood and Desert Side-Notched projectile points (Moratto 1984) is an additional characteristic of the Patayan I Phase.

The Patayan II Phase, lasting from approximately 950 to 450 years BP, is marked by the adoption of new pottery characteristics (Waters 1982). The timing of transition into this phase is based on a series of geological interpretations, intrusive sherds, radiocarbon dates, and design similarities with certain Hohokam ceramic types (Cordell 1997). Pottery traits adopted during this time include new vessel forms such as jars that lack the Colorado shoulder distinctive of Patayan I jars, bowls and jars with recurved rims, and flat, open bowls that resemble plates. Other traits include increased use of fine-lined geometric designs, recurved rims, and a new pottery finish termed "stucco" (Cordell 1997). Stucco finish consists of a mixture of sand and clay applied in course layers on the base of pots that are used for cooking (Reid and Whittlesey 1997). Four general ceramic wares distinguish this phase: Tumco Buff, Parker Buff, Palomas Buff, and Salton Buff (Cordell 1997).

During the Patayan II Phase, use of pottery by groups occupying the Salton Trough rapidly increased. This increase may partially be the result of populations adjusting their subsistence and settlement patterns to environmental changes which occurred as a result of intermittent filling and drying of the Salton Basin. Patayan II pottery has been found throughout the trough and at

Hohokam sites far to the east, south into the Sierra Pinacate region of Mexico, and north into Nevada (Stone 1991).

The Patayan III Phase of the Colorado Desert (450 years BP to contact) has been differentiated by slight changes in the overall ceramic assemblage. Colorado Buff becomes the main pottery ware used during this phase, but other wares persist into this time period as well (Cordell 1997). Sites with Patayan III assemblages sometimes also contain glass and metal artifacts, indicating that this phase lasted well into the post-contact historic time periods.

In the Salton Trough, the Patayan III Phase is characterized by large population shifts triggered by the final evaporation of Ancient Lake Cahuilla (Rogers 1945; Wilke 1978; Waters 1982). Although a gradual process, the lake's desiccation represented a massive and fundamental degradation of the subsistence productivity of the region. Patayan groups, already mobile and dispersed, may have moved to areas where resources were more readily available, or where social or kinship ties facilitated integration into other existing groups. Groups on the western side of the drying lake may have moved to the foothills and mountains of western California, such as the San Jacinto and San Bernardino Ranges along the boundaries of the project area (Waters 1982). Other groups may have moved to the Colorado River Valley and expanded down into the river delta (Rogers 1945). It has also been suggested that population increases due to migration to the Colorado River may have contributed to the high frequency of inter-group conflict documented by early Spanish explorers of this region (Forbes 1965).

4.2 Ethnohistory

The project area was part of the territory occupied by the Cahuilla Native American group when the Spanish arrived in the late eighteenth century (Bean 1972, 1978; Kroeber 1925). The Cahuilla language belongs to the Takic family of the Uto-Aztecan linguistic classification. Cahuilla territory coincided with much of present-day Riverside and southwest San Bernardino Counties, extending from around what are now the Perris and Redlands areas east through the San Jacinto and Santa Rosa Mountains to the Coachella Valley and the north end of the Salton Sea (Bean 1978). The Cahuilla were bordered by other Takic speaking groups to the north and west: the Serrano were located to the north in the San Bernardino Mountains, the Gabrielino were to the northwest, and the Juaneño and Luiseño were located to the west and southwest (Shipley 1978). The remainder of Cahuilla territory was bordered by Yuman-speaking groups, including the Ipai and Tipai to the south, the Quechan (Yuma) to the southeast, the Halchidhoma to the east, and the Mohave to the northeast (Kendall 1983).

The Cahuilla sustained themselves through hunting, gathering, and fishing. Major villages were fully occupied during the winter, but during other seasons task groups made periodic forays to collect various plant foods, with larger groupings from several villages organizing for the annual acorn harvest (Bean and Saubel 1972). Bean and Saubel (1972) have recorded the use of several hundred species of plants used for food, building/artifact materials, and medicines. The major plant foods included acorns, pinyon nuts, and various seed-producing legumes. These were complemented by agave, wild fruits and berries, tubers, cactus bulbs, roots and greens, and seeds.

