

**RESOLUTION NO. 2014-227
ADOPTING SPECIFIC PLAN NO. 382 AND
CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 531
(BELLE TERRE SPECIFIC PLAN)**

WHEREAS, pursuant to the provisions of Government Code Section 65450 et seq., public hearings were held before the Riverside County Board of Supervisors and before the Riverside County Planning Commission in Riverside, California to consider General Plan Amendment Nos. 1113, 1013 and 1014; Specific Plan No. 382; Change of Zone No. 7775 (collectively referred to herein as "Project"); and,

WHEREAS, all procedures of CEQA and Riverside County CEQA implementing procedures have been satisfied, and Environmental Impact Report No. 531, prepared in connection with the Project, is sufficiently detailed so that all of the potentially significant effects of the Project on the environmental and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with CEQA; and,

WHEREAS, on November 18, 2012, the County circulated a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the Project to the State Clearinghouse and interested agencies and persons for a 30-day review period; and,

WHEREAS, on December 17, 2012, the County held an appropriately noticed scoping meeting; and,

WHEREAS, the Draft EIR was circulated for a 45-day public review period beginning August 1, 2014, and ending September 15, 2014 (SCH # 2012111070); and,

WHEREAS, pursuant to Public Resources Code Section 20191(d)(2)(A) and CEQA Guidelines Sections 15088 and 15089, the County responded to all environmental comments that were submitted to the Draft EIR during the public review period and a Final EIR was completed; and,

WHEREAS, Cumulative impacts were analyzed for the Project through a combination of a "list" and "summary of projections" approach, based on information available from the Riverside County Planning Department for recently approved or proposed development projects within the vicinity of the

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1 proposed Project, as well as information contained in long-range planning documents (see Draft EIR
2 Table II-1); and,

3 **WHEREAS**, on August 1, 2104, a Notice of Availability for the Final EIR was mailed to
4 interested persons and written responses were provided to agencies who commented on the Draft EIR;
5 and,

6 **WHEREAS**, the staff report for the November 25, 2014 Board of Supervisors meeting,
7 incorporated herein by reference, described and analyzed the Project, including EIR No. 531, and
8 recommended that the Board of Supervisors tentatively approve the Project; and,

9 **WHEREAS**, the matter was discussed fully with testimony and documentation presented by the
10 public and affected government agencies; now, therefore,

11 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED**, by the Board of Supervisors
12 of the County of Riverside, in regular session assembled on December 9, 2014 that:

13 A. Specific Plan No. 382 establishes a 342.3 acre residential community development located
14 northwest of Bachelor Mountain in the French Valley area of Riverside County. The specific plan
15 proposes a total of 1,282 residential dwellings of varying density on a total of 170 acres. Residential
16 density for the proposed project will range from 0.5 to 14 units per acre with an average of 3.7 dwelling
17 units per acre. The Belle Terre Specific Plan proposes 20.6 acres for community parks and trails and
18 128.1 acres for open space conservation.

19 B. Specific Plan No. 382 is associated with General Plan Amendment No. 1013, which was
20 considered concurrently at the hearing before the Planning Commission and the Board of Supervisors.
21 General Plan Amendment No. 1013 (GPA 1013) amends the Foundation Component from Rural to Open
22 Space; amends the existing Rural Mountainous (RM)(10 ac. min.) designation to Open Space -
23 Conservation Habitat (OS-CH) and Open Space-Conservation (OS-C) as reflected in Specific Plan No.
24 382; and removes the site from the North Skinner Policy area.

25 C. Specific Plan No. 382 is associated with General Plan Amendment No. 1014, which was
26 considered concurrently at the hearing before the Planning Commission and the Board of Supervisors.
27 General Plan Amendment No. 1014 (GPA 1014) amends the Foundation Component from Rural to
28

1 Community Development to clarify a technical error; amends the Land Use designation from Rural
2 Mountainous (RM)(10 ac. min.) to Medium Density Residential (MDR)(2-5 Dwelling Units Per Acre),
3 Low Density Residential (LDR)(1/2 ac. min.), Open Space – Conservation Habitat (OS-CH) and Open
4 Space – Recreation (OS-R) as reflected in Specific Plan No. 382; and removes the site from the North
5 Skinner Policy area.

6 D. Specific Plan No. 382 is associated with General Plan Amendment No. 1113 which was
7 considered concurrently at the hearing before the Planning Commission and the Board of Supervisors.
8 General Plan Amendment No. 1113 (GPA No. 1113) amends the Land Use designation to Medium High
9 Density Residential (MHDR)(5-8 Dwelling Units Per Acre), High Density Residential (HDR)(8-14
10 Dwelling Units Per Act), Open Space - Recreation (OS-R), Open Space - Conservation Habitat (OS-CH),
11 Open Space Recreation (OS-C) and Open Space - Conservation (OS-C) as reflected in Specific Plan No.
12 382.

13 E. Specific Plan No. 382 is associated with Change of Zone No.7775 which was considered
14 concurrently at the hearing before the Planning Commission and the Board of Supervisors. Change of
15 Zone No. 7775 changes the existing Light Agriculture-10 Acre Minimum (A-1-10), Light Agriculture-5
16 Acre Minimum (A-1-5), Rural Residential (RR), and Residential Agriculture- 2 ½ Acre Minimum (R-A-2
17 ½) classifications to a Specific Plan (SP) classification.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that based on analysis contained in
19 the Environmental Assessment Form: Initial Study, the County determined that a number of potential
20 environmental effects of the Project would be insignificant, less-than-significant, or would be adequately
21 addressed through the County review process. The basis for these conclusions is provided in Draft EIR,
22 Section IV.A. For these topics, no further environmental assessment was required for preparation of the
23 EIR, in accordance with CEQA Guidelines Section 15128.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the following
25 environmental impacts associated with the project are potentially significant unless otherwise indicated,
26 but each of these impacts will be avoided or substantially reduced to a level that is less-than-significant
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1 with the implementation of the proposed project design features; mandatory compliance with federal,
2 state, and local regulations; and by the identified mitigation measures.

3 A. Aesthetics -

4 1. Impacts.

5 *Impact IV.B.-b [Scenic Resources/Scenic Views].* The Project's potential to
6 damage scenic resources/view is discussed at Draft EIR pages IV.B-14
7 through IV.B-15. Scenic vistas that include views of the Project site are not
8 easily available, since much of the site is not located adjacent to commonly-
9 traveled roadways. Vistas that could be considered scenic in which the
10 Project site is visible are available from viewpoints near the Project site.
11 However, these viewpoints are largely available from private property. As
12 such, although the Project would alter portions of the Project site, the
13 Project would not damage any scenic resources or vistas open to public
14 view. Also, the Project includes detailed landscape design and architectural
15 design guidelines to establish thematic and visual elements within the
16 Project that ties into the natural environment of the surrounding area. For
17 these reasons, Project impacts related to scenic resources and vistas would
18 be less than significant.

19 *Impact IV.B-d [Light or Glare] and Impact IV.B-e [Unacceptable Light*
20 *Levels].* The Project's potential to create a new source of substantial light or
21 glare and to expose residential property to unacceptable light levels is
22 discussed at Draft EIR pages IV.B-15 through IV.B-16.

23 The Project would introduce new sources of light and glare onto a site that
24 currently has no such sources. However, all street, neighborhood, and
25 landscape lighting would be developed using uniform standards outlined in
26 the Specific Plan and in conformance with all relevant County lighting
27 requirements. County Ordinance No. 655 would be observed, given the
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1 Project site's location within 45 miles of the Mt. Palomar Observatory.
2 Additionally, all outdoor lighting associated with the Project would comply
3 with County Ordinance No. 655 Zone B requirements, meaning that within
4 the Project, all Class II lighting (which includes parking lots, walkways, and
5 security) shall be fully shielded low-pressure sodium vapor lights (meaning
6 constructed so light rays emitted are projected below the horizontal plane).
7 Further, to minimize the potential amount of glare from the Project site, the
8 Project would use energy efficient and ultraviolet protective window
9 glazing, and reflective window glazing would not be permitted. For these
10 reasons, Project impacts related to light and glare would be less than
11 significant.

12 *Cumulative.* Because aesthetic impacts are localized to the Project site and
13 immediate surrounding area, potential cumulative impacts would be limited
14 to include nearby related projects. The related projects are provided on
15 Draft EIR Table II-1 and are shown on Draft EIR Figure IV.O-35. As
16 shown, the closest related project (#17) is located more than one-half mile
17 northwest of the Project site. Due to distance and intervening topography
18 and landscaping, the Project site and the site of related project #17 are
19 largely not visible together in the same views from the surrounding area. As
20 such, the Project would not contribute to any potential cumulative impacts
21 to scenic resources and vistas associated with related project #17.

22 Additionally, all development under the County's purview would be
23 required to comply with the County's Outdoor Lighting Ordinance. For
24 these reasons, cumulative impacts related to aesthetics would be less than
25 significant.

26 2. Mitigation.

27 No mitigation is required.
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1 3. Findings.

2 All impacts are less than significant.

3 B. Agricultural -

4 1. Impacts.

5 *IV.C-b [Conflicts with Existing Agricultural Zoning]*. The Project's potential
6 to conflict with existing zoning for agricultural use is discussed at Draft EIR
7 Page IV.C-7 through IV.C-8. The Project includes amendments to the
8 General Plan and a zone change to change the land use designation and
9 zoning of the Project site to allow for the development of residential
10 dwelling units and associated amenities and infrastructure, as reflected in
11 the Specific Plan. Thus, implementation of the Project would result in the
12 conversion of the portions of the Project site that are zoned for agricultural
13 use to non-agricultural uses. However, the existing General Plan land use
14 designation for the Project site calls for residential land uses and not
15 agricultural land uses. The General Plan has identified areas best suited for
16 agricultural use in the future, generally those that are suitable for long-term
17 economic viability for agricultural use based on factors including weather,
18 water prices, crop selection, management techniques, commodity prices,
19 new technology, and proximity of developed lands. The Project would be
20 generally consistent with the type of development of the Project site called
21 for in the County's General Plan. Thus, the Project would not conflict with
22 the existing zoning for agricultural uses. Therefore, Project impacts related
23 to this issue would be less than significant.

24 *IV.C-c [Impacts to Adjacent Agriculturally Zoned Property]*. The Project's
25 potential to cause impacts to adjacent agriculturally zoned property is
26 discussed at Draft EIR page IV.C-8. Pursuant to Ordinance No. 625,
27 potential property owners to the Project site would be notified of the
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1 presence of existing agricultural zoning/uses within 300 feet of applicable
2 properties and the potential for conflicts related to issues such as noise,
3 dust, and odors. Based on these considerations, the Project would be
4 consistent with Ordinance No. 625, and no significant impacts related to the
5 presence of agricultural zoning within 300 feet of the Project site would
6 occur.

7 *Cumulative.* Of the related projects shown on Draft EIR Table II-1, related
8 projects 10 and 15 are located on properties with agricultural zoning and
9 include development of the properties with non-agricultural land uses,
10 likely requiring zone changes to accommodate the proposed development.
11 However, similar to the Project site, the General Plan land use designations
12 for these properties are non-agricultural: the site of Related Project 10 is
13 designated Commercial Retail (CR) and Open Space Conservation (OS-C),
14 and the site of Related Project 15 is designated Business Park (BP) and
15 Public Facilities (PF). Thus, implementation of these related projects would
16 not result in conflicts with existing agricultural zoning. Also, none of the
17 related projects abut agriculturally zoned properties. Therefore, no
18 significant cumulative impacts related to agricultural resources would
19 occur.

20 2. Mitigation.

21 No mitigation is required.

22 3. Findings.

23 All impacts are less than significant.

24 C. Air Quality -

25 1. Impacts.

26 *Impact IV.D-b [Regional and Localized Construction Emissions].* This
27 Project's potentially significant regional and localized construction impacts
28

1 are further described on Draft EIR pages IV.D-20 through IV.D-24. With
2 respect to regional construction impacts Draft EIR Table IV.D-5 shows the
3 estimated daily emissions associated with each construction phase of the
4 Project. Daily VOC, CO, SOX, PM2.5, and PM10 emissions would not
5 exceed the SCAQMD regional thresholds. However, construction activities
6 would produce up to 387 lbs./day of NOx emissions, which exceeds the
7 recommended threshold of 100 lbs./day. Therefore, Project impacts related
8 to regional construction impacts would be significant.

9 With respect to localized emissions, as shown on Table IV.D-5, localized
10 emissions of PM10 and PM2.5 would exceed the SCAQMD thresholds.
11 Therefore, Project impacts related to localized construction emissions
12 would be significant.

13 *Impact IV.D-d [Sensitive Resources]*. The Project would not generate
14 localized emissions in excess of SCAQMD's significance thresholds. Thus,
15 the Project would not expose sensitive receptors to substantial pollutant
16 concentrations. Therefore, Project impacts related to this issue would be
17 less than significant.

18 *Cumulative*. The Project would not contribute significantly impacts on
19 localized NOx, PM10, or PM2.5 concentrations, as the Project does not
20 exceed the LST thresholds set by the SCAQMD for NOx and PM
21 emissions. Proposed development in the area, including 22 other related
22 projects in the study area, are not expected to contribute to cumulative
23 localized concentrations of these pollutants on a long-term basis based on
24 compliance with SCAQMD LST thresholds.

25 With regard to localized CO levels, hotspots are neither expected from
26 traffic traveling to and from the proposed Project nor from the 22 other
27 related projects that could contribute to cumulative, localized air quality
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1 impacts. The closest related projects near the Project site include a 15,273
2 square foot church and the Keller Crossing Specific Plan that includes 98
3 single family homes one-half mile to the west of the Project site, as well as
4 225 units of senior housing, 250,000 square feet of general office, and a
5 400,000- square-foot shopping center one mile northwest of the Project site
6 at SR-79 and Keller Road. Low density residential neighborhoods between
7 Pourroy Road and Washington Street between Keller Road and Thompson
8 Road could potentially be impacted by any concurrent development of these
9 sites. However, these and other future development that contribute to
10 cumulative growth would be required to address the SCAQMD's LST
11 thresholds and perform dispersion modeling if potential violations of health
12 standards were to occur. When combined with the relative distance of these
13 projects from the residential neighborhoods, the cumulative development
14 (including the Project) would not result in significant cumulative impacts on
15 local air quality.

16 2. Mitigation.

17 D-1: During the Project's construction phase, water or a stabilizing agent
18 shall be applied to exposed surfaces at least three times per day to prevent
19 generation of dust plumes.

20 D-2: During the Project's construction phase, the construction contractor
21 shall utilize at least one of the following measures at each vehicle egress
22 from the project site to a paved public road:

- 23 • Install a pad consisting of washed gravel maintained in clean
24 condition to a depth of at least six inches and extending at least 30 feet wide
25 and at least 50 feet long;
 - 26 • Pave the surface extending at least 100 feet and at least 20 feet wide;
- 27
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1 • Utilize a wheel shaker/wheel spreading device consisting of raised
2 dividers at least 24 feet long and 10 feet wide to remove bulk material from
3 tires and vehicle undercarriages; or

4 • Install a wheel washing system to remove bulk material from tires
5 and vehicle undercarriages.

6 D-3: During the Project's construction phase, all haul trucks hauling soil,
7 sand, and other loose materials shall be covered (e.g., with tarps or other
8 enclosures that would reduce fugitive dust emissions).

9 D-4: During the Project's construction phase, construction activity on
10 unpaved surfaces shall be suspended when wind speed exceed 25 miles per
11 hour (such as instantaneous gusts).

12 D-5: During the Project's construction phase, ground cover in disturbed
13 areas shall be replaced as quickly as possible.

14 D-6: During the Project's construction phase, apply non-toxic soil
15 stabilizers according to manufacturers' specifications to all inactive
16 construction areas (previously graded areas inactive for ten days or more).

17 D-7: During the Project's construction phase, traffic speeds on all
18 unpaved roads to be reduced to 15 mph or less.

19 D-8: During the Project's construction phase, sweep streets at the end of
20 the day if visible soil is carried onto adjacent public paved roads. If
21 feasible, use water sweepers with reclaimed water.

22 D-9: During the Project's construction phase, heavy-duty equipment
23 operations shall be suspended during first and second stage smog alerts.

24 D-10: During the Project's construction phase, equipment and vehicle
25 engines shall be maintained in good condition and in proper tune per
26 manufacturers' specifications.