Hunting focused on both small and medium-sized mammals, such as rodents and rabbits, and large mammals, such as pronghorn sheep, mountain sheep, and mule deer. Hunting was done using the throwing stick or the bow and arrow, though nets and traps were also used for small animals (Bean 1972).

Cahuilla material culture included dome-shaped and rectangular type houses; above-ground granaries; baskets, pottery, and grinding implements; stone tools, arrowshaft straighteners and bows; clothing (loincloths, blankets, rope, sandals, skirts, and diapers); and various ceremonial objects made from mineral, plant, and animal substances (Bean 1972).

4.3 History

The first significant European settlement of California began during the Spanish Period (1769 to 1821) when 21 missions and 4 presidios were established between San Diego and Sonoma. Although located primarily along the coast, the missions dominated economic and political life over the majority of the California region. The purpose of the missions was primarily Indian control and forced assimilation into Spanish society and Catholicism, as well as economic support to the presidios (Castillo 1978).

The Mexican Period (1821-1848) began with the success of the Mexican Revolution in 1821, but changes to the mission system were slow to follow. When secularization of the missions occurred in the 1830s, the vast land holdings of the missions in California were divided into large land grants called *ranchos*. The Mexican government granted ranchos throughout California to Spanish and Hispanic soldiers and settlers (Castillo 1978; Cleland 1941).

In 1848, the Treaty of Guadalupe Hidalgo ended the Mexican-American War and marked the beginning of the American Period (1848 to present). The discovery of gold that same year sparked the 1849 California Gold Rush, bringing thousands of miners and settlers to California from various parts of the United States, most of whom settled in the north. For those settlers who chose to come to southern California, much of their economic prosperity was fueled by cattle ranching rather than by gold. This prosperity, however, came to a halt in the 1860s as a result of severe floods and droughts, which put many ranchos into bankruptcy (Castillo 1978; Cleland 1941).

The city of Banning, located in the San Geronimo Pass, began first as a stagecoach stop and later (1877) as a railroad station serving freight and travelers between the Arizona Territory and Los Angeles. The city was named for General Phineas Banning who before the Civil War, operated a freight stop nearby (Gunther 1984). Mister Banning earned a commission after the war as a General in the California State Brigade of the National Guard. The City of Banning was incorporated in 1913.

5.0 METHODS

5.1 Cultural Resources Record Search/Literature Review Methods

A record search/literature review was conducted on March 12, 2007 at the Eastern Information Center, located at the University of California, Riverside. The purpose of this review was to examine any existing cultural resources survey reports, archaeological site records, and historic maps to determine whether previously documented prehistoric or historic archaeological sites, architectural resources, cultural landscapes, or ethnic resources exist within or near the project area. The record search/literature review was also conducted to determine whether any historic properties listed on or determined eligible for listing on the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR) exist within the project area.

5.2 Paleontological Resources Files/Database Search Methods

A search of the paleontological files/database was initiated with the Division of Geological Sciences of the San Bernardino County Museum in Redlands, California on March 26, 2007. The purpose of the search was to provide information regarding previous paleontological studies that have been conducted within or near the project area, known fossils or other paleontological resources that may have been identified within or near the project area, and the sensitivity of the project area to contain significant nonrenewable paleontological resources (Appendix A).

5.3 Archaeological Field Survey Methods

On March 5, 2007 one Chambers Group archaeologist conducted an intensive pedestrian survey of the approximately 12.25-acre project area that is slated for development. The surveyor walked north-south transects spaced 15-meters apart on the property. Notes were taken on the environmental setting and disturbances.

6.0 RESULTS

6.1 Cultural Resources Record Search/Literature Review Results

Results of the review of the survey reports and site records obtained from the Eastern Information Center indicate that six previous archaeological studies have been conducted within one-half mile of the project area, including one (Padon 2003) that was conducted for the most recent expansion of the facility east of the project area. The records search also indicated that no prehistoric sites have been recorded within the project area and that three prehistoric sites were once located within ½-mile radius of the project area; however, these sites have been destroyed or heavily disturbed by development.

6.2 Archaeological Field Survey Results

No archaeological or historical resources were identified in the project area during the course of the Chambers Group field survey. Also, based upon the geologic and physiographic setting of the area, no cultural resources are expected to be present below ground surface. Therefore, the proposed project is not expected to have an effect on any archaeological or historic resources.

6.3 Paleontological Resources Files/Database Search Results

Results of the search of the paleontological files/database conducted with the San Bernardino County Museum indicate that the project area is located upon surface exposures of Recent alluvium. This lithologic unit has low potential to contain significant nonrenewable paleontologic resources. However, this Recent alluvium overlies sediments of older Pleistocene age units in the subsurface at an undetermined depth. Elsewhere in the Inland Empire similar Pleistocene sediments have high potential to contain significant fossil resources. Such sediments, often found at depths of approximately 10 feet or more below existing ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates (Scott 2007). A copy of the paleontological literature and records review is provided in Appendix A.

7.0 MANAGEMENT SUMMARY AND RECOMMENDATIONS

Results of the review of the survey reports and site records obtained from the Eastern Information Center indicate that six previous cultural resources investigations have occurred within a one-half mile radius of the project area, including one which included the entire eastern half of the project area. There are no previously known archaeological sites within or adjacent to the project area. As a result of the pedestrian survey, no previously unrecorded cultural resources were observed within the project area and none are expected to be present subsurface. Therefore, the proposed project is not expected to have an effect on any archaeological or historic resources.

In the event that any subsurface archaeological deposits are unearthed during ground-disturbing construction activities, all activities must be suspended in the vicinity of the find until the deposit(s) are recorded and evaluated by a qualified archaeologist. If human remains of any kind are found, all activities must cease immediately, and a qualified archaeologist and the Riverside County Coroner must be notified. If the coroner determines the remains to be of Native American origin, he or she will notify the NAHC. The NAHC will then identify the most likely descendants to be consulted regarding treatment and/or repatriation of the remains.

The search of the paleontological files/database indicates that no paleontologic resource localities have been recorded in or near the project area. Also, the surface exposures of Recent alluvium sediments in the project area have a low potential to contain significant nonrenewable paleontological resources. This lithologic unit has low potential to contain significant nonrenewable paleontologic resources. However, this Recent alluvium overlies sediments of older Pleistocene age units in the subsurface at an undetermined depth. Monitoring of ground-disturbing construction activities is not recommended; however, if paleontologic specimens are encountered during ground disturbance, a paleontological monitor should be notified so that the find(s) can be identified, removed, documented, and evaluated. Recovered specimens must be curated in a museum repository with permanent retrievable storage (e.g., San Bernardino County Museum). A report must be prepared with an appended itemized inventory of specimens, if any are recovered. Implementation of this mitigation measure would reduce the potential impact to a level that is less than significant.

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9.0 REPORT AND FIELD PERSONNEL

9.1 Report Preparer and Field Personnel

Jay K. Sander, Senior Archaeologist/Field Director, Principal Author
1998 M.A., Anthropology, University of California, Riverside
1993 B.A., Anthropology, University of Arizona, Tucson
Years of experience: 13



SAN BERNARDINO COUNTY MUSEUM



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

2024 Orange Tree Lane • Redlands, California USA 92374-4560
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TDD (909) 792-1462

ROBERT L. McKERNAN
Director

26 March 2007

Chambers Group, Inc.
attn: Jay K. Sander, M.A.
302 Brookside Avenue
Redlands, CA 92373

re: **PALEONTOLOGY RECORDS REVIEW, SMITH CORRECTIONAL FACILITY
EXPANSION, CITY OF BANNING, RIVERSIDE COUNTY, CALIFORNIA**

Dear Mr. Sander,

The Division of Geological Sciences of the San Bernardino County Museum (SBCM) has completed a literature review and records search for the above-named 6-acre expansion in the City of Banning, Riverside County, California. Specifically, the property is located in the western portion of section 15, Township 3 South, Range 1 East, San Bernardino Base and Meridian, as seen on the Cabazon, California 7.5' United States Geological Survey topographic quadrangle map (1956 edition, photorevised 1972).

Previous geologic mapping (Rogers, 1965) indicates that the study area is situated upon surface exposures of Recent alluvium. This lithologic unit has low potential to contain significant nonrenewable paleontologic resources. However, this Recent alluvium overlies sediments of older Pleistocene age present in the subsurface at an undetermined depth. Elsewhere in the Inland Empire, such older Pleistocene sediments have high potential to contain significant fossil resources. Such sediments, often found at depths of ~10' or more below the existing ground surface, have yielded the fossil remains of plants (Reynolds and Reynolds, 1991; Anderson and others, 2002) and extinct terrestrial Pleistocene vertebrates (Jefferson, 1991; Reynolds, 1991; Woodburne, 1991; Springer and Scott, 1994; Scott, 1997; Springer and others, 1998, 1999).