1 D-11: During the Project's construction phase, all diesel-powered off-road
2 construction equipment greater than 50 horsepower shall meet USEPA Tier
3 4 or higher emissions standards. In addition, all construction equipment
4 shall be outfitted with best available control technology (BACT) devices
5 certified by CARB. Any emissions control device used by the contractor
6 shall achieve emissions reductions that are no less than what could be
7 achieved by a CARB-defined Level 3 diesel emissions control strategy for a
8 similarly sized engine.

9 D-12: During the Project's construction phase, all diesel-powered
10 construction equipment shall use CARB Level 2 or higher diesel particulate
11 filters.

12 D-13: During the Project's construction phase, electricity shall be utilized
13 from power supply sources rather than temporary gasoline or diesel power
14 generators, as feasible.

15 D-14: During the Project's construction phase, heavy-duty trucks shall be
16 prohibited from idling in excess of five minutes, both on- and off-site.

17 D-15: During the Project's construction phase, the Project shall utilize low
18 VOC paints for the interior and exterior of structures.

19 3. Finding:

20 With implementation of Mitigation Measures D-1 through D-15, Impact
21 IV.D.-b [Regional and Localized Construction Emissions], as shown on
22 Draft EIR Table IV.D-8. All other impacts would be less than significant.

23 D. **Biological Resources** -

24 1. Impacts.

25 *IV.E-a [MSHCP Consistency] and IV.E-g [Local Policy and Ordinance*
26 *Consistency]. A discussion of the Project's consistency with the MSCHP*
27 *and consistency with local policies or ordinances protecting biological*
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1 resources is included on Draft EIR pages IV.E-64 through IV.E-77. Project
2 consistency with the MSHCP conservation goals for each of the Criteria
3 Cells within which the Project site is located is discussed in the Draft EIR.
4 The Regional Conservation Authority (RCA) completed their Joint Project
5 Review and stated by the RCA, "The project is consistent with both Criteria
6 and Other Plan requirements." (14-02-06-01). Further, the Project is
7 consistent with provisions of the County Code and objectives of the
8 MSHCP and SKR Mitigation Fees following implementation of mitigation
9 measures.

10 *Impacts IV.E-b [Endangered or Threatened Species] and IV.E-c*
11 *[Candidate, Sensitive, or Special Status Species]*. The Project's potential to
12 have a substantial adverse effect either directly or through habitat
13 modifications on any endangered or threatened species or on any species
14 identified as a candidate, sensitive, or special status species is discussed on
15 Draft EIR pages IV.E-78 through IV.E-80. The Project would not impact
16 any federal/state threatened or endangered plant species. None of the 13
17 MSHCP criteria area or narrow endemic plant species were detected and/or
18 are not expected to occur onsite due to a lack of detection and/or suitable
19 habitat. One CNPS CRPR List 4.2, paniculate tarplant, was detected during
20 the focused survey program. One of four populations would be impacted as
21 a result of Project development.

22 Nine target MSHCP wildlife species, including the federally endangered
23 least Bell's vireo and federally threatened coastal California gnatcatcher,
24 were detected during the focused 2012 survey program as well as during
25 previous survey efforts. The federally endangered Stephens' kangaroo rat is
26 also infrequently expected to occur on-site.

1 Impacts to thirty-one sensitive wildlife species (including three federally
2 listed species) documented or potentially expected to occur within the
3 242.10 acres of native and non-native vegetation communities modified as a
4 result of Project development would be considered significant, prior to
5 mitigation. Implementation of the Project would result in direct impacts to
6 raptor foraging and nesting habitat. Therefore, the loss of any nest, roosting
7 and/or foraging habitat would be considered a potentially significant impact
8 prior to mitigation.

9 *Impact IV.E-d [Wildlife Movement]*. The Project's potential to interfere
10 substantially with the movement of any native resident or migratory fish or
11 wildlife species or with established native resident or migratory wildlife
12 corridors is discussed on Draft EIR pages IV.E-80 through IV.E-81.
13 Implementation of the Project would result in the temporary direct impact to
14 a regional wildlife travel route (French Valley Creek) which flows in a
15 west/southwest direction off-site to Warm Springs Creek, where it
16 represents an impaired travel route due the extensive existing development
17 (residential/road networks) located adjacent to the Creek. Although
18 constrained, this tributary to Warm Springs Creek remains a regional travel
19 route for wildlife species. This regional wildlife travel route also represents
20 a segment of the MSHCP proposed constrained Linkage 18, which extends
21 from designated open space conservation habitat (Southwestern Riverside
22 Multi-Species Reserve) west through the Project site to the confluence with
23 Warm Springs Creek. Direct interference with a regional wildlife movement
24 corridor would be considered a significant impact prior to mitigation.

25 *Impacts IV.E-e [Riparian Habitat or Other Sensitive Natural Community]*
26 *and IV.E-f [Wetlands]*. The Project's potential to have a substantial adverse
27 effect on any riparian habitat or other sensitive natural community
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1 identified in the County or regional plans, policies, regulations by the
2 California Department of Fish and Wildlife or U.S. Fish and Wildlife
3 Service is discussed on Draft EIR page IV.E-81. The Project's potential to
4 have a substantial adverse effect on federally protected wetlands as defined
5 by Section 404 of the Clean Water Act (including, but not limited to, marsh,
6 vernal pool, coastal, etc.) through direct removal, filling, hydrological
7 interruption, or other means is discussed on Draft EIR page IV.E-81.

8 A total of 218.40 acres of on-site vegetation communities, including 23.70
9 acres of off-site impacts (242.10 total acres), would be directly impacted as
10 a result of Project implementation as summarized on Draft EIR Table IV.E-
11 6 and illustrated on Figure IV.E-6. Direct impacts to field croplands,
12 ruderal/disturbed, developed and exotic habitats would be less than
13 significant. However, impacts to 58.81 acres of Riversidean sage scrub
14 habitat associations and 0.80 acre of riparian habitats would be considered
15 significant prior to mitigation.

16 A total of 0.098 acre of USACE, 0.252 acre of RWQCB, and 1.439 acres of
17 CDFW jurisdictional resources would be directly impacted as a result of
18 Project development as summarized on Draft EIR Table IV.E-7 and Draft
19 Table IV.E-8 and as illustrated on Figure IV.E-7 and Figure IV.E-8. These
20 impacts are considered to be significant prior to mitigation.

21 *Cumulative.* The temporary direct and/or indirect impacts of the Project
22 would not result in significant cumulative impacts to environmental
23 resources within the region of the Project site. Although the Project would
24 result in the loss of 242.10 acres of primarily agricultural and sage
25 scrublands, the MSHCP was developed to address the comprehensive
26 regional planning effort and anticipated growth in the County of Riverside.
27 In addition, potential cumulative projects that could result in significant
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1 adverse impacts with respect to the biological resources thresholds
2 evaluated in this section would be required to comply with biological and
3 other related permit requirements, including those set forth in the MSHCP,
4 intended to mitigate such impacts. As such, it is unlikely that development
5 of the Project site in conjunction with development of the potential
6 cumulative projects would have a negative cumulative effect on biological
7 resources within the surrounding Project area. The Project has been
8 designed and mitigated to remain in compliance with all MSHCP
9 conservation goals and guidelines. Therefore, implementation of the Project
10 in conjunction with the potential cumulative projects would not result in
11 cumulatively considerable impacts on biological resources; thus cumulative
12 impacts would be less than significant.

13 2. Mitigation

14 E-1: Prior to issuance of a grading permit, the Project Applicant shall pay
15 MSHCP Local Development Mitigation fees as established and
16 implemented by the County.

17 E-2: Prior to issuance of a grading permit, the Project Applicant shall pay
18 the fees pursuant to County Ordinance 663.10 for the Riverside County
19 SKR HCP Fee Assessment Area as established and implemented by the
20 County.

21 E-3: Prior to issuance of a grading permit, a 30-day burrowing owl
22 preconstruction survey shall be conducted immediately prior to the
23 initiation of ground-disturbing construction to ensure protection for this
24 species and compliance with the conservation goals as outlined in the
25 MSHCP. The survey shall be conducted in compliance with both MSHCP
26 and CDFW guidelines. A report of the findings prepared by a qualified
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1 biologist shall be submitted to the County prior to any permit or approval
2 for ground disturbing activities.

3 If burrowing owls are detected on-site during the 30-day preconstruction
4 survey, during the breeding season (February 1 to August 31), then
5 construction activities shall be limited to beyond 300 feet of the active
6 burrows until a qualified biologist has confirmed that nesting efforts are
7 compete or not initiated. In addition to monitoring breeding activity, if
8 during the breeding season, a burrowing owl mitigation plan shall be
9 developed based on the County EPD, CDFW, and USFWS requirements for
10 the active relocation of individuals to the Lake Mathews Preserve.

11 E-4: Mitigation for potential direct/indirect impacts to common and
12 MSHCP covered sensitive passerine and raptor species shall require
13 compliance with the federal MBTA. Construction outside the nesting
14 season (between September 1 and January 31) does not require pre-removal
15 nesting bird surveys. If construction is proposed between February 1 and
16 August 31, a qualified biologist shall conduct a nesting bird survey(s) no
17 more than fourteen days prior to initiation of grading to document the
18 presence or absence of nesting birds within or directly adjacent (100 feet) to
19 the Project site.

20 The survey(s) shall focus on identifying any raptors and/or passerines nests
21 that could be directly or indirectly affected by construction activities. If
22 active nests are documented, species-specific measures shall be prepared by
23 a qualified biologist and implemented to prevent abandonment of the active
24 nest. At a minimum, grading in the vicinity of a nest shall be deterred until
25 the young birds have fledged. A minimum exclusion buffer of 100 feet
26 shall be maintained during construction, depending on the species and
27 location. The perimeter of the nest setback zone shall be fenced or
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1 adequately demarcated with stakes and flagging at 20-foot intervals, and
2 construction personnel and activities restricted from the area. A survey
3 report by a qualified biologist verifying that no active nests are present, or
4 that the young have fledged, shall be submitted to the County prior to
5 initiation of grading in the nest-setback zone. The qualified biologist shall
6 serve as a construction monitor during those periods when construction
7 activities occur near active nest areas to ensure that no inadvertent impacts
8 on these nests occur. A report of the findings prepared by a qualified
9 biologist shall be submitted to the County prior to construction that has the
10 potential to disturb any active nests during the nesting season. Any nest
11 permanently vacated for the season would not warrant protection pursuant
12 to the MBTA.

13 E-5: Prior to issuance of a grading permit, the Project Applicant shall
14 provide the RCA or similar entity with fee title/ownership and management
15 responsibilities for the 106.85-acre MSHCP Proposed Conservation Area
16 designated by the County of Riverside EPD as illustrated on Figure III-1
17 (refer to Section III [Project Description]).

18 E-6: To meet the criteria of a biologically equivalent or superior
19 alternative, the Project Applicant shall offset impacts to 1.29 acre of
20 MSHCP riparian/riverine habitat¹ by restoring 2.58 acres of non-
21 riparian/riverine habitat as directed by the RCA, USFWS, CDFW, USACE,
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23 ¹ The Project's MSHCP riverine/riparian impact areas, as noted above, total 1.292 acres; however, the applicant and the
24 California Department of Fish and Wildlife are currently reviewing various relict areas within the on site impact footprint that
25 are currently farmed/disked, which do not support a defined bed or bank (riverine). These areas are also devoid of riparian
26 habitat and would not meet the MSHCP's definition of riverine/riparian resources. Should the California Department of Fish
27 and Wildlife assert its jurisdiction over these relict, non-MSHCP areas, up to 0.17 acre of additional impact would occur as part
28 of the 1602 streambed alteration agreement. If this additional acreage is incorporated into the 1602 streambed alteration
agreement, the mitigation proposed above (2.58 acres) is sufficient to compensate for impacts to California Department of Fish
and Wildlife jurisdiction and MSHCP riparian/riverine resources.

1 and RWQCB. The 2.58 acres of mitigation lands shall be identified,
2 restored and located adjacent to the existing, on-site riparian corridor.
3 Specifically, the proposed restoration shall occur within the on-site MSHCP
4 Proposed Conservation Area, which shall have been conveyed in fee title, or
5 by conservation easement, to the RCA. An MSHCP DBESP shall be
6 prepared and submitted to the County, RCA, and wildlife agencies for
7 review and approval prior to issuance of a grading permit.

8 E-7: Prior to issuance of a grading permit, the Project Applicant shall
9 obtain a 404 Nationwide Permit from the USACE, 1602 SAA from CDFW,
10 and a 401 Certification issued by the RWQCB pursuant to the California
11 Water Code Section 13260. During the permit process a Habitat Mitigation
12 Monitoring Plan (HMMP) shall be developed and approved by the County
13 EPD, RCA, and applicable regulatory and wildlife agencies. As outlined in
14 E-6, mitigation ratios and restoration efforts shall occur on-site within the
15 MSHCP Proposed Conservation Area adjacent to the riparian corridor
16 (French Valley Creek). A total of 2.58 acres shall be restored.

17 3. Findings:

18 With implementation of Mitigation Measures E-1 through E-7, Impacts
19 IV.E-a [MSHCP Consistency], IV.E-g [Local Policy and Ordinance
20 Consistency], IV.E-b [Endangered or Threatened Species], IV.E-c
21 [Candidate, Sensitive, or Special Status Species], IV.E-d [Wildlife
22 Movement], IV.E-e [Riparian Habitat or Other Sensitive Natural
23 Community] and IV.E-f [Wetlands] would be mitigated. All other impacts
24 are less than significant.

25 E. Cultural Resources -

26 1. Impacts.

1 *Impacts IV.F-a and IV.F-b [Historic Resources]*. Impacts IV.F-a and IV.F-b
2 are discussed at Draft EIR page IV.F-40. Because the significance of the
3 Second San Diego Aqueduct (CA-RIV-8195H; 33-015734) stems from its
4 association with an important historical event, and its setting does not play a
5 substantial role in the measure of its historical integrity, residential and
6 commercial development near its perimeter would not cause a substantial
7 adverse change in the significance of the Second San Diego Aqueduct.
8 Thus, the Project as currently proposed has no potential to directly or
9 indirectly affect the significance of this resource, and thus, no impact would
10 occur.

11 *Impacts IV.F-c [Archeological Site] and IV.F-d [Archeological Resource]*.
12 The Project's potential to alter or destroy an archaeological site, cause a
13 substantial adverse change in the significance of an archaeological resource
14 pursuant to Section 15064.5 or disturb any human remains, including those
15 interred outside of formal cemeteries is discussed on Draft EIR pages IV.F-
16 40 through IV.F-42. The Project has no potential to directly or indirectly
17 affect the significance of the San Diego Aqueduct (CA-RIV-8195H; 33-
18 015734) and thus, no impact would occur. Based upon the cultural
19 resources investigations, the Project site has some potential to contain
20 subsurface cultural resource deposits in the vicinity of CA-RIV-10949/H,
21 CA-RIV-10950/Hand CA-RIV-11084. Due to this, it is recommended that
22 an archaeological monitor be present during ground-disturbing activities
23 within a 60- meter radius of the site associated with Project construction
24 and that a monitoring discovery and treatment plan is prepared.

25 *Impacts IV.E-g [Paleontological Resources]*. The Project's potential to
26 directly or indirectly destroy a unique paleontological resource is discussed
27 on Draft EIR pages IV.F-42 through IV.F-43. Based on Figure OS-8 of the
28

1 County's General Plan, the Project site has a combination of Low Potential
2 and Undetermined Potential for paleontological resources. Although no
3 unique paleontological resources are known to exist at the Project site,
4 considering the Low Potential determination for portions of the site, in the
5 unlikely event that paleontological resources are encountered during ground
6 disturbing activities, Mitigation Measure F-10 has been prescribed.

7 *Cumulative.* Through compliance with existing laws and implementation of
8 the mitigation measures listed below, Project impacts associated with
9 historic, archaeological, and paleontological resources would be less than
10 significant. However, the occurrence of these impacts would be limited to
11 the Project site and would not contribute to any potentially significant
12 cultural resources impacts that could occur at the sites of the related
13 projects. As such, the proposed Project would not contribute to any
14 potential cumulative impacts related to cultural resources.

15 2. Mitigation Measures.

16 F-1: Prior to the issuance of a grading permit for any Project
17 construction, the Project Applicant shall retain a County-qualified
18 archaeologist to monitor all ground-disturbing activities in an effort to
19 identify any unknown archaeological resources. During all earthmoving
20 activities, the archaeological monitor should be present to monitor all
21 previously undisturbed soils and to identify, document, and evaluate any
22 potential historic, archaeological, or cultural resources that may become
23 unearthed. This would include field and laboratory analysis of any artifacts
24 that are recovered during the fieldwork. The locations of any new
25 discoveries shall be plotted on a site map and described in detail in the
26 archaeological monitoring report and updated in the appropriate existing or
27 new DPR form. Further comparative analysis of the recovered artifacts
28

1 from CA-RIV-10949/H with other historic-age farmstead sites in the region
2 and interpretation of the data should also be carried out by a County-
3 qualified archaeologist.

4 F-2: At least 30 days prior to any grading activities, the Project Applicant
5 shall contact the Soboba Band and Pechanga Tribe to notify them of
6 grading, excavation, and proposed monitoring program, and to coordinate
7 with the County and the Soboba Band or Pechanga Tribe to develop a
8 Cultural Resources Treatment and Monitoring Agreement. The Agreement
9 shall require the Applicant to retain a professional Tribal Monitor to
10 monitor all ground-disturbing activities in an effort to identify any historic
11 and archaeological and cultural resources. The Agreement shall address the
12 treatment of known cultural resources, the designation, responsibilities, and
13 participation of professional Native American Tribal monitors during
14 grading, excavation, and ground disturbing activities; project grading and
15 development scheduling; terms of compensation for the monitors; and
16 treatment and final disposition of any cultural resources, sacred sites, and
17 human remains discovered on the site.

18 F-3: Prior to the beginning of any ground-disturbing activities, the
19 County-qualified archaeologist shall file a pre-grading report with the
20 County (if required) to document the proposed methodology for grading
21 activity observation. Said methodology shall include the requirement for a
22 qualified archaeological monitor to be present and to have the authority to
23 stop and redirect grading activities. In accordance with the agreement
24 required in Mitigation Measure F-2, the archaeological monitor's authority
25 to stop and redirect grading shall be exercised in consultation with the
26 Soboba Band or Pechanga Tribe in order to evaluate the significance of any
27 archaeological resources discovered on the property. Soboba Band or
28

1 Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site
2 grading, excavation, and groundbreaking activities, and shall also have the
3 authority to stop and redirect grading activities in consultation with the
4 project archaeologist.

5 The Agreement shall address the appropriate protocols should
6 archaeological, historical, or cultural resources be found; the process for
7 identification, evaluation, and any potential avoidance, preservation, or
8 other mitigation options; protocols for field and laboratory analysis of any
9 artifacts that are recovered during the fieldwork that shall take into account
10 traditional Tribal practices; documentation of any new sites and artifacts;
11 and any other appropriate methodology. Further comparative analysis of
12 any recovered artifacts from CARIV-10950/H with other Archaic-age sites
13 in the region and from CA-RIV-10949/H with other historic-age farmstead
14 sites in the region and interpretation of the data should also be carried out
15 by a County qualified archaeologist.

16 The archaeologist shall also be responsible for a post-grading monitoring
17 report to be submitted to the County, the Project Applicant, the Eastern
18 Information Center, and the Pechanga Tribe and the Soboba Band of
19 Luiseno Indians no later than 45 days after completion of all monitoring
20 activities.

21 F-4: During the Project's construction phase, the area labeled "Avoided
22 Cultural Resource" on the land use map (on file with the County) shall be
23 avoided and fenced as appropriate to deter any potential impacts to the area.
24 Fencing shall be installed prior to grading in the area, and the fencing shall
25 be removed after all earthmoving activities have been completed in the area.

26 F-5: The Project Applicant, the Soboba Band or Pechanga Tribe, and the
27 County-qualified archaeologist shall conduct controlled grading utilizing a
28

1 paddle grader during construction impacts to CA-RIV-10950/H. The
2 purpose of the controlled grading at and around the site as outlined in the
3 area labeled as "Controlled Grade Area" is to afford the opportunity to
4 determine whether any subsurface resources are associated with the site and
5 if so, to collect the resources for appropriate treatment pursuant to Section
6 V(g) of the Agreement and in the Monitoring Plan to be developed by the
7 project archaeologist in consultation with the Soboba Band or Pechanga
8 Tribe. The Developer shall only use a paddle grader, and no other ground
9 disturbing equipment or methods, in the "Controlled Grade Area" delineated
10 and labeled on the attached land use map. All controlled grading shall be
11 monitored according to the provisions of Mitigation Measure F-2.

12 F-6: If inadvertent discoveries of subsurface archaeological/cultural
13 resources are discovered during grading, the Developer, the project
14 archaeologist, and the Soboba Band or Pechanga Tribe shall assess the
15 significance of such resources and shall meet and confer regarding the
16 mitigation for such resources. Pursuant to California Public Resources Code
17 § 21083.2(b) avoidance is the preferred method of preservation for
18 archaeological resources. If the Developer, the project archaeologist and the
19 Soboba Band or Pechanga Tribe cannot agree on the significance or the
20 mitigation for such resources, these issues will be presented to the Planning
21 Director for decision. The Planning Director shall make the determination
22 based on the provisions of CEQA with respect to archaeological resources
23 and shall take into account the religious beliefs, customs, and practices of
24 the Soboba Band or Pechanga Tribe. Notwithstanding any other rights
25 available under the law, the decision of the Planning Director shall be
26 appealable to the Planning Commission and/or Board of Supervisors.

1 F-7: The landowner(s) shall relinquish ownership of all cultural
2 resources, including sacred items, burial goods, and all archaeological
3 artifacts that are found on the project area to the Soboba Band or Pechanga
4 Tribe for proper treatment and disposition as outlined in the Treatment and
5 Monitoring Agreement required in Mitigation Measure F-2.

6 F-8: If human remains are encountered, California Health and Safety
7 Code Section 7050.5 states that no further disturbance shall occur until the
8 Riverside County Coroner has made the necessary findings as to origin.
9 Further, pursuant to California Public Resources Code Section 5097.98(b)
10 remains shall be left in place and free from disturbance until a final decision
11 as to the treatment and disposition has been made. If the Riverside County
12 Coroner determines the remains to be Native American, the Native
13 American Heritage Commission must be contacted within 24 hours. The
14 Native American Heritage Commission must then immediately identify the
15 "most likely descendant(s)" of receiving notification of the discovery. The
16 most likely descendant(s) shall then make recommendations within 48
17 hours, and engage in consultations concerning the treatment of the remains
18 as provided in Public Resources Code 5097.98 and the Treatment
19 Agreement described in Mitigation Measure F-2.

20 F-9: All sacred sites, should they be encountered within the Project area,
21 shall be avoided and preserved as the preferred mitigation, if feasible.

22 F-10: Prior to issuance of grading permits, the Project developer shall
23 retain a qualified paleontologist to develop a Paleontological Resource
24 Impact Mitigation Program (PRIMP) for the excavation phase of the
25 Project. The PRIMP shall conform to the guidelines of the County and the
26 Society of Vertebrate Paleontology and include the following steps:
27
28

1 • A trained paleontological monitor shall be present during
2 ground-disturbing activities within the Project area in sediments
3 determined likely to contain paleontological resources. The monitor
4 shall be empowered to temporarily halt or redirect construction
5 activities to ensure avoidance of adverse impacts to paleontological
6 resources. The monitor shall be equipped to rapidly remove any
7 large fossil specimens encountered during excavation. During
8 monitoring, samples shall be collected and processed to recover
9 microvertebrate fossils. Processing shall include wet screen washing
10 and microscopic examination of the residual materials to identify
11 small vertebrate remains.

12 • Upon encountering a large deposit of bone, salvage of all
13 bone in the area shall be conducted with additional field staff and in
14 accordance with modern paleontological techniques.

15 • All fossils collected shall be prepared to a reasonable point
16 of identification. Excess sediment or matrix shall be removed from
17 the specimens to reduce the bulk and cost of storage. Itemized
18 catalogs of all material collected and identified shall be provided to
19 the museum repository along with the specimens.

20 • A report documenting the results of the monitoring and
21 salvage activities and the significance of the fossils shall be
22 prepared.

23 • All fossils collected during this work, along with the
24 itemized inventory of these specimens, shall be deposited in a
25 museum repository for permanent curation and storage.

26 3. Findings.
27
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1 With implementation of Mitigation Measures F-1 through F-9, Impact IV.F-
2 c [Archeological Site] and IV.F-d [Archeological Resource] would be less
3 than significant. With implementation of F-10, Impact IV.E-g
4 [Paleontological Resources] would be less than significant. All other
5 impacts are less than significant.

6 F. **Geology and Soils** -

7 1. **Impacts.**

8 *Impact IV.G-11ii [Liquefaction].* The Project's potential to expose people to
9 seismic-related ground failure, including liquefaction is discussed on Draft
10 EIR pages IV.G-10 through IV.G-11. Site-specific analysis has concluded
11 that the liquefaction potential at the Project site is considered a concern due
12 to shallow saturated loose alluvium. More specifically, liquefaction
13 potential exists in localized areas within the northwestern portion of the
14 Project site due to saturated interbedded silt and sand layers at depths of 5
15 to 18 feet. However, according to the *Update Geotechnical Report*,
16 liquefaction-induced settlement is would be minimal with implementation
17 of proper remedial grading measures.

18 *Impact IV.G-11iii [Seismic Ground-Shaking].* Impact IV.G-11iii is
19 discussed at page IV.G-11. The Project would be subject to strong seismic
20 ground-shaking. However, conformance to the building code would ensure
21 that no significant impacts related to this issue would occur.

22 *Impacts IV.G-11iv [Landslides], IV.G-14a [Unstable Geologic Unit or*
23 *Soils], and IV.G-15a [Unstable Geologic Unit or Soils Resulting in*
24 *Subsidence].* The Project's location on a geologic unit or soil that is
25 unstable, or that would become unstable as a result of the project, and
26 potentially result in on- or off-site landslide, lateral spreading, subsidence,
27 liquefaction, collapse, or rockfall hazards as well as the location on a
28

1 geologic unit or soil that could result in subsidence is discussed on Draft
2 EIR pages IV.G-11 through IV.G-13. According to the *Update*
3 *Geotechnical Report*, settlement of on-site fill materials is expected to occur
4 during and within 90 days following fill placement. Following the
5 placement of fill and construction of the structures, additional settlement
6 may occur due to static loads (new footing/foundation loads, fill loads,
7 compression within the fill due to the effects of landscaping irrigation) or
8 dynamic loads (strong ground shaking due to an earthquake).

9 *Impact IV.G-16a [Geologic Hazards, such as seiche, mudflow, or volcanic*
10 *hazard]*. Impact IV.G-16a is discussed at Draft EIR page IV.G-13. The
11 Project site is not located near any volcanoes, and the Project site does not
12 contain any steep slopes subject to mudflows. However, two lakes (Lake
13 Skinner and Diamond Valley Lake) are located in the Project region.
14 Nonetheless, due to the distance from these lakes, the risk of flooding at the
15 Project site due to seiching is negligible. Therefore, no significant impacts
16 related to this issue would occur.

17 *Impact IV.G-17a [Topography or Ground Surface Relief Features]*. Impact
18 IV.G-16a is discussed at Draft EIR page IV.G-13. Project development
19 would occur within the flatter portions of the Project site; the northeastern
20 portion of the site with the hillier terrain would be preserved as open space.
21 The overall topography of the site would not change substantially as a result
22 of the Project. Therefore, no significant impacts related to this issue would
23 occur.

24 *Impacts IV.G-18a [Soil Erosion], IV.G-19a [Deposition, Siltation, or*
25 *Erosion], and IV.G-19b [Water Erosion]*. Impacts IV.G-18a, IV.G-19a and
26 Impact IV.G-19b are discussed at Draft EIR page IV.G-13. Implementation
27 of the best management practices (BMPs) outlined in the Stormwater
28

1 Pollution Prevention Plan (the "SWPPP") and the Project's proposed water
2 quality design features would address potential erosion and siltation impacts
3 during the construction and operational phases of the Project. Therefore,
4 Project impacts related to erosion, siltation, and sedimentation would be
5 less than significant.

6 *Impact IV.G-18b [Expansive Soil].* The Project's location on expansive soil,
7 as defined in Section 1803.3.2 of the California Building Code (2007) is
8 discussed on Draft EIR pages IV.G-14 through IV.G-15. Based on the
9 results of laboratory testing performed on representative soil samples,
10 alluvial soil materials demonstrated a medium expansion potential.
11 However, expansive soil conditions should be evaluated for individual lots
12 during and at the completion of rough grading to verify anticipated
13 conditions.

14 *Cumulative.* Geotechnical impacts related to future development in the
15 County would involve hazards related to site specific soil conditions,
16 erosion, and ground-shaking during earthquakes. The impacts on each site
17 would be specific to that site and its users and would not be common or
18 contribute to (or shared with, in an additive sense) the impacts on other
19 sites. In addition, development on each site would be subject to uniform site
20 development and construction standards that are designed to protect public
21 safety. Therefore, cumulative geotechnical impacts related would be less
22 than significant.

23 2. Mitigation Measures.

24 G-1: Prior to issuance of a building permit, it shall be determined by the
25 Project Developer and the County if structural improvements are proposed
26 within the northwestern portion of the Project site where alluvium may
27 extend to a depth of 25 feet. The removal depth within this area may be
28

1 limited to a maximum of 10 feet (or 2 feet above groundwater level) as
2 opposed to complete removal of alluvium. However, it is recommended that
3 construction of buildings in areas underlain by compressible silt and clays
4 (such as the vicinity of Boring B-7) be delayed at least 4 months after
5 grading and excavation to allow for consolidation settlement to take place.
6 After completion of the recommended removal and prior to placing
7 additional fill, the approved surface should be scarified a minimum of 8
8 inches, moisture conditioned and compacted to a minimum 90 percent of
9 the maximum dry density in accordance with ASTM D1557. Saturated soils
10 may require drying back to near optimum moisture content or mixing with
11 drier materials.

12 G-2: Prior to issuance of grading permits, a detailed geotechnical
13 investigation report shall be submitted to the County with engineered
14 grading plans that provides site-specific recommendations to allow for
15 development that meets the requirements of the State and County Building
16 Code. The geotechnical report shall be prepared and signed/stamped by a
17 Registered Civil Engineer specializing in geotechnical engineering and a
18 Certified Engineering Geologist. This report shall include site-specific
19 measures such as grading recommendations, foundation design
20 recommendations, and slope stability recommendations, as appropriate.

21 3. Findings.

22 With implementation of Mitigation Measures G-1 and G-2, Impact IV.G-
23 11ii [Liquefaction], Impacts IV.G-11iv [Landslides], IV.G-14a [Unstable
24 Geologic Unit or Soils], IV.G-15a [Unstable Geologic Unit or Soils
25 Resulting in Subsidence], and Impact IV.G-18b [Expansive Soil] would be
26 less than significant. All other impacts are less than significant.

27 G. Greenhouse Gas Emissions -
28

1 1. Impacts.

2 *Impact IV.H-b [Consistency with Greenhouse Gas Plans, Policies, or*
3 *Regulations]*. Impact IV.H-b is discussed at Draft EIR pages IV.H-29
4 through IV.H-37. Draft EIR Table IV.H-5 includes a discussion of the
5 Project’s consistency with AB 32 Scoping Plan strategies and finds that the
6 Project would generally be consistent with the State’s policy objectives.
7 Draft EIR Table IV.H-6 includes a discussion of the Project’s consistency
8 with the RTP/SCS example measures (prepared for the purpose of
9 implementing SB 375) and finds that the Project generally would be
10 consistent with the Region’s policy objectives. On balance, while the
11 Project is consistent with regional growth assumptions and would help
12 achieve the region's SB 375 targets, it would exceed local growth
13 assumptions and would not ultimately reduce VMT, since the site is
14 designated for residential uses and would not include any job generating
15 uses. As noted above, the RTP/SCS states that the growth and land use
16 assumptions are to be adopted at the jurisdictional level. The Project would
17 be consistent with SB 375 given the Project's incorporation of GHG
18 emission reductions consistent with the regional SB 375 targets.

19 2. Mitigation Measure.

20 No mitigation is required.

21 3. Findings.

22 Impacts are less than significant.

23 H. **Hazards and Hazardous Materials -**

24 1. Impacts.