For this review, Craig R. Manker of the Division of Geological Sciences, SBCM conducted a search of the Regional Paleontologic Locality Inventory (RPLI). The results of this search indicate that no previously-known paleontologic resource localities are recorded by the SBCM from the study area, nor from within at least one mile in any direction.

Recommendations

The results of the literature review and the search of the RPLI at the SBCM demonstrate that the excavation in surficial Recent alluvium within the boundaries of the proposed study area has low potential to adversely impact significant nonrenewable paleontologic resources. However, should

[Faint administrative stamps and routing information at the bottom of the page, including dates and names.]

cohesive beds of older Pleistocene fine-grained sediments suggesting either lacustrine or low energy fluvial deposition be encountered in the subsurface during excavation, a qualified professional vertebrate paleontologist would need to be retained to examine the sediments and more fully assess their fossil-bearing potential. If this assessment resulted in a determination of high paleontologic sensitivity, a plan to mitigate adverse impacts to paleontologic resources would need to be developed by the paleontologist. This mitigation program would need to be consistent with the provisions of the California Environmental Quality Act (Scott and Springer, 2003), as well as with regulations implemented by the County of Riverside and with the proposed guidelines of the Society of Vertebrate Paleontology. This program would have to include, but not be limited to:

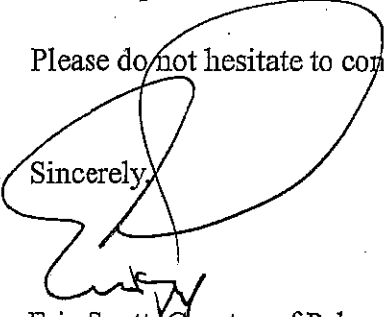
1. Monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor. Paleontologic monitors would need to be equipped to salvage unearthed fossils to avoid construction delays, and to remove samples of sediments likely to contain the remains of small fossil invertebrates and vertebrates. Monitors would need to be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. *As discussed above, monitoring is not necessary unless potentially-fossiliferous units are encountered and determined upon exposure and examination by qualified paleontologic personnel to have potential to contain fossil resources.*
2. Preparation of recovered specimens to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Preparation and stabilization of all recovered fossils would be essential in order to fully mitigate adverse impacts to the resources (Scott and others, 2004).
3. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontologic storage (e.g., SBCM). These procedures would also be essential steps in effective paleontologic mitigation (Scott and others, 2004) and CEQA compliance (Scott and Springer, 2003). The paleontologist would need to have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impacts to significant paleontologic resources would not be considered complete until such curation into an established museum repository had been fully completed and documented.
4. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the appropriate Lead Agency along with confirmation of the curation of recovered specimens into an established, accredited museum repository, would signify completion of the program to mitigate impacts to paleontologic resources.

References

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- Jefferson, G.T., 1991. A catalogue of late Quaternary vertebrates from California: Part Two, mammals. Natural History Museum of Los Angeles County Technical Reports, No. 7.
- Reynolds, S.F.B. and R.L. Reynolds, 1991. The Pleistocene beneath our feet: near-surface Pleistocene fossils in inland southern California basins, *in* Inland Southern California: the last 70 million years, M.O. Woodburne, S.F.B. Reynolds, and D.P. Whistler, eds. Redlands, San Bernardino County Museum Special Publication 38(3&4), p. 41-43.
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- Scott, E., 1998. *Equus scotti* from southern California. *Journal of Vertebrate Paleontology* 18(3): 76-A.
- Scott, E. and K. Springer, 2003. CEQA and fossil preservation in southern California. *The Environmental Monitor*, Fall 2003, p. 4-10, 17.
- Scott, E., K. Springer and J.C. Sagebiel, 2004. Vertebrate paleontology in the Mojave Desert: the continuing importance of "follow-through" in preserving paleontologic resources. In M.W. Allen and J. Reed (eds.) *The human journey and ancient life in California's deserts: Proceedings from the 2001 Millennium Conference*. Ridgecrest: Maturango Museum Publication No. 15, p. 65-70.
- Springer, K.B. and E. Scott, 1994. First record of late Pleistocene vertebrates from the Domenigoni Valley, Riverside County, California. *Journal of Vertebrate Paleontology* 14 (3): 47A.
- Springer, K.B., E. Scott, L.K. Murray and W.G. Spaulding, 1998. Partial skeleton of a large individual of *Mammot americanum* from the Domenigoni Valley, Riverside County, California. *Journal of Vertebrate Paleontology* 18(3): 78-A.
- Springer, K.B., E. Scott, J.C. Sagebiel and K.M. Scott, 1999. A late Pleistocene lake edge vertebrate assemblage from the Diamond Valley, Riverside County, California. *Journal of Vertebrate Paleontology* 19(3): 77-A.
- Woodburne, M.O., 1991. The Cajon Valley, *in* Inland Southern California: the last 70 million years, M.O. Woodburne, S.F.B. Reynolds, and D.P. Whistler, eds. Redlands, San Bernardino County Museum Special Publication 38(3&4), p. 41-43.