25 *Impact IV.I-b [Release of Hazardous Materials]*. Impact IV.I-b is discussed
26 at page IV.I-14. The Phase I ESA concluded that no historical RECs or de
27 minimis environmental conditions were identified as a result of activities or
28

1 conditions at the Project site or nearby properties, and no additional action
2 or assessment is recommended as a result of the Phase I ESA. In the
3 absence of evidence of a significant release of agricultural chemicals, there
4 is no regulatory requirement for sampling at the Project. As a result, no
5 significant impacts related to risk of upset would occur.

6 *Impact IV.I-c [Emergency Response Plan].* The Project's potential to
7 impair implementation of or physically interfere with an adopted emergency
8 response plan or emergency evacuation plan is discussed on Draft EIR page
9 IV.I-14. Construction of the Project, including development of new
10 roadways and improvements within existing roadways, could result in
11 temporary traffic obstructions. In particular, Washington Street to the west,
12 Keller Road to the north, Fields Drive to the west, and Jean Nicholas to the
13 southwest are major arterials in the vicinity of the Project site. Potential
14 significant impacts could occur if obstruction of these roadways would
15 prevent or limit the implementation of the County's EOP or other
16 emergency response in the area.

17 *Cumulative.* The geographic extent of the Project's environmental safety
18 impacts would be limited to the Project site and would not contribute to any
19 other potential environmental safety impact that may occur beyond the
20 Project site boundaries. All related projects would be subject to
21 discretionary or ministerial review by their respective jurisdictions, which
22 would be responsible for assessing potential hazards risks associated with
23 those related projects, and if necessary, the applicants of those projects
24 would be required to implement measures appropriate for the type and
25 extent of hazardous materials present and the land use proposed to reduce
26 the risk associated with the hazardous materials to an acceptable level. As
27 discussed, the Project would not result in any significant impacts related to
28

1 hazards and hazardous materials. Therefore, no significant cumulative
2 impacts related to hazards and hazardous materials would occur.

3 2. Mitigation Measure.

4 I-1: Prior to issuance of any grading permits, a detailed traffic control
5 plan shall be prepared to coordinate lane closures, access, and construction
6 work hours in order to minimize potential impacts associated with
7 emergency response. The traffic control plan shall be approved by the
8 County Transportation Department prior to implementation.

9 3. Findings.

10 With implementation of Mitigation Measure I-1, Impact IV.I-c [Emergency
11 Response Plan] would be less than significant. All other impacts are less
12 than significant.

13 I. Hydrology and Water Quality -

14 1. Impacts.

15 *Impact IV.J-a [Alter Existing Drainage Pattern Resulting in Erosion].*

16 Impact IV.J-a is discussed at Draft EIR page IV.J.19 through IV.J.20.

17 Collectively, implementation of the BMPs outlined in the SWPPP and the
18 Project's proposed water quality design features would address potential
19 erosion and siltation impacts during the construction and operational phases
20 of the Project. Therefore, Project impacts related to erosion and
21 sedimentation would be less than significant.

22 *Impacts IV.J-b [Violate Water Quality Standards], IV.J-d [Source of*

23 *Polluted Runoff], and IV.J-g [Degrade Water Quality].* Project

24 construction activities potentially could discharge sediment and pollutants
25 to the nearest receiving waters (i.e., French Valley Creek, Murrieta Creek,
26 Santa Margarita River). The soil-disturbing activities associated with the
27 Project would necessitate the implementation of a SWPPP and related
28

1 construction BMPs that would achieve best conventional pollutant control
2 technology (BCT) and best available technology economically achievable
3 (BAT) performance standards. Submittal of an NOI and implementation of
4 the SWPPP and its associated BMPs throughout the construction phase of
5 the proposed project would address anticipated and expected pollutants of
6 concern as a result of construction activities.

7 The operational phase of the Project could result in long-term impacts to the
8 quality of stormwater and urban runoff, subsequently impacting
9 downstream water quality of receiving waters. As required by the County,
10 at the time of submittal of an application for a new development, Project
11 proponents shall be required to submit a Water Quality Management Plan
12 (WQMP), using the Riverside County Stormwater Quality Best
13 Management Practice Design Handbook, to the County that outlines
14 approved post-construction BMPs including site-design and source and
15 treatment control BMPs selected for the particular development to reduce
16 pollutants in post-development runoff to meet the BAT/BCT performance
17 standard. The Draft EIR outlines the proposed site design, source control
18 and treatment control BMPs as documented in the Preliminary WQMP
19 prepared for the project (refer to Draft EIR Appendix IV.J). Collectively,
20 the site-design, source, and treatment-control BMPs would address the
21 anticipated and expected pollutants of concern from the operational phase of
22 the Project and ensure that water quality standards are met. Therefore,
23 Project impacts related to water quality would be less than significant.
24 *Impact IV.J-c [Deplete Groundwater].* Impact IV.J-c is discussed at Draft
25 EIR page IV.J-31. All runoff from the Project site would be directed to
26 storm drain infrastructure and/or detention basins and discharged to the
27 existing downstream receiving waters (i.e., French Valley Creek, Murrieta
28

1 Creek, Santa Margarita River) at rates and volumes not to exceed existing
2 conditions. As such, the runoff volumes from the Project site would
3 continue to be available for groundwater recharge in the watershed area; no
4 deficit to groundwater or lowering of the groundwater table would occur as
5 a result of drainage changes at the Project site. Additionally, as discussed in
6 Draft EIR Section IV.P (Utilities and Service Systems – Water), the water
7 supply assessment (WSA) prepared for the Project by Eastern Municipal
8 Water District (EMWD) concluded that EMWD could accommodate the
9 Project’s demand for water supply, and no additional sources (such as
10 additional groundwater) would be needed for the Project. Thus, the Project
11 would not affect any groundwater wells in the region. Therefore, Project
12 impacts related to groundwater recharge would be less than significant.
13 *Impact IV.J-d [Runoff Exceeding Drainage System Capacity]*. Impact IV.J-d
14 is discussed at page IV.J-31 through IV.J-39. Preliminary hydrology
15 analysis was performed for the offsite drainage area to the east of the
16 Project site and for the Project’s on-site drainage area. The rational method
17 calculations were utilized to size the proposed storm drain infrastructure
18 for the peak 100-year flow rate, and the unit hydrograph calculations were
19 utilized to size the proposed extended detention basins required to mitigate
20 for the Hydrologic Conditions of Concern (HCCOC’s) and to mitigate
21 flows to the capacity of the existing downstream storm drain systems.
22 Mitigating for the HCCOC’s requires that the post-Project 2-year, 24-hour
23 and 10-year, 24-hour flow rates and volumes not exceed the pre-Project
24 flow rates and volumes. The proposed drainage plan the Project is shown
25 on Draft EIR Figure III-10 in Draft EIR Section III (Project Description).
26 The major objective for Project’s drainage plan would be to establish
27 alignments that would connect to the existing downstream facilities. Based
28

1 on research conducted for the Project a total of six existing storm drain
2 systems and one proposed storm drain system have been identified that
3 would limit the maximum flow rate the Project could convey to the
4 connection point. As a result, the storm drain alignments and hydrology
5 were prepared in a manner to balance the Project watershed areas. The
6 balancing of the watershed would result in a drainage solution for the
7 proposed condition flow rates to produce flow rates that would be equal or
8 less than the existing approved flow rates for the downstream systems.
9 Additionally, the proposed storm drain alignments identified potential
10 locations for detention basins and Low Impact Development "Best
11 Management Practices" (LID BMPs) that would function as part of the
12 drainage solution. Based on the discussion above, the Project would provide
13 adequate stormwater drainage capacity and would not exceed the existing or
14 planned stormwater drainage system. Therefore, Project impacts related to
15 stormwater drainage capacity would be less than significant.

16 *Impact IV.J-f [Flood Zone].* Impact IV.J-f is discussed at page IV.J-39. The
17 Project site is located partially in the Federal Emergency Management
18 Agency's FEMA Flood Zone D and partially in an area zoned as a "No
19 Special Flood Hazard Area." As discussed as part of Impact IV.J-d, the
20 Project would implement the use of a natural stream and proposes planning
21 areas that would encroach into the 100-year flood plain. A roadway would
22 be constructed across the 100-year flood plain that would include the use of
23 a concrete culvert structure to allow the 100-year flow rate to pass under the
24 road. Moreover, rip-rap armoring would be used along the roadway slopes
25 to protect against erosion and scour. The proposed culvert would be
26 designed in a manner that would not elevate the water surface elevation in
27 order not to impact upstream or downstream property owners. Therefore,
28

1 Project impacts related to the 100-year flood plain would be less than
2 significant.

3 *Impact IV.J-h [Impacts from Stormwater Treatment Control BMPs].*

4 Impact IV.J-h is discussed at page IV.J-39. The Project would implement
5 stormwater treatment control BMPs in order to meet the design criteria and
6 standards as required per the SDRWQCB and the County. The design
7 criteria and standards account for BMP systems that incorporate parameters
8 that control and eliminate impacts associated with vectors and odors.
9 Through compliance with these requirements, no significant impacts related
10 to vectors would occur.

11 *Impact IV.J-i [Alter Drainage Pattern Increasing Runoff Causing*
12 *Flooding].* Impact IV.J-I is discussed at Draft EIR page IV.K-40. Based on
13 the discussion under Impact IV.J-d, the Project would provide adequate
14 stormwater drainage capacity to control the rate and volume of runoff from
15 the Project site to not to exceed existing conditions. The Project would not
16 cause flooding on or off of the Project site. Therefore, Project impacts
17 related to flooding would be less than significant.

18 *Impact IV.J-j [Absorption Rate].* Impact IV. J-j is discussed at Draft EIR
19 page IV.K-40. As discussed previously, all runoff from the Project site
20 would be directed to storm drain infrastructure and/or detention basins and
21 discharged to the existing downstream receiving waters (i.e., French Valley
22 Creek, Murrieta Creek, Santa Margarita River) at rates and volumes not to
23 exceed existing conditions. As such, the runoff volumes from the Project
24 site would continue to be available for groundwater recharge in the
25 watershed area; no deficit would occur. Therefore, Project impacts related
26 to absorption (groundwater recharge) would be less than significant.
27 Additionally, based on the discussion under Impact IV.J-6, although the
28

1 Project would result in increased runoff, the Project would provide adequate
2 stormwater drainage capacity to control the rate and volume of runoff from
3 the Project site to not to exceed existing conditions. Therefore, Project
4 impacts related to changes in runoff would be less than significant.

5 *Impact IV.J-1 [Surface Water].* Impact IV. J-j is discussed at Draft EIR
6 page IV.K-40. As disc previously, all runoff from the Project site would be
7 directed to storm drain infrastructure and/or detention basins and discharged
8 to the existing downstream receiving waters (i.e., French Valley Creek,
9 Murrieta Creek, Santa Margarita River) at rates and volumes not to exceed
10 existing conditions. As such, the runoff volumes from the Project site would
11 not substantially affect any water body. Therefore, Project impacts related
12 to changes to water bodies would be less than significant.

13 *Cumulative.* As discussed, all drainage runoff from the Project site would be
14 directed to storm drain infrastructure and/or detention basins and discharged
15 to the existing downstream receiving waters at rates and volumes not to
16 exceed existing conditions. Additionally, the WSA prepared for the Project
17 by EMWD concluded that EMWD could accommodate the Project's
18 demand for water supply (along with EMWD's other existing and planned
19 future uses), and no additional sources (such as additional groundwater)
20 would be needed for the Project. Thus, the Project would not contribute to
21 any potential impacts related to groundwater wells in the region. Therefore,
22 the Project's contribution to any cumulative hydrology impacts would be
23 less than significant.

24 With respect to water quality, implementation of the Project, in conjunction
25 with related projects located within the Santa Margarita River watershed,
26 would result in increased flows that ultimately discharge to the Pacific
27 Ocean. The future land use in the general vicinity of the Project site
28

1 includes the development of urban land uses. Ultimate development of the
2 Project and other development within the area could potentially impact
3 surface water quality. As with the Project, related projects would be
4 required to mitigate impacts through implementation of project-specific
5 construction and post-construction BMPs and the installation of permanent
6 drainage improvements to ensure that water quality standards are met.
7 Therefore, the Project's contribution to any cumulative water quality
8 impacts would be less than significant.

9 2. Mitigation Measures.

10 No mitigation is required.

11 3. Findings.

12 All impacts are less than significant.

13 J. Land Use and Planning -

14 1. Impacts.

15 *Impact IV.K-c [Compatibility with Surrounding Land Uses].* The Project
16 site is surrounded by existing and planned residential developments to the
17 north, west, and southwest. The Project includes development of residential
18 and open space land uses that are similar to those that already existing in the
19 Project area and/or proposed. Development will be clustered on the
20 northwest and southeast parcels. The northeast parcel will be preserved as
21 open space, which will create a transition between rural uses to the east of
22 the site.

23 *Impact IV.K-a: [Alteration of the Present or Planned Land Use].* Impact
24 IV.K-a is discussed on Draft EIR page IV.K-5 through IV.K-6. The Project
25 includes development of the Project site with 1,282 residential dwelling
26 units, an increase of 154 units as compared to what is planned under the
27 existing land use designation. As such, although the Project would result in
28

1 more residential dwelling units than planned for the in the General Plan, the
2 land uses and the number of dwelling units are substantially similar to what
3 was planned for the site by the County. The Final EIR clarifies the
4 conclusion that the Project would not result in a substantial alteration of the
5 present or planned use of the Project. (See Final EIR, p. IV-18).

6 *Impact IV.K-d [Consistency with Applicable Land Use Designations and*
7 *Policies]*. The Project's consistency with applicable land use designations
8 and policies of the County's General Plan is discussed on Draft EIR pages
9 IV.K-7 through IV.K-55. The Project's consistency with General Plan
10 policies is analyzed in Draft EIR Table IV.K-3. Further, the Draft EIR
11 includes a detailed discussion of the Project's consistency with the Highway
12 79 policies. With respect to Circulation Policy C.2.6 and Policy 9.1,
13 Project-specific traffic analysis has been conducted consistent with the
14 Riverside County Traffic Impact Analysis Preparation Guide to ensure that
15 there is "adequate transportation infrastructure capacity to accommodate the
16 added traffic growth" from the Project. Further, the Project's payment of
17 fees would also help accelerate improvements to Highway 79 infrastructure.
18 As Circulation Policy C 2.7 requires trips to be reduced proportionally and
19 SWAP Policy 9.2 provides for a program would ensure that development
20 projects produce traffic generation at a level that is nine percent less than
21 the trips projected from the General Plan traffic model residential land use
22 designations, mitigation is required.

23 *Cumulative*. Implementation of the Project in conjunction with the various
24 related projects in the vicinity of the Project site would result in further
25 development within the County. The degree to which each of the related
26 projects would be consistent with applicable plans, policies, and regulations
27 is assessed on a project-by-project basis. Some of the related projects may
28

1 require amendments to the General Plan to allow development of the
2 proposed use, and as such, it is possible that the related projects would not
3 be consistent with the planned land use of a site, and could also be
4 inconsistent with other applicable plans and policies. Inconsistencies with
5 policies can lead to potential environmental impacts. Additionally,
6 implementation of the Project in conjunction with the related projects would
7 have the potential to create compatibility conflicts relating to the interface
8 between new development and historical uses. Such conflicts would be
9 addressed on a case-by-case basis, and assuming that all conflicts can be
10 resolved through the use of best alternative construction practices, buffers,
11 and appropriate design, significant land use compatibility conflicts are not
12 anticipated.

13 2. Mitigation.

14 K-1: Prior to issuance of building permits, the County shall ensure
15 compliance with the Highway 79 Condition of Approval. The allowable
16 number of units shall be determined utilizing the ITE Trip Generation in
17 consideration of: (a) TDM measures; (b) product types; (c) transportation
18 improvements; or (d) a combination of (a), (b), and (c). If the County
19 establishes a fee program to achieve compliance with the Highway 79
20 policies, the Project Applicant may participate in such program as an
21 alternative to compliance with the Highway 79 Condition of Approval. If
22 the Highway 79 policies are amended, the Highway 79 condition may be
23 amended in a corresponding fashion. If the Highway 79 policies are
24 repealed, the Highway Condition of Approval will terminate. In any such
25 instance, the environmental impacts of developing 1,282 units have been
26 evaluated throughout the Belle Terre Specific Plan EIR.

27 3. Findings.