Please do not hesitate to contact us with any further questions you may have.

Sincerely,



Eric Scott, Curator of Paleontology
Division of Geological Sciences
San Bernardino County Museum

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

916 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 658-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



April 26, 2007

Mr. Jay K. Sander, M.A., Senior Archaeologist
CHAMBERS GROUP, INC.
302 Brookside Avenue
Redlands, CA 92373

Sent by FAX to: 909-335-6318
Number of pages: 2

Re: Cultural Resource Identification Study/Sacred Lands File Search for Proposed Smith Correctional Facility Expansion Project (6-acres); located in the City of Banning; Riverside County, California

Dear Mr. Sander:

The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area. The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any 'area of potential effect (APE).'

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the nearest tribes that may have knowledge of cultural resources in the project area. A List of Native American contacts are attached to assist you. The Commission makes no recommendation of a single individual or group over another. It is advisable to contact the person listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area (APE).

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 657-6251.

Sincerely,


Dave Singleton
Program Analyst

Attachment: Native American Contact List

Native American Contacts
Riverside County
April 26, 2007

Cahuilla Band of Indians
Anthony Madrigal, Jr., Interim-Chairperson
P.O. Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
(951) 763-2631

(951) 763-2632 Fax

Ramona Band of Mission Indians
Joseph Hamilton, vice chairman
P.O. Box 391670 Cahuilla
Anza , CA 92539
admin@ramonatribe.com
(951) 763-4105
(951) 763-4325 Fax

San Manuel Band of Mission Indians
Henry Duro, Chairperson
26569 Community Center Drive Serrano
Highland , CA 92346
(909) 864-8933
(909) 864-3370 Fax

Santa Rosa Band of Mission Indians
John Marcus, Chairman
P.O. Box 609 Cahuilla
Hemet , CA 92546
srtribaloffice@aol.com
(951) 658-5311
(951) 658-6733 Fax

Morongo Band of Mission Indians
Britt W. Wilson, Cultural Resources-Project Manager
49750 Seminole Drive Cahuilla
Cabazon , CA 92230 Serrano
britt_wilson@morongo.org
(951) 755-5206
(951) 755-5200/323-0822-cell
(951) 922-8146 Fax

San Manuel Band of Mission Indians
Ann Brierty, Environmental Department
101 Pure Water Lane Serrano
Highland , CA 92346
abrierty@sanmanuel-hsn.gov
(909) 863-5899 EXT-4321

(909) 862-5152 Fax

Serrano Band of Indians
Goldie Walker
6588 Valeria Drive Serrano
Highland , CA 92346
(909) 862-9883

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed Smith Correctional Facility Expansion (6-acres); located in City of Banning; Riverside County, California for which a Sacred Lands File request was made.

INTRODUCTION

CEQA Requirements

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document that includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The appropriate reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

Plan Objectives

The objectives of the Mitigation Monitoring and Reporting Plan (MMRP) for the Proposed Project include the following:

- To provide assurance and documentation that mitigation measures are implemented as planned;
- To collect analytical data to assist in its determination of the effectiveness of the adopted mitigation measures;
- To report periodically regarding project compliance with mitigation measures, performance standards and/or other conditions; and
- To make available to the public, upon request, the County record of compliance with project mitigation measures.

Overview of the Project

The detailed project is included in the Initial Study/Mitigated Negative Declaration, State Clearinghouse # 2007071030.

DESCRIPTION OF PLAN

Mitigation Monitoring and Reporting Procedures

This Mitigation Monitoring and Reporting Plan delegates responsibilities for monitoring the project, and also allows the County flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. The timing for monitoring and reporting is described in the monitoring and reporting summary table included as part of this plan. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

The County of Riverside Department of Facilities Management (County) will have the responsibility for implementing the measures, and various public agencies will have the primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures. The required mitigation measures are listed and categorized by impact area with an accompanying identification of the following:

- Mitigation Measure
- Monitoring Phase (the phase of the project during which the mitigation measure shall be implemented and monitored):
 - Pre-construction, including the design phase
 - Construction

- Enforcement Agency (agency with the power to enforce the mitigation measure)
- Monitoring Agency (agency to which reports involving feasibility, compliance, implementation, and development are made)
- Action Indicating Compliance
- Verification of Compliance (for use during the reporting/monitoring)

This Mitigation Monitoring Plan is set up as a Compliance Report with space for confirming correct mitigation measures have been implemented for the project.

Public Availability

All monitoring reporting forms, summaries, data sheets, and correction instructions related to the Mitigation Monitoring and Reporting Plan for the Larry D. Smith Correctional Facility Phase III Expansion would be available for public review upon request at the County of Riverside Department of Facilities Management office during normal business hours.

Plan Changes

If minor changes are required to the Mitigation Monitoring and Reporting Plan, they would be made in accordance with CEQA and would be permitted after further review by the County. Such changes could include reassignment of monitoring and reporting responsibilities and/or redesign to make any appropriate improvements. No change would be permitted unless the mitigation monitoring and reporting plan continues to satisfy the requirements of Public Resources Code Section 21081.6.

Types of Mitigation Measures Being Monitored

The Initial Study/Mitigated Negative Declaration for the Larry D. Smith Correctional Facility Phase III Expansion is a "project-specific" evaluation as defined in the CEQA Guidelines.

The Initial Study/Mitigated Negative Declaration recommends seven project specific mitigation measures to reduce impacts related to biological resources, cultural resources, noise during construction, and water quality. Compliance with these mitigation measures will be accomplished through administrative controls over project planning and implementation, in this case, through incorporation of specific construction methods, and verification of construction in accordance with these special provisions. Monitoring would be accomplished as described previously under "Reporting Procedures" through verification and certification by personnel.

In general, implementation of the Mitigation Monitoring and Reporting Plan will require the following actions:

- Appropriate mitigation measures would be included in construction documents.
- Departments with reporting responsibilities would review the Initial Study/Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance would be addressed by the County as appropriate.

Mitigation Monitoring and Reporting Plan
 Larry D. Smith Correctional Facility Phase III Expansion Project

Verification of Compliance

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Initials	Date	Remarks
Biological Resources							
BIO-1: In accordance with the MSHCP (Species-Specific Objective 6), the County shall retain a qualified biologist to conduct a Focused Burrow Survey. The location of all burrowing owl habitat, potential owl burrows, burrowing owl signs, and any owls observed should be recorded and mapped. If no potential burrows are detected, no Focused Burrowing Owl Survey is required (BIO-2).	Pre-Construction	County of Riverside Department of Facilities Management (CRDFM)/ California Department of Fish and Game (CDFG)	CDFG	Issuance of Grading Permit			
BIO-2: If potential burrows are detected, the County shall retain a qualified biologist to conduct a Focused Burrowing Owl Survey.	Pre-Construction	CRDFM/CDFG	CDFG	Issuance of Grading Permit			
BIO-3: According to the MSHCP (Species-Specific Objective 6), all project sites containing burrows or suitable habitat, whether owls were found or not, require pre-construction surveys that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls.	Pre-Construction	CRDFM/CDFG	CDFG	Issuance of Grading Permit			

Mitigation Monitoring and Reporting Plan
 Larry D. Smith Correctional Facility Phase III Expansion Project