1 With implementation of Mitigation Measure K-1, Impact IV.K-a:
2 [Alteration of the Present or Planned Land Use] and Impact IV.K-d
3 [Consistency with Applicable Land Use Designations and Policies] would
4 be less than significant. All other impacts are less than significant.

5 K. Noise -

6 1. Impacts.

7 *Impact IV.L-c [Temporary or Periodic Increase in Ambient Noise Levels].*

8 The Project's potential to result in a substantial temporary or periodic
9 increase in ambient noise levels is discussed at Draft EIR pages IV.L-19
10 through IV.L-20. Draft EIR Table IV.L-7 includes a summary of the
11 potential maximum noise levels and increases during construction. The
12 nearest sensitive receptors are single-family residences to the west of the
13 Project site on Hillingdon Court, Shephard Court, and Skinner Drive. These
14 residences could experience a noise increase of up to 33.1 dBA during
15 construction of the Project.

16 *Impact IV.L-e [Noise in Excess of Standards].* Impact IV.L-e is discussed
17 at page IV.L-24. The Project would locate new noise-sensitive residential
18 receptors (i.e., residents) at the Project site. Ambient noise at the Project
19 site is approximately 52.7 CNEL. As shown on Draft EIR Table IV.L-2, the
20 California State Department of Health Services considers these levels to be
21 "Normally Acceptable." Conventional building construction and features
22 such as single-glazed windows and fresh air supply system or air
23 conditioning would be included in the Project design that reduce noise by
24 about 24 dBA. The resulting 28.7 dBA would not exceed the 45 dBA
25 maximum set by the California Noise Insulation Standards (California Code
26 of Regulations, Title 24). Therefore, Project impacts related to noise and
27 land use compatibility would be less than significant.
28

1 *Impact IV.L-f [Groundborne Vibration].* Impact IV.l-f is discussed at IV.L-
2 24 through IV.L-2. Draft EIR Table Table IV.L-10 shows vibration
3 velocities for construction equipment. Vibration levels do not exceed
4 thresholds for residential uses. Operational groundborne vibration in the
5 Project vicinity would be generated by vehicular travel on the local
6 roadways. However, similar to existing conditions, Project-related traffic
7 vibration levels would not be perceptible by sensitive receptors. Therefore,
8 Project impacts related to operational groundborne vibration would be less
9 than significant.

10 *Cumulative.* Twenty-two related-projects have been identified by County
11 (refer to Draft EIR Table II-1). The nearest related-project construction site
12 is the Keller Crossing Specific Plan site, which is approximately 3,200 feet
13 from the nearest portion of the Project site. Generally, construction noise
14 sources over 1,320 feet are not audible to sensitive receptors. Thus, the
15 nearest related project is not near enough to the Project site to contribute to
16 potential cumulative noise impacts. As such, cumulative noise impacts
17 during the construction period for the Project would be less than significant.
18 The Project would also contribute to cumulative increases in vibration from
19 new development in the area. The predominant vibration source near the
20 Project site is heavy trucks traveling on local roadways. However, neither
21 the Project nor the related projects would substantially increase heavy-duty
22 vehicle traffic near the Project site and would not cause a substantial
23 increase in heavy-duty trucks on local roadways. The Project would not add
24 to a significant cumulative vibration impact. The Project's contribution to
25 cumulative vibration in the vicinity of the project is considered less than
26 significant.

27 2. Mitigation.

1 L-1: Prior to issuance of a demolition or grading permit, the Project
2 developer shall prepare and submit for approval by the County a
3 construction-related noise mitigation plan that is consistent with County
4 Ordinance 847 and General Plan Policy N 12.3. The plan must depict the
5 location of construction equipment and how the noise from this equipment
6 will be mitigated during construction of this Project. Examples of potential
7 mitigation methods include the following:

- 8 • Temporary noise attenuation fences (approximately 5 to 10
9 dBA reduction in noise)
- 10 • Preferential location of equipment (a reduction of 3dBA for
11 every doubling of distance)
- 12 • Use of current noise suppression technology (e.g., mufflers
13 and engine shrouds and equipment)
- 14 • Notification to land uses in the vicinity of construction
15 schedule
- 16 • Posting of a contact name and number of contractor or
17 County staff to receive complaints

18 L-2: During the Project's construction phase, all construction activities
19 shall be limited to the following time constraints (as monitored by the
20 County's Building Department):

- 21 • During the months of June through September, construction
22 activities shall be limited to between the hours of 6:00 a.m. and 6:00
23 p.m.
- 24 • During the months of October through May, construction
25 activities shall be limited to between the hours of 7:00 a.m. and 6:00
26 p.m.
- 27
- 28

1 Project and the related projects would fall within the projected increase for
2 population and housing growth for the County. Therefore, cumulative
3 impacts related to population growth would be less than significant.

4 2. Mitigation.

5 No mitigation is required.

6 3. Findings.

7 All impacts are less than significant.

8 M. Public Services -

9 1. Impacts.

10 *Impact IV.N-a [Fire Protection Facilities].* Impact IV.N-3 through IV.N-4.

11 The Project would generate approximately 4,038 residents, and would
12 increase the overall amount of development square footage at the Project
13 site, creating a need for fire protection and emergency medical services at
14 the Project site. Since the Project would allow up to 1,282 units, it would
15 not generate the need for a new fire station as the County standard for the
16 establishment of a new fire station is the development of 2,000 dwelling
17 units. The Project includes a water tank to store extra water for emergency
18 services, and all emergency access would be designed and constructed in
19 consultation with the RCFD and in conformance with all RCFD standards
20 pursuant to Riverside County Ordinance No. 460. Further, final pipeline
21 design would insure facilities are sized to provide the maximum daily flow
22 plus required fire flows (as determined by the Riverside County Fire
23 Marshall) with a minimum residual pressure of 20 pounds per square inch
24 (psi). The County provides for fire services through the County's
25 development impact fee in accordance with Riverside County Ordinance
26 No. 659. Any additional personnel, buildings, and materials costs (i.e.,
27 additional response unit) for fire services in the County related to buildout
28

1 of the Project would be offset through the payment of the required
2 developer impact fee. As such, impacts will be less than significant.

3 *Impact IV.N-b [Police Protection Facilities].* Impact IV.N-b is discussed at
4 page IV.N-7 through IV.N-8. The Project would introduce approximately
5 4,038 residents to the Project site and would increase the need for police
6 protection services at the site. The Project includes several design features
7 that would reduce the Project's demand on police protection services, such
8 privacy fencing, high visibility landscaping and security lighting.

9 Additionally, the Riverside County Sheriff's Department (RCSD) would
10 review individual developments under the Project and advise on crime
11 prevention features appropriate for the design and function of the Project.
12 Compliance with the requirements of the RCSD would reduce the Project's
13 demand for police protection services, and no new or altered facilities
14 would be needed as a result of the Project. Therefore, Project impacts
15 related to police protection services would be less than significant.

16 *Impact IV.N-c [School Facilities].* Impact IV.N-c is discussed at page IV.N-
17 13 through IV.N-14. As shown on Draft EIR Table IV.N-2, the Project
18 would generate a total of approximately 1,032 students, including
19 approximately 495 elementary students, 247 middle school students, and
20 290 high school students. It is possible that some of the students associated
21 with the Project would already reside in areas served by HUSD and
22 TVUSD and already would be enrolled in HUSD and TVUSD schools. For
23 a conservative analysis, this EIR assumes that all of the Project's residential
24 units would generate HUSD/TVUSD students and that the students
25 associated with the Project would be new to the HUSD and TVUSD. As
26 shown on Draft EIR Table IV.N-1, the HUSD and TVUSD schools serving
27 the Project site would require additional capacity to serve the Project.
28

1 area. Therefore, impacts related to health services would be less than
2 significant.

3 *Impact IV.N-f [Parks and Recreational Facilities]*. Impact IV.N-26 is
4 discussed at page IV.N-26. As shown on Draft EIR Figure III-2, the
5 recreational amenities associated with the Project constitute a major
6 component of the Project's land uses. Approximately 150.8 acres or 45.2
7 percent of the total acreage within the Project site are planned as one of the
8 following four open space classifications: Open Space-Recreation (OS-R),
9 Open Space-Recreation/Basin (OS-R), Open Space-Conservation (OS-C),
10 Open Space-Conservation Habitat (OS-CH). Thirteen planning areas are
11 designated for open space uses. The Project would include the 2.7-acre
12 Belle Terre Park in Planning Area 5, a 9.5-acre linear park referred to as
13 "Overlook Park" in Planning Area 8, a 5.0-acre community park within
14 Planning Area 15, as well as neighborhood parks in Planning Areas 1, 3, 9,
15 and 11. The Project also would include bike paths and hiking trails.
16 Collectively, the open space areas would be designed to offer a mix of
17 active and passive uses with amenities such as athletic fields, play areas,
18 walkways, tot-lots, picnic areas, open turf areas, and walking/jogging trails,
19 while protecting important biological resources and wildlife habitat. These
20 areas would be designed to cater to the anticipated market segment of the
21 Project community and comply with the intent of the County's minimum
22 park/open space standards. As per the County's requirements of five acres
23 of parkland per 1,000 persons, 20.6 acres are designed for active park uses
24 as part of the Project (refer to Draft EIR Table IV.N-4). As shown on Draft
25 EIR Table IV.N-5, the County would require that the Project include a
26 minimum of 20.2 acres of parkland, using as assessment factor of five acres
27 of parkland per 1,000 residents. As such, the amount of parkland provided
28

1 as part of the Project would exceed the County's requirements for parkland.
2 Therefore, Project impacts related to parks and recreational services would
3 be less than significant.

4 *Cumulative.* The Project in combination with the related projects listed on
5 Draft EIR Table II-1 would result in increased demand for fire, police,
6 school, library, health and parks and recreation facilities. Increased demand
7 for staffing, equipment, and facilities would be funded via existing
8 mechanisms (e.g., payment of developer impact fees, property taxes, and
9 government funding) to which the proposed Project and related projects
10 would contribute. Therefore, cumulative impacts would be less than
11 significant.

12 2. Mitigation.

13 No mitigation is required.

14 3. Findings.

15 All impacts are less than significant

16 N. Transportation/Traffic

17 1. Impacts.

18 *Impact IV.O-e [Hazards or Incompatible Uses].* Impact IV.O-e is discussed
19 at Draft EIR page IV.O-71. Roadways adjacent to the Project site, site
20 access points, and site-adjacent intersections would be constructed in
21 consultation with the County and consistent with County roadway
22 classifications, respective cross-sections from the County General Plan's
23 Circulation Element, and standards set by the County and Caltrans.
24 Through compliance with applicable roadway standards, no roadway design
25 feature would be hazardous, and the Project would not require the use of
26 farm equipment or other equipment not typical of a residential
27
28

1 neighborhood. Therefore, no significant impact related to design feature
2 hazards or incompatible use would occur.

3 *Impact IV.O-f [Road Maintenance]*. Impact IV.O-f is discussed at Draft EIR
4 page IV.O-72. The Project includes various on-site and offsite roadway
5 improvements, all of which would be developed and funded by the Project.
6 On-going maintenance of the roadways associated with the Project would
7 be funded through payment of DIF by Project proponents and payment of
8 taxes by future residents of the Project. The Project would not cause a
9 substantial effect upon or need for new or altered maintenance of the roads.
10 Therefore, no significant impacts related to road maintenance would occur.

11 *Impact IV.O-h [Emergency Access]*. Impact IV.O-h is discussed at Draft
12 EIR pages IV.O-72 through IV.O-73. All roadways adjacent to the Project
13 site, site access points, and site-adjacent intersections would be constructed
14 consistent with the both the County's General Plan Circulation Element and
15 requirements of the Riverside County Fire Department (RCFD).

16 Additionally, Project development would be required to comply with
17 County standards regarding emergency access and would be reviewed by
18 RCFD staff to ensure that all standards are met. Therefore, no significant
19 impacts related to emergency access would occur.

20 *Impact IV.O-i [Conflict with Transit, Bikeways, or Pedestrian Facilities*
21 *Plans]*. Impact IV.O-i is discussed at Draft EIR pages IV.O-73 and Draft
22 EIR Section IV.K. This Project would be consistent with all relevant
23 policies relating to public transit, bikeways, and pedestrian facilities.
24 Therefore, impacts related to this issue would be less than significant.

25 2. Mitigation.

26 No mitigation is required.

27 3. Findings.

1 Impacts are less than significant.

2 O. **Utilities and Service Systems -**

3 1. **Impacts.**

4 *Impact IV.P-b [New Wastewater Treatment Facilities]; Impact IV.P-c*
5 *[Wastewater Treatment Capacity].* Impact IV.P-b and Impact IV.P-c are
6 discussed at Draft EIR pages IV.P.3 through IV.P.4. Implementation of the
7 Project would generate a daily flow of wastewater that is within the daily
8 treatment capacity of the TVRWRF. Additionally, beyond the internal
9 proposed sewer lines, modeling by EMWD shows that the existing 18-inch
10 trunk sewer in Abelia Street has the capacity to service the Project in its
11 entirety. Therefore the Project would not require the construction or
12 expansion of new wastewater treatment facilities, and would not cause the
13 wastewater treatment provider to exceed its capacity. Impacts related to
14 these issues would be less than significant.

15 *Impact IV.P-d [New/expanded Water Treatment Facilities]* Impact IV.P-d is
16 discussed at Draft EIR pages IV.P.16 through IV.P.17. The Project would
17 not require the construction of new water treatment facilities or the
18 expansion of existing facilities. The demand for the Project is within the
19 capacity of EMWD's two existing water filtration facilities and planned
20 expansion of the four regional water reclamation facilities. The sufficiency
21 of existing water treatment capacity for the Project means that Project
22 impacts related to water treatment would be less than significant.

23 *Impact IV.P-e [Water Supplies].* Impact IV.P-e is discussed at Draft EIR
24 pages IV.P.17 through IV.P.20. EMWD determined that the water needs of
25 the Project is consistent with the District's long-term water supply
26 availability and projected demand. As such, EMWD concluded that the
27 Project's demand for water could be accommodated by EMWD's existing
28

1 and projected supplies in average years, dry years, and multiple dry years.
2 The Project would not require the expansion or acquisition of new water
3 supplies. Therefore, Project impacts related to water supply would be less
4 than significant.

5 *Impacts IV.P-f [Landfill Capacity] and IV.P-g [Conflict with Solid Waste*
6 *Regulations]*. Impacts IV.P-f and IV.P-g are discussed at Draft EIR pages
7 IV.P.27 through IV.P.30. Including analysis of both total construction
8 impacts and the per day operational impacts, the waste generated by the
9 Project would fall within the permitted capacity of the landfills that the
10 Project is currently served by. Further, the Project would not conflict with
11 federal, state, and local statutes and regulations related to solid waste
12 including the County IWMP. The Project impacts related to landfill
13 capacity and solid waste regulations would be less than significant.

14 *Impact IV.P-h1 [New/expanded Electricity Facilities]*. Impact IV.P-h1 is
15 discussed at Draft EIR pages IV.P.4-37 through IV.P.4-38. For the
16 purposes of analysis, the Project's electricity consumption was estimated
17 conservatively based on usage rates that did not take into account the
18 Project's energy conservation features. Even using this conservative model,
19 the Project would not require new electricity supply facilities or distribution
20 infrastructure beyond the existing system. Therefore, impacts would be less
21 than significant.

22 *Impact IV.P-h2 [New/expanded Natural Gas Facilities]*. Impact IV.P-h2 is
23 discussed at Draft EIR pages IV.P.4-38 through IV.P.4-40. The Project,
24 including analysis of areas of off-site development, would not require the
25 construction of new natural gas facilities or the expansion of existing
26 natural facilities. Nor would the Project result in inefficient use of energy.

1 Therefore, Project impacts related to new/expanded natural gas facilities
2 would be less than significant.

3 *Cumulative.* The wastewater anticipated to be discharged by the related
4 projects along with the Project would contribute to the cumulative
5 generation of wastewater in the Project area. As discussed earlier, the
6 TVRWRF plant has more than sufficient treatment capacity to serve the
7 Project, and each of the individual projects would be subject to the
8 EMWD's determination of whether there is allotted sewer capacity
9 available prior to the formal acceptance of plans and specifications by the
10 County. Consequently, cumulative impacts to the local and regional sewer
11 system under the Project, in conjunction with the identified related projects
12 would be less than significant.

13 With respect to water, the WSA prepared for the Project by EMWD
14 concluded that EMWD could accommodate the Project's demand for water
15 supply along with EMWD's other existing and planned future uses. The
16 Project and the related projects would generate approximately 26.81 tons
17 (approximately 53,741 pounds) of solid waste per day. The remaining
18 combined daily intake of surrounding landfills is 10,605 tons per day. As
19 such, these landfills would have adequate capacity to accommodate the
20 26.81 tons per day disposal needs of the Project and the related projects.
21 Cumulative growth is factored into Southern California Edison's demand
22 assumptions for the local area and any impact to electricity infrastructure is
23 then factored into SCE's facilities improvement planning process.
24 Cumulative impacts to electricity demand would be less than significant.
25 SoCal Gas predicts gas demand to grow at an annual average rate of 0.12
26 percent from 2011 to 2030. Thus, there is a planned growth rate to acquire
27 and secure additional natural gas supplies. The Project represents a
28

1 negligible increase in natural gas usage as compared to the 73 cumulative
2 projects, and, as such, the Project's contribution to the cumulative natural
3 gas demand would not be substantial.

4 2. Mitigation.

5 No mitigation is required.

6 3. Findings.

7 All impacts are less than significant.

8 **BE IT FURTHER RESOLVED** by the Board of Supervisors that, as authorized by Public
9 Resources Code Section 21081(a)(1) and CEQA Guidelines Sections 15091 and 15092, the EIR is
10 required to identify the significant impacts that cannot be reduced to a less-than-significant level through
11 mitigation measures. All applicable regulatory requirements and feasible mitigation measures to reduce
12 environmental impacts have been considered and are as applied as conditions of Project approval, yet the
13 following impacts to Air Quality [Operational Emissions], Air Quality [AQMP], Greenhouse Gas
14 Emissions, Noise [Permanent Increase in Ambient Noise Levels], and Transportation [Conflict with Plan,
15 Ordinance or Policy Establishing Standards for Circulation System] cannot be fully mitigated and will be
16 only partially avoided or lessened by the mitigation measures hereinafter specified; a statement of
17 overriding considerations is therefore included herein.

18 A. Air Quality -

19 1. Impacts (Project).

20 *Impact IV.D.-b [Operational Emissions].* The Project's potential to violate
21 air quality standards is described on Draft EIR pages IV.D-20 through
22 IV.D-24. With respect to regional impacts, the Project would produce long-
23 term air quality impacts to the region primarily from motor vehicles that
24 access the Project site. As shown on Table IV.D-6, regional operational
25 emissions would exceed SCAQMD significance thresholds for VOC, NOx,
26 CO. Note that the Final EIR clarified that Draft EIR Table IV.D-6 on page
27 IV.D-23 mistakenly shows that the Project's estimated daily operational
28

1 emissions (unmitigated) would result in a significant impact related to PM₁₀
2 emissions. The Final EIR clarified that the Project would result in
3 approximately 134 pounds of PM₁₀ emissions per day, which does not
4 exceed SCAQMD's significance threshold of 150 pounds per day. (See
5 Final EIR, p. IV-12). The Final EIR also added Mitigation Measures D-20,
6 D-21 and D-22. (See Final EIR, p. IV-1). Nonetheless, Project impacts
7 related to regional operational emissions would be significant.

8 2. Mitigation.

9 The following mitigation measures are required:

10 D-16: Prior to issuance of a building permit, the County Building
11 Department shall ensure that the Project does not include hearths or
12 includes only natural gas hearths.

13 D-17: Prior to issuance of a certificate of occupancy, the County Building
14 Department shall ensure that the Project uses low VOC cleaning supplies.

15 D-18: Prior to issuance of a certificate of occupancy, the County Waste
16 Management Department shall ensure that the Project incorporates compost
17 and recycling services.

18 D-19: Prior to issuance of a building permit, the County Building
19 Department shall ensure that the Project incorporates water conservation
20 strategies designed to meet CalGreen reductions of 20 percent in indoor
21 water use. This should include incorporating low water, Energy Star-
22 compliant appliances and furniture, dual flush or toilets that use less than
23 1.6 gallons per flush (gpm), install faucets and showerheads using 2.5 gpm
24 or less, water-saving landscape techniques such as drip irrigation.

25 D-20: The Project shall incorporate light-colored paving and roofing
26 materials.

1 D-21: Prior to issuance of a certificate of occupancy, the County Building
2 and Safety Department shall ensure that electric or propane outlets are
3 provided for barbecues in residential areas.

4 D-22: Prior to issuance of a certificate of occupancy, the County Planning
5 Department shall ensure that the Project's Homeowner's Association
6 enforces the use of electric lawn mowers and leaf blowers.

7 3. Findings: All feasible mitigation has been adopted. As shown on Draft EIR
8 Table IV.D-9, area source and energy source mitigation measures would
9 reduce criteria pollutant emissions. The Final EIR corrected Table IV.D-9
10 to show that PM10 emissions would not exceed the applicable SCAQMD
11 threshold. (See Final EIR, p. IV-13). In conclusion, the Project has been
12 modified to avoid or lessen significant impacts; however, impacts related to
13 emissions of VOC, NOx, and CO would remain significant and
14 unavoidable.

15 B. Air Quality -

16 1. Impacts (Cumulative).

17 *Impact IV.B.-a [AQMP]*. The Project's consistency with the Air Quality
18 Management Plan is described on Draft EIR pages IV.D-26 through
19 IV.D.28. In short, although the Project is consistent with regional
20 population projections, it is considered inconsistent with the SCAQMD's
21 2012 AQMP due to the increase in units as compared to the local growth
22 projections and existing General Plan designations. Therefore, the Project
23 would have a significant and unavoidable cumulative effect on regional air
24 pollution.

25 2. Mitigation.

26 There is no feasible mitigation to address this mitigation. However, if the
27 Highway 79 policies remain in effect in their current form, Mitigation
28

1 Measure K-1 would determine the number of units that may be constructed.
2 In such instance, the number of trips associated with the selected uses may
3 not exceed 6,892 unless transportation improvements are implemented.
4 Limiting the number of trips to 6,892 trips, which is the number of trips
5 associated with a 724-unit project under the "Highway 79 Policy Area Mid-
6 Range Density," would ensure consistency with the Air Quality
7 Management Plan. Nonetheless, environmental impacts associated with
8 1,282 units proposed in the Specific Plan have been evaluated in EIR for the
9 purpose of conservative analysis. Additionally, mitigation to reduce the
10 Project's air quality emissions during both construction and long-term
11 operation is provided in Draft EIR Section IV.D (see Mitigation Measures
12 D-1 through D-19. These measures were supplemented in the Final EIR
13 with Mitigation Measures D-20 through D-22. (See Final EIR page IV-1).

14 3. Findings.

15 All feasible mitigation has been adopted. As such, the Project has been
16 modified to avoid or lessen significant impacts; however, impacts related to
17 AQMP consistency would remain significant and unavoidable.

18 C. Greenhouse Gas Emissions -

19 1. Impacts (Cumulative).

20 *Impact IV.H-a [Greenhouse Gas Emissions].* The Project's contribution of
21 greenhouse gas emissions is discussed on Draft EIR pages IV.H-22 through
22 IV.H-29. A correction to Draft EIR page IV.H-22 was noted at Final EIR
23 page IV-18. Construction of the Project would emit GHG emissions through
24 the combustion of fossil fuels by heavy duty construction equipment and
25 through vehicle trips generated by construction workers traveling to and
26 from the Project site. As illustrated on Draft EIR Table IV.H-3, construction
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1 activities would generate up to 3,454 MT CO₂e during construction
2 activities.

3 GHG emissions were also calculated for area source and mobile vehicle
4 operations. The Project would emit approximately 37,159 net metric tons of
5 CO₂e per year during typical operations in 2014. If the Project's emissions
6 were to be compared against a "business-as-usual" (BAU) project of the
7 same size (i.e., 1,282 units), the Project would result in a 23 percent
8 reduction from that scenario. If the Project were compared to the emissions
9 from the number of units allowed under the existing General Plan (1,128),
10 the Project's emissions would result in a 13 percent reduction from BAU.
11 Table IV.H-4 also identifies potential CO₂e emissions from other
12 development scenarios that could be considered a baseline for comparison
13 to the Project. These include: a) the buildout allowed assuming maximum
14 density under General Plan designations with a 9 percent reduction pursuant
15 to Highway 79 policies (1,026 units), noted as "Highway 79 Policy Area
16 Maximum Density," and b) the buildout allowed assuming mid-range
17 density under General Plan designations with a 9 percent reduction pursuant
18 to Highway 79 policies (724 units), noted as "Highway 79 Policy Area Mid-
19 Range Density." The Draft EIR presented these various scenarios for full
20 disclosure but ultimately relied on a conservation comparison, that is, of a
21 1,282 unit Project as compared to the number of units allowed under the
22 existing General Plan (1,128 units). The 13 percent reduction in CO₂e
23 emissions from BAU under this scenario neither meet the 16 percent
24 reduction established in the 2011 Scoping Plan as the reduction necessary to
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1 meet AB 32's goals, nor the 30 percent reduction from a BAU scenario
2 established in the County's draft Standard Operating Procedure (SOP).²

3 2. Mitigation.

4 H-1: Prior to issuance of building permits, ensure that project design
5 features specified in the Specific Plan are implemented.

6 H-2: Prior to issuance of building permits, ensure that, through
7 economically feasible installations, the Project achieves a 15 percent
8 reduction in electricity and natural gas energy use beyond the 2008 Title 24
9 standards.

- 10 3. Findings - First, it is noted that if the Highway 79 policies remain in effect
11 in their current form, the number of trips associated with the Project would
12 be limited to 6,892 trips unless transportation improvements are
13 implemented. Limiting to 6,892 trips, which is the number of trips
14 associated with a 724-unit project under the "Highway 79 Policy Area Mid-
15 Range Density," would reduce the number of associated GHG emissions to
16 20,895 metric tons per year, a *50.8 percent reduction* from BAU.
17 Nonetheless, environmental impacts associated with 1,282 units proposed in
18 the Specific Plan have been evaluated in the EIR for the purpose of a
19 conservative analysis. Although the Project has incorporated numerous
20 sustainability and design features to help GHG emission reduction features
21 (refer to pages Draft EIR pages IV.H-25-IV.H-29), and further
22 memorialized as Mitigation Measures H-1 and H-2, the Project would not
23 produce the additional 17 percent reduction in GHG emissions needed to
24

25 ² It is noted that the County has released a Draft General Plan Update that proposes a greenhouse gas emissions reduction of
26 25% compared to Business As Usual project. (See AQ 18.2). The Draft General Plan Update has been circulated for public
27 review but has not been adopted.
28

1 achieve the County's recommended threshold of a 30 percent reduction in
2 GHG emissions when compared to the BAU scenario that assumes 1,182
3 units (i.e., the number of units allowed under the existing General Plan).
4 (Note that when the Project's emissions are compared against a BAU project
5 of the same size [i.e., 1,282 units], the BAU scenario would produce
6 approximately 48,547 metric tons per year, resulting in a *23 percent*
7 *reduction* from that scenario.) Ultimately, significant further reductions in
8 mobile and energy sources would be needed to achieve the 30 percent
9 reductions recommended in the County's SOP. Those further reductions
10 would require implementation of mitigation measures that are not
11 considered feasible for this type of residential project at this time.³
12 Emissions from vehicle exhaust are controlled by the state and federal
13 governments and are outside the control of the Project applicant and the
14 County. Similarly, the County has no jurisdiction to control the climate
15 change impacts of projects outside its boundaries. So long as levels of GHG
16 emissions in the atmosphere are generally at levels that create adverse
17 impacts (i.e., climate change), the emissions of a particular project, even if
18 not significant in terms of thresholds, may nonetheless contribute to an
19 adverse, unavoidable impact because other projects do not meet such
20 standards and because other actors (e.g., state and federal government
21 actors) may not take action to reduce emissions from mobile sources. As a
22

23 ³ Typically, Transportation Demand Management (TDM) Programs are used to achieve further reductions of GHGs from
24 mobile sources. However, most standard TDM measures are not feasible at this time. These include, for example:
25 carpool/vanpool programs for employees; transit use incentive program for employees; preferential parking for carpools;
26 guaranteed ride home programs; implementation of a flextime policy; provision of on-site services such as ATMs, dry
27 cleaning facilities, exercise room, cafeteria, etc; provision or contribution to a shuttle system for employees to access local
28 transit services; provision of showers and lockers for employees bicycling or walking to work. As a purely residential
project that is not directly surrounded by commercial uses, none of these TDM measures can be implemented by the
Project to further reduce mobile source GHG emissions at this time.

1 result, the Project's contribution of mobile source emissions to global
2 climate change would be considered cumulatively considerable.

3 D. Noise -

4 1. Impacts (Project).

5 *Impact IV.L-d [Permanent Increase in Ambient Noise Levels].* The
6 Project's potential to result in a substantial permanent increase in ambient
7 noise levels is discussed on Draft EIR pages IV.L-21 through IV.L-24.
8 Final EIR page IV-19 corrected an error in the impact statement on Draft
9 EIR page IV.1-21.

10 With respect to parking noise, the Project would include development of
11 multi-family residential dwelling units that could have small parking lot
12 areas. The adjacent residences could experience a noise increase up to 2.0
13 dBA resulting from a car door slamming. Given the ambient noise levels of
14 the surrounding sensitive receptors, the increase in noise at each sensitive
15 receptor would be less than 3 dBA and would not be audible.

16 With respect to stationary noise, the Project's residential dwelling units
17 would include heating, ventilation, and air conditioning (HVAC) systems.
18 Residences located approximately 60 feet west of the proposed project site
19 could experience an increase in ambient noise from ground-level HVAC
20 systems.

21 Mobile noise generated by the Project would cause an audible noise
22 increase of at least 3 dBA along two street segments in the AM peak hour,
23 and three street segments in the PM peak hour during the existing plus
24 project scenario.

25 2. Mitigation.

26 The following mitigation measures are required:
27
28

1 L-3: The Project Applicant shall have the HVAC systems completely
2 enclosed and surrounded with sound insulation

- 3 3. Findings: With the exception of noise impacts associated with traffic, the
4 Project's operational noise levels (from parking and stationary sources)
5 would not exceed the significance thresholds. However, traffic noise levels
6 along Washington Street from Winchester Road to Keller Road and
7 Washington Street from Fields Drive to Keller Road to the AM and PM
8 peak hours and along Washington Street from Fields Drive to Autumn Glen
9 Circle during the PM peak hour would exceed the significance thresholds.
10 Final EIR page IV.20 reflects this conclusion. All feasible mitigation has
11 been adopted. As such, the Project has been modified to avoid or lessen
12 significant impacts; however, impacts related would be significant and
13 unavoidable.

14 E. **Transportation** -

- 15 1. Impacts (Project and Cumulative).

16 *Impact IV.O-a [Conflict with Plan, Ordinance or Policy Establishing*
17 *Standards for Circulation System]*. The Project's potential to conflict with
18 an applicable plan, ordinance or policy establishing a measure of
19 effectiveness for the performance of the circulation system, taking into
20 account all modes of transportation including mass transit and non-
21 motorized travel and relevant components of the circulation system,
22 including but not limited to intersections, streets, highways and freeways,
23 pedestrian and bicycle paths, and mass transit is discussed on Draft EIR
24 pages IV.O-38 through IV.O-71 and IV.O-73-IV.O-120. The Final EIR
25 included minor clerical corrections to these pages at IV.23 through IV.25.
26 As shown on Table IV.O-7 (Existing with Project), Table IV.O-15 (Near
27 Term) Ambient with Project Conditions and Table IV.O-16 Long Term
28

1 (2035) Cumulative with Project, the Project would generate traffic that
2 would exceed the significance thresholds for intersections and roadway
3 segments.

4 2. Mitigation.

5 The following mitigation is required:

6 O-1 through O-6: Because the Project would result in significant
7 intersection LOS impacts, the mitigation measures listed below are
8 required.

9 ***A. Project-Specific Improvements for Existing-With-Project (2012)***
10 ***Conditions***

11 Existing-With-Project (2012) – 360 Dwelling Units

12 O-1: Prior to issuance of a Building Permit, the Project Applicant(s) shall
13 participate in the funding of improvements to mitigate traffic conditions
14 through the payment of DIF, TUMF and RBBD fees in the amount and at
15 the time specified for each funding program (refer to Table IV.O-17) for the
16 following improvements that are outside the County's jurisdiction:

17 Intersection 1: I-215 Southbound Ramps/Scott Road

- 18
- 19 • Construct a second westbound left-turn lane

20 Intersection 7: Margarita Road/Murrieta Hot Springs Road

- 21 • Modify the traffic signal to remove the southbound (west
22 leg) crosswalk

23 Intersection 8: SR-79/Domenigoni Parkway

- 24 • Modify the traffic signal to implement overlap phasing on
25 the northbound right turn lane
 - 26 • Modify the traffic signal to remove the eastbound (south leg)
27 crosswalk
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Intersection 9: SR-79/Holland Road

- Install a traffic signal

Intersection 11: SR-79/Keller Road

- Install a traffic signal
- Construct a northbound left-turn lane
- Construct a southbound left-turn lane

Intersection 15: SR-79/Thompson Road

- Construct a second northbound left-turn lane
- Modify the traffic signal to implement overlap phasing on the eastbound right-turn lane

Intersection 19: SR-79/Murrieta Hot Spring Road

- Construct a second southbound left-turn lane
- Modify the traffic signal to implement overlap phasing on the southbound right-turn lanes
- Modify the traffic signal to remove the southbound (west leg) crosswalk

Intersection 21: SR-79/Nicolas Road

- Modify the traffic signal to implement overlap phasing on the northbound right-turn lane
- Construct a second southbound left-turn lane

Intersection 22: SR-79/Margarita Road

- Construct a southbound right-turn lane
- Modify the traffic signal to implement overlap phasing on the southbound right turn lane

1 Intersection 23: SR-79/Ynez Road

- 2 • Modify the traffic signal to implement overlap phasing on
3 the eastbound right-turn lane

4 Intersection 24: SR-79/I-15 Northbound Ramps

- 5 • Construct a southbound free-right-turn lane

6
7 O-2: Prior to issuance of building permits, the Project Applicant(s) shall
8 participate in the funding of improvements to mitigate traffic conditions
9 through the payment of DIF for the following improvements that are within
10 the County:

11 Intersection 27: Pourroy Road-West/Auld Road

- 12 • Install a traffic signal

13 Intersection 33: Washington and Abelia Street

- 14 • Install a traffic signal

15
16 If the improvements would not be completed through the DIF or any other
17 fee program or by the County or any other project, the Applicant shall
18 construct the improvements prior to the issuance of a Certificate of
19 Occupancy, subject to reimbursement or fee credit issues by the County.

20 Existing-With-Project (2012) – 725 Dwelling Units

21 O-3: Prior to issuance of building permits, the Project Applicant(s) shall
22 participate in the funding of improvements to mitigate cumulative traffic
23 conditions through the payment of DIF, TUMF and RBBB fees (refer to
24 Table IV.O-17) for the following improvements that are outside the County:

25 Intersection 6: Leon Road and Scott Road:

- 26 • Install a traffic signal

- Construct a northbound left turn lane
- Construct a southbound left turn lane
- Construct an eastbound left turn lane
- Construct a westbound left-turn lane

Intersection 10: SR-79 and Scott Road:

- Construct a westbound left-turn lane
- Construct a westbound right-turn lane

Existing-With-Project (2012) – 1,026 Dwelling Units

No additional mitigation measures necessary to reduce traffic impacts associated with the development of up to 1,026 dwelling units to less than significant for the Existing-With-Project traffic conditions beyond those previously listed under Existing-With-Project (725 Dwelling Units) traffic conditions.

Existing-Plus-Project (2012) – 1,282 Dwelling Units

O-4: Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF, and RBBD fees (refer to Table IV.O-17) for the following improvement that is outside the County:

Intersection 10: SR-79/Scott Road

- Construct an eastbound left-turn lane.

O-5: Prior to issuance of building permits, the Project Applicant shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF for the following improvements that are within the County:

Intersection 30: Washington Street/Keller Road (North Street):

- Install a traffic signal
- Construct a northbound left-turn lane
- Construct a southbound left-turn lane
- Construct an eastbound left-turn lane
- Construct a westbound left-turn lane and a shared through-right-turn lane

If the improvements would not be completed through the DIF or any other fee program or by the County or any other project, the Applicant shall construct the improvements prior to the issuance of a Certificate of Occupancy and may seek a fee credit.

B. Improvements for Project Contribution to Near-Term (2014) and Long-Term (2035) Cumulative Conditions

Cumulative impacts are deficiencies in the transportation network's LOS that would not be directly caused by the Project. However, the Project would contribute traffic to these deficient facilities along with other cumulative development projects, resulting in a cumulatively considerable impact.

A summary of off-site improvements needed to address cumulative traffic impacts for Near Term (2014) and Long Term (2035) traffic conditions is included on Table IV.O-17. Improvements found to be included in TUMF, County DIF, and RBBD programs have been identified as such. Payment of fees to these programs may be considered as mitigation for these improvements. Additional information related to the TUMF, DIF, and RBBD programs is discussed in Section 10 of the Traffic Study included in Draft EIR Appendix IV.O.

The current fee schedule and project transportation impacts fees are shown on Table IV.O-17. The total fees for established programs described in this

1 section substantially exceed the calculated fair-share of theoretical costs for
2 improvements listed on Table IV.O-17. As a result, payment of \$14.8
3 million into the fee programs exceeds the Project's impacts.

4 O-6: Prior to issuance of building permits, the Project Applicant(s) shall
5 participate in the funding of improvements to mitigate cumulative traffic
6 conditions through the payment of DIF, TUMF, and RBBB fees in the
7 amount and at the time specified for each funding program (refer to Table
8 IV.O-17).

9 **Caltrans Analysis**

10 Neither Caltrans nor the State has adopted a fee program that can ensure
11 that locally-contributed impact fees will be tied to improvements to freeway
12 mainlines, and only Caltrans has the jurisdiction over mainline
13 improvements. Because Caltrans has exclusive control over state highway
14 improvements, ensuring that developer fair-share contributions to mainline
15 improvements are actually part of a program tied to implementation of
16 mitigation is within the jurisdiction of Caltrans. At this time, no feasible
17 mitigation to reduce the Project's contribution to cumulative impacts along
18 I-215 Freeway segments is known.

- 19 3. Findings: All feasible mitigation has been adopted. Implementation of
20 roadway improvements would reduce the impacts to less than significant.
21 However, some of the impacted intersections fall within other jurisdictions
22 (other than the County). Because the County cannot enforce implementation
23 of the improvements at these intersections, impacts at these intersections
24 and roadway segments would remain significant and unavoidable. The
25 following provides additional discussion.

26 **Intersection LOS**

Existing-With-Project (2012)

The effectiveness of the recommended improvement strategies discussed previously to address the Existing-With-Project traffic impacts are presented on Tables IV.O-18 through IV.O-21. Intersections 27, 30, and 33 fall within County, and improvements at these intersections would be constructed by the Applicant(s). Impacts at these intersections would be considered less than significant.

With the exception of Intersections 27, 30, and 33, all other impacted intersections including Intersections 1, 6, 7, 8, 9, 10, 11, 15, 19, 21, 22, 23, and 24 fall in part or in whole in jurisdictions other than the County. The applicant will pay TUMF/DIF/RBBD fees to mitigate impacts. However, the County cannot guarantee the timing, funding, and implementation of improvements included in the TUMF, DIF, and RBBD programs and SR-79 Widening Project. The discussion of regional and local funding mechanisms describes how the fee programs are administered. Accordingly, the County and other cooperating jurisdictions would monitor intersections and implement improvements when necessary to avoid identified significant impacts. Additionally, although the Applicant's payment of TUMF, DIF, and RBBD fees as shown on Table IV.O-17 exceeds the Project's fair-share obligations for impacts at these intersections, improvements for some of the impacted intersections are not included in the TUMF, DIF, and RBBD fee programs at this time. It is acknowledged that pursuant to CEQA Section 21081(a)(2), because the County cannot enforce implementation of the improvements at these intersections, Project impacts at these intersections would remain significant and unavoidable.

1 *Near-Term (2014) Cumulative-With-Project*

2 The effectiveness of the recommended improvement strategies discussed
3 previously to address the Near-Term (2014) Cumulative-With-Project
4 traffic impacts are presented on Table IV.O-22. With the exception of
5 Intersections 27, 28, 30, 32, and 33 (all of which are under the jurisdiction
6 of the County), all other impacted intersections including Intersections 1, 2,
7 6-11, 15-19, and 21-24 fall in part or in whole in jurisdictions other than the
8 County.

9 Improvements for County intersections 27, 30, and 33 would be constructed
10 by the Applicant as part of Mitigation Measures O-2, O-3, and O-6.

11 Impacts at these intersections would be less than significant

12 Table IV.O-17 provides detailed information regarding the scope of
13 improvements included in the fee programs for Near-Term (2014)

14 Cumulative-with-Project Improvements. Improvements included in the fee
15 programs are expected to mitigate impacts to less than significant. The

16 discussion of regional and local funding mechanisms describes how the fee
17 programs are administered. The County and other cooperating jurisdictions

18 would monitor intersections and implement improvements when necessary
19 to avoid identified significant impacts. However, the County cannot

20 guarantee the timing, funding, and implementation of improvements
21 included in the TUMF, DIF, and RBBD programs. Additionally, although

22 the Applicant's payment of TUMF, DIF, and RBBD fees as shown on Table
23 IV.O-17 exceeds the Project's fair-share obligations for impacts at these

24 intersections, improvements for some impacted intersections are not
25 included in the TUMF, DIF, and RBBD fee programs and/or not within the

26 County's jurisdiction at this time. It is acknowledged that pursuant to
27 CEQA Section 21081(a)(2), because the County cannot enforce

1 implementation of the improvements at these intersections, impacts at these
2 intersections would remain significant and unavoidable.

3 ***Long-Term (2035) Cumulative-With-Project***

4 The effectiveness of the recommended improvement strategies discussed
5 previously to address the Long-Term (2035) Cumulative-With-Project
6 traffic impacts are presented on Table IV.O-23. With the exception of
7 Intersections 26, 27, 28, 30, 32, and 33-36 (all of which are under the
8 jurisdiction of the County), all other impacted intersections including
9 Intersections 1-4 and 6-25 fall in part or in whole in jurisdictions other than
10 the County.

11 Improvements for County intersections 27 (traffic signal), 30 (traffic
12 signal), and 33 (traffic signal) would be constructed by the Applicant as part
13 of Mitigation Measures O-2, O-3, and O-6. Impacts at these intersections
14 would be less than significant.

15 Table IV.O-17 provides detailed information regarding the scope of
16 improvements included in the fee programs for Long-Term (2035)
17 Cumulative-with-Project Improvements. Improvements included in the fee
18 programs are expected to mitigate impacts to less than significant. The
19 discussion of regional and local funding mechanisms describes how the fee
20 programs are administered. Accordingly, the County and other cooperating
21 jurisdictions would monitor intersections and implement improvements
22 when necessary to avoid identified significant impacts. However, the
23 County cannot guarantee the timing, funding, and implementation of
24 improvements included in the TUMF, DIF, and RBBD programs.

25 Additionally, although the Applicant's payment of TUMF, DIF, and RBBD
26 fees as shown on Table IV.O-17 exceeds the Project's fair-share obligations
27 for impacts at these intersections, improvements for some impacted
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1 intersections are not included in the TUMF, DIF, and RBBD fee programs
2 and/or not within the County's jurisdiction at this time. It is acknowledged
3 that pursuant to CEQA Section 21081(a)(2), because the County cannot
4 enforce implementation of the improvements at these intersections, impacts
5 at these intersections would remain significant and unavoidable.

6 **Caltrans Analysis**

7 As stated previously, neither Caltrans nor the State has adopted a fee
8 program that can ensure that locally-contributed impact fees will be tied to
9 improvements to freeway mainlines, and only Caltrans has the jurisdiction
10 over mainline improvements. Because Caltrans has exclusive control over
11 state highway improvements, ensuring that developer fair-share
12 contributions to mainline improvements are actually part of a program tied
13 to implementation of mitigation is within the jurisdiction of Caltrans. At
14 this time, no feasible mitigation to reduce the Project's contribution to
15 cumulative impacts along I-215 Freeway segments is known. For these
16 reasons, cumulative impacts related to Caltrans facilities would be
17 significant and unavoidable.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that CEQA Guidelines (Section
19 15126, subdivision [g]) requires an EIR to discuss how a proposed project could directly or indirectly lead
20 to economic, population, or housing growth. The Project's potential to directly or indirectly lead to
21 economic, population, or housing growth is discussed on Draft EIR pages V-2 through V-4 and is
22 summarized herein:

- 23 A. The Project includes development of the Project site with 1,282 dwelling units in a
24 combination of low density, medium-density, medium-high-density, and high-density
25 residential land uses.
- 26 B. As discussed in Draft EIR Section IV.M (Population and Housing), the construction jobs
27 provided by development of the Project would be filled by the existing employee base
28

1 available in the Project region and would not draw a new population to the area. Thus,
2 Project construction jobs would not induce substantial growth.

3 C. Additionally, as discussed in Draft EIR Section IV.M, the Project's residential population
4 and residential dwelling units would be consistent with the projected growth identified by
5 SCAG. Additionally, as shown on Draft EIR Table IV.M-2, the Project site could be
6 developed with approximately 1,228 dwelling units, based on the existing General Plan
7 land use designations for the Project site. The Project's development of 1,282 dwelling
8 units on the Project site would be substantially consistent with the County's growth
9 projections for the site. The Project site is located in an area that is currently partly
10 developed with primarily residential land uses and is served by existing roadways, utility
11 infrastructure, and service systems. The existing General Plan land use designation would
12 allow for development of the Project site with approximately 1,228 dwelling units.

13 D. As discussed in Draft EIR Section IV.P (Utility and Service Systems), the Project's
14 demand for wastewater/water treatment, water and wastewater service, landfill capacity,
15 and energy could be accommodated by existing facilities and would not require new or
16 expanded facilities. Thus, the Project would not result in the removal of obstacles to
17 population growth.

18 E. The Project site is located in a semi-developed suburban/rural area that is served by
19 existing public services (i.e., police, fire protection, schools, parks and recreation, and
20 libraries). As discussed in Section IV.N (Public Services), the Project's need for fire,
21 police, school, parks and recreational services, and libraries could be accommodated by
22 existing facilities, and no new or expanded governmental facilities would be needed.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that CEQA Guidelines (Section
24 15126.2, subdivision [c]) states that the significant irreversible environmental changes
25 associated with a project shall be discussed. This topic is discussed on Draft EIR page V-4.

26 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Section 15126.6 of the CEQA
27 Guidelines requires an EIR to describe a range of reasonable alternatives to the Project, or to the location
28

1 of the Project, which could feasibly achieve most of its basic objectives, but would avoid or substantially
2 lessen any of the significant effects identified in the EIR analysis. An EIR must consider a reasonable
3 range of alternatives that are potentially feasible. The Board has considered and rejected as infeasible the
4 following alternatives identified in the EIR for the reasons described hereinafter:

5 A. **Alternative A - No Project (Continuation of Existing Uses)**

6 1. Alternative A: No Project (Continuation of Existing Conditions)
7 (herein referred to as "Alternative A") assumes that the Project site would
8 remain in its current undeveloped condition. Although no new development
9 would occur on the Project site under Alternative A, this alternative
10 assumes the development of the related projects in the area of the Project
11 site. The potential environmental impacts associated with Alternative A are
12 described on Draft EIR pages VI-4 through VI-8 and are compared to the
13 environmental impacts associated with the Project (also refer to Draft EIR
14 Table VI-16).

15 2. Under the No Project Alternative, infrastructure improvements
16 associated with the Project would not occur. Further, payment of
17 TUMF/DIF/RBBD fees, MSHCP fees and other fees would reduce the
18 County's ability to achieve long-range infrastructure and conservation goals.

19 3. Specific economic, social, and other considerations make
20 Alternative A an infeasible alternative. Specifically, Alternative A would
21 not meet any of the project objectives.

22 B. **Alternative B - General Plan Buildout**

23 1. The General Plan Buildout Alternative assumes development of the
24 Project site with residential land uses similar to the types and sizes included
25 under the Project, but consistent with the existing land use designations for
26 the Project site as identified in the General Plan. As shown on Draft EIR
27 Table VI-1, the Project site could be developed with approximately 1,128
28

1 residential dwelling units, based on the existing General Plan land use
2 designations. The potential environmental impacts associated with
3 Alternative B are described on Draft EIR pages VI-9 through VI-22 and are
4 compared to the environmental impacts associated with the Project (also
5 refer to Draft EIR Table VI-16).

6 2. While it would meet the Project objectives, the economic viability of
7 Alternative 2 may be reduced due to the lower density of the overall project
8 as compared to both the Project.

9 3. This Alternative would not, however, be consistent with the
10 Highway 79 policies, as currently interpreted and implemented.

11 4. Specific economic, social, and other considerations make
12 Alternative B an infeasible alternative.
13

14 C. **Alternative C - Residential With School**

15 1. The Residential With School Alternative assumes development of
16 the Project site with 1,186 residential dwelling units similar to the types and
17 sizes included under the Project, but with development of an 800-student
18 elementary school in Planning Area 4. The potential environmental impacts
19 associated with Alternative C are described on Draft EIR page VI-23 and
20 are compared to the environmental impacts associated with the Project (also
21 refer to Draft EIR Table VI-16).

22 2. In some instances, impacts such as those related to wastewater and
23 water would be increased under this alternative.

24 3. While it would meet the Project objectives, the economic viability of
25 Alternative 2 may be slightly reduced due to the lower density of the overall
26 development as compared to the Project.
27
28

1 4. Specific economic, social, and other considerations make
2 Alternative C an infeasible alternative.

3 D. **Alternative D - Reduced Density**

4 1. The Reduced Density Alternative assumes development of the
5 Project site with 724 residential dwelling units similar to the types and sizes
6 included under the Project. The number of dwelling units associated with
7 this alternative is consistent with “Highway 79 Policy Area Mid-Range
8 Density” scenario, as discussed in Draft EIR Section IV.K (Land Use and
9 Planning). The potential environmental impacts associated with Alternative
10 D are described on Draft EIR pages VI-39 through VI-52 and are compared
11 to the environmental impacts associated with the Project (also refer to Draft
12 EIR Table VI-16).

13 2. Although Alternative D would meet the Project objectives, this
14 alternative would not meet the first objective (provide a residential
15 community with a range of product types to serve a broad segment of
16 potential homebuyers, as well as necessary infrastructure and associated
17 amenities) to the same extent as the Project, because fewer residential units
18 would be constructed as part of Alternative D.

19 3. Specific economic, social, and other considerations make
20 Alternative D an infeasible alternative.

21 E. **Environmentally Superior Alternative**

22 1. CEQA requires that an EIR alternatives analysis include designation
23 of an “environmentally superior” alternative. Based on the analysis
24 presented in Draft EIR Section VI, Alternative A: No Project would result
25 in the greatest reduction in Project impacts and would be the
26 environmentally superior alternative. However, CEQA requires that if the
27 environmentally superior alternative is the “no project” alternative, the EIR
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1 shall also identify an environmentally superior alternative from among the
2 other alternatives (CEQA Guidelines, Section 15126.6[e][2]).

3 2. The foregoing discussed the significant (but mitigatable) impacts of
4 the Project as well as the impacts that would remain significant after
5 mitigation. Many of these impacts would occur regardless of what type of
6 development occurred at the Project site, due to conditions associated with
7 the site (such as impacts biological resources, cultural resources,
8 liquefaction expansive soils, and hazards) or due to the site's proximity to
9 poor existing intersection LOS (such as impacts associated with traffic).
10 Thus, all of these Project impacts would occur to a similar degree under
11 each of the alternatives. The construction-related air quality impact likely
12 would occur under any reasonable development scenario for the Project site,
13 because of the amount of construction involved, including that which would
14 occur under all of the alternatives. Similarly, any reasonable development
15 scenario for the Project site likely would result in significant unavoidable
16 traffic impacts, given the traffic generation and existing traffic conditions
17 typically associated with suburban development in Southern California.

18 3. Of all the alternatives, Alternative D would result in the
19 development of less overall square footage and fewer residential dwelling
20 units. As such, although the level of significance of each of the impacts
21 under the Project would be the same under Alternative D, the degree to
22 which impacts would occur under this alternative would be less than the
23 Project. For these reasons, Alternative D was selected as the
24 environmentally superior alternative. However, it should be noted that
25 Alternative D would result in significant unavoidable impacts related to
26 regional air quality, traffic noise, and traffic operations.

1 4. As stated previously, although Alternative D would meet the Project
2 objectives, this alternative would not meet the first objective (provide a
3 residential community with a range of product types to serve a broad
4 segment of potential homebuyers, as well as necessary infrastructure and
5 associated amenities) to the same extent as the Project, because fewer
6 residential units would be constructed as part of Alternative D. Further, the
7 economic viability of Alternative D would be greatly reduced due to the
8 lower density of the overall project as compared to both the Project.

9 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Project will implement
10 applicable elements of the Riverside County General Plan as follows:

11 **A. Land Use Element**

12 1. The Project includes General Plan Amendments and a Change of
13 Zone to reflect the designations and development standards Specific Plan
14 No. 382. These changes would allow development to be clustered on the
15 northwest and southeast parcels and for the northeast parcel to be
16 conserved. While the Specific Plan would not be consistent with existing
17 General Plan or Southwest Area Plan land use maps, the proposed Project
18 includes three GPAs. The proposed changes to the General Plan land use
19 designations are allowed pursuant to policies within the Administrative
20 Element. With approval of the proposed GPAs, the Project would be
21 consistent with land use designations; therefore, the proposed Project would
22 be consistent with this element.

23 2. Analysis of applicable policies of the Land Use Element is presented
24 in Draft EIR Table IV.K-3 and concludes that the Project would not conflict
25 with any applicable policies of the General Plan.

26 **B. Circulation Element**

1 1. The Project will construct or contribute fees towards improvements
2 of roadways and certain intersections. As described above, the Project will
3 implement mitigation measures that address Project-specific and cumulative
4 transportation and traffic impacts, and based thereon, the Board of
5 Supervisors finds that the Project is consistent with the General Plan
6 Circulation Element.

7 2. In addition, the Specific Plan would provide for a variety of
8 transportation options. The Project would provide streets, bike lanes and
9 pedestrian trails that connect to an existing street and trail network west of
10 the Project site.

11 3. The Project's consistency with the Highway 79 policies is discussed
12 at Draft EIR pages IV.K-8 through IV.K-14. If the Highway 79 policies
13 remain in effect in their current form, Mitigation Measure K-1 would
14 determine the number of units that may be constructed. In such instance,
15 the number of trips associated with the selected uses may not exceed 6,892
16 unless transportation improvements are implemented. Mitigation Measure
17 K-1 provides further guidelines on determining allowable unit and product
18 types consistent with the Highway 79 policies.

19 4. Analysis of applicable policies of the Circulation Element is
20 presented in Draft EIR Table IV.K-3 and concludes that the Project would
21 not conflict with any applicable policies of the General Plan.

22 5. The proposed Project is consistent with the General Plan Circulation
23 Element, and is therefore consistent with the General Plan.

24 **C. Multipurpose Open Space Element**

25 1. The Multipurpose Open Space Element of the General Plan
26 describes an open space system which includes methods for the acquisition,
27 maintenance, and operation of a variety of open spaces. The County's open
28

1 spaces are utilized for visual relief, natural resources protection, habitat
2 protection, recreational uses, and protection from natural hazards for public
3 health and safety.

4 2. The northeastern portion of the Project site is proposed for open
5 space/conservation. This area contains habitat targeted by the MSHCP for
6 preservation and contributes to a regional wildlife linkage for various animal
7 species. At least 127.2 acres (37 percent of total site) are planned as Open
8 Space-Conservation; of that acreage, 106.6 acres would be preserved in
9 perpetuity as Open Space-Conservation Habitat. In addition, an existing
10 riparian corridor on the northwestern portion of the site would be preserved
11 as Open Space- Conservation Habitat.

12 3. With respect to cultural resources, Draft EIR pages IV.F-35 through
13 IV.F-40, include a description of the significance of the cultural sites.
14 Pages IV.F-40 through IV.F-43 include a description of how impacts will be
15 mitigated, as determined by the significance of the cultural sites. In short,
16 the Project as currently proposed, has no potential to directly or indirectly
17 affect the significance of the San Diego Aqueduct (CA-RIV-8195H; 33-
18 015734) and thus, no impact would occur. Consistent with the
19 recommendation in this comment, the area labeled "Avoided Cultural
20 Resource" on the land use map (on file with the County) must be avoided
21 during the Project's construction phase, as required by Mitigation Measure
22 F-4.

23 4. Furthermore, the proposed Project would provide adequate on-site
24 facilities to meet the local parkland and open space requirements of Riverside
25 County Ordinance 460, Section 10.35, and State Quimby Act requirements.

1 5. Analysis of applicable policies of the Multipurpose Open Space
2 Element is presented in Draft EIR Table IV.K-3 and concludes that the
3 Project would not conflict with any applicable policies of the General Plan.

4 6. The proposed Project is consistent with the General Plan's
5 Multipurpose Open Space Element, and is therefore consistent with the
6 General Plan.

7 **D. Safety Element**

8 1. The Project complies with all applicable building codes, County
9 Ordinances, and State and Federal laws. The Project complies with all
10 applicable provisions of the Alquist-Priolo Earthquake Fault Zoning Act,
11 and as concluded by the Project geotechnical study, the Project site is not
12 subject to significant hazards associated with earthquake induced
13 liquefaction, landsliding, or settlement (assuming the implementation of
14 mitigation). In addition, the proposed Project would not be subject to flood
15 or dam inundation. The Project also would comply with all applicable
16 standards for fire safety and be consistent with the Riverside County Fire
17 Protection Master Plan. Furthermore, Project impacts associated with
18 hazardous waste and materials on the Project site would be mitigated below
19 a level of significance, and the proposed Project would not conflict with any
20 disaster preparedness plans nor subject individuals to significant risk of
21 loss, injury, or death involving wildland fires, erosion, seismic activity,
22 blowsand, or flooding.

23 2. Analysis of applicable policies of the Safety Element is presented in
24 Draft EIR Table IV.K-3 and concludes that the Project would not conflict
25 with any applicable policies of the General Plan.

26 3. The proposed Project is consistent with the General Plan Safety
27 Element, and is therefore consistent with the General Plan.
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1 **E. Noise Element**

2 1. The Project's residential uses are not a noise producing land use
3 (other than associated traffic). The Project provides buffering along the
4 project boundaries to protect future residents from other sources of noise
5 through the use of open space, existing watercourses, and recreational lands
6 as community separators.

7 2. Construction activity would result in temporary increases in ambient
8 noise levels in the Project area on an intermittent basis. However, these
9 noise levels would be mitigated through compliance with County
10 regulations governing construction noise. Mitigation should reduce
11 construction noise levels at nearby sensitive receptors to less than-
12 significance levels. Noise impact from stationary sources is considered
13 significant but mitigable. Mobile noise levels at six offsite locations would
14 increase ambient noise levels to a "clearly unacceptable level." Vehicular
15 noise would be mitigated to the extent feasible.

16 3. Analysis of applicable policies of the Noise Element is presented in
17 Draft EIR Table IV.K-3 and concludes that the Project would not conflict
18 with applicable policies of the General Plan.

19 4. The proposed Project is consistent with the General Plan Noise
20 Element, and is therefore consistent with the General Plan

21 **F. Air Quality Element**

22 1. Not unlike other development projects in Riverside County, and as
23 disclosed in the EIR No. 441 for the General Plan, direct and cumulative
24 impacts to air quality would remain significant and unmitigable.

25 2. The Specific Plan would include sustainable residential building
26 features. Further, the Project is required to implement mitigation measures
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1 intended to reduce direct and cumulative air quality impacts to the greatest
2 feasible extent.

3 3. Although the Project would have significant direct air quality
4 impacts and its contribution to air quality impacts would be cumulatively
5 considerable, mitigation measures presented would reduce those impacts to
6 the greatest extent possible, in accordance with SCAQMD, EPA, and
7 CARB requirements.

8 4. Analysis of applicable policies of the Air Quality Element is
9 presented in Draft EIR Table IV.K-3 and concludes that the Project would
10 not conflict with applicable policies of the General Plan.

11 5. The proposed Project is consistent with the General Plan Air Quality
12 Element, and is therefore consistent with the General Plan

13 **G. Housing Element**

14 1. The purpose of the General Plan Housing Element is to meet the
15 needs of existing and future residents in Riverside County through the
16 establishment of policies to guide County decision-making and to establish
17 an action plan to meet the County's housing goals in the next seven years.

18 2. The Project would further the goals of the General Plan Housing
19 Element by reducing the use of energy and water in residences and
20 providing higher density residential units that would contribute to meeting
21 the County's housing needs. Although the land uses proposed by the
22 Project would require GPAs, there are no characteristics of the Project that
23 would inhibit the County's ability to achieve the goals set forth by the
24 General Plan Housing Element. Accordingly, the proposed Project would
25 be consistent with the General Plan Housing Element and General Plan.
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1 **H. Administration Element**

2 1. The Administration Element contains information regarding the
3 structure of the General Plan as well as general planning principles and a
4 statement regarding the vision for Riverside County.

5 2. The General Plan Amendment proposed by the Project would be
6 consistent with the Administration Element policies governing Foundation
7 Amendments, Technical Amendments and Entitlement/Policy
8 Amendments, as set forth in Resolution No. 2014-228 incorporated herein
9 by reference.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Specific Plan No. 382 is
11 consistent with the Riverside County General Plan.

12 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the Project would not conflict
13 with the conservation requirements of the Western Riverside Multiple Species Habitat Conservation Plan
14 (MSHCP) in that:

- 15 A. A discussion of the Project's consistency with the MSCHP and consistency with local
16 policies or ordinances protecting biological resources is included on Draft EIR pages IV.E-
17 64 through IV.E-77. Project consistency with the MSHCP conservation goals for each of
18 the Criteria Cells within which the Project site is located is discussed in the Draft EIR.
- 19 B. The Regional Conservation Authority (RCA) completed their Joint Project Review and
20 stated by the RCA, "The project is consistent with both Criteria and Other Plan
21 requirements." (14-02-06-01).
- 22 C. Further, the Project is consistent with provisions of the County Code and objectives of the
23 MSHCP and SKR Mitigation Fees following implementation of mitigation measures.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors, pursuant to Public Resources Code
25 Section 20181(b) and the CEQA Guidelines Sections 15093 and 15043, that the Project has balanced the
26 "economic, legal, social, technological, and other benefits of the project" against the unavoidable adverse
27 environmental impacts related to regional air quality and consistency with regional operational emissions,
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1 consistency with the Air Quality Management Plan, greenhouse gas emissions, traffic noise, and
2 transportation/traffic associated with the Project, as identified in the Draft EIR and Final EIR.

3 The Board of Supervisors hereby declares that it has made a reasonable and good faith effort to
4 eliminate or substantially mitigate the potential impacts resulting from the Project by adopting all feasible
5 mitigation measures with respect thereto, and has determined that these unavoidable adverse
6 environmental impacts may be considered “acceptable” due to the following specific considerations of the
7 Project’s benefits outweighing the unavoidable adverse environmental impacts of the Project. Each of the
8 following below-stated benefits of the Project is determined to be, unto itself and independent of the other
9 Project benefits, a basis for overriding all identified unavoidable adverse environmental impacts and
10 warranting approval of the Project:

- 11 A. **Regional Housing.** As described in Draft EIR Section IV.M (Population and Housing),
12 the Project is expected to provide housing for approximately 4,038 people. The Project
13 will help the County meet its General Plan Housing Element goals and to expand the range
14 of housing choices in the County to serve a range of lifestyles, including first-time buyers,
15 young singles and couples, families, empty nesters, and seniors.
- 16 B. **Recreation Improvements.** As described in the Belle Terre Specific Plan and Section
17 IV.N (Public Services) of the Draft EIR, the Project will provide approximately 20.6 acres
18 of open space and recreational areas to serve future residents and the residents of Riverside
19 County and the surrounding area. Parks for the community include an active park that may
20 include a community clubhouse, a linear park with a trail and possibly a dog run/park, and
21 small neighborhood parks.
- 22 C. **Open Space Conservation.** The provision of open space is a major element of the Belle
23 Terre Land Use Plan. Approximately 150.8 acres or 45.2 percent of the total plan acreage
24 is planned for