Verification of Compliance

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Initials	Date	Remarks
Cultural Resources CR-1: If suspected human remains of any kind are found, all activities shall cease immediately and a qualified archaeologist and the Riverside County Sheriff-Coroner will be notified. If the coroner determines the remains to be of Native American origin, the Native American Heritage Commission (NAHC) will be notified. The NAHC will subsequently identify the most likely descendants to be consulted regarding treatment and/or repatriation of the remains.	Construction	CRDFM	CRDFM	Periodic Compliance Reporting during Construction			
CR-2: If suspected paleontological specimens are encountered during ground disturbance, a paleontological monitor shall be notified to identify, remove, document, and evaluate the find. Recovered specimens must be curated in a museum repository with permanent retrievable storage (e.g., San Bernardino County Museum). A report shall be submitted to the County of Riverside along with confirmation of the curation of recovered specimens into an accredited museum repository.	Construction	CRDFM	CRDFM	Periodic Compliance Reporting during Construction			
Hydrology/Water Quality WQ-1: Prepare a Stormwater Pollution Prevention Plan prior to the commencement of construction activities.	Pre-Construction	CRDFM	Regional Water Quality Control Board (RWQCB)	Issuance of Grading Permit			

Mitigation Monitoring and Reporting Plan
 Larry D. Smith Correctional Facility Phase III Expansion Project

Verification of Compliance

Mitigation Measure	Monitoring Phase	Enforcement Agency	Monitoring Agency	Action Indicating Compliance	Initials	Date	Remarks
Noise N-1: All grading and construction activities shall be limited to the hours from 6:00 a.m. to 6:00 p.m., in order to mitigate the increase in ambient noise levels in the early morning and evening hours from construction activities.	Construction	CRDFM	CRDFM	Periodic Compliance Reporting during Construction			

PLAN PREPARATION

This Mitigation Monitoring and Reporting Plan was prepared by the County of Riverside Department of Facilities Management with the assistance of Chambers Group Inc. The following individuals participated in the report preparation:

County of Riverside

Claudia Steiding, Senior Environmental Planner

Chambers Group, Inc.

James Smithwick, Director of Environmental Planning

Lisa Sander, Environmental Policy Specialist

Andrew Minor, Staff Environmental Planner

Notice of Determination

Form C

To: Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) County of Riverside

3133 Mission Inn Avenue

Riverside, CA 92503

County Clerk
County of _____



OCT 04 2007

LARRY W WARD, CLERK

By *[Signature]* M. Meyer
Deputy

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

IS/MND Larry D. Smith Correctional Facility Phase III Expansion

Project Title

2007071030

Claudia Steiding

951-955-8174

State Clearinghouse Number
(if submitted to Clearinghouse)

Lead Agency
Contact Person

Area Code/Telephone/Extension

Near Banning, Riverside County, California

Project Location (include county)

Project Description:

The project includes the construction of three single-level with mezzanine units all having two-man cell/dayroom configurations capable of accommodating up to 582 inmates and would bring the total capacity of the correctional facility to approximately 1,518 inmates. The expansion would require the addition of 266 staff for a total of 555. The footprint of the expansion would be approximately 139,000 square feet.

This is to advise that the County of Riverside - Board of Supervisors has approved the above described project on Lead Agency Responsible Agency

October 2, 2007 and has made the following determinations regarding the above described project:
(Date)

1. The project will will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not made a condition of the approval of the project.
4. A statement of Overriding Considerations was was not adopted for this project.
5. Findings were were not made pursuant to the provisions of CEQA.

[Handwritten signature]

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

[Signature] October 2, 2007 Senior Board Assistant
 Signature (Public Agency) Date Title
 Sandi Schlemmer for NANCY ROMERO, Clerk of the Board

Date received for filing at OPR:

January 2004

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt # 200701137

Lead Agency: RIVERSIDE COUNTY FACILITIES DEPT MGMT Date: 10/04/2007

County Agency of Filing: Riverside Document No: 200701137

Project Title: IS/MND LARRY D. SMITH CORRECTIONAL FACILITY PHASE III EXPANSION

Project Applicant Name: RIVERSIDE COUNTY FACILITIES DEPT MGMT Phone Number: _____

Project Applicant Address: 3133 MISSION INN AVE RIVERSIDE CA 92501

Project Applicant: Local Public Agency

CHECK APPLICABLE FEES:

- Environmental Impact Report
 - Negative Declaration 1800.00
 - Application Fee Water Diversion (State Water Resources Control Board Only)
 - Project Subject to Certified Regulatory Programs
 - County Administration Fee \$64.00
 - Project that is exempt from fees (De Minimis Exemption)
 - Project that is exempt from fees (Notice of Exemption)
- Total Received** 1864.00

Signature and title of person receiving payment: 

Notes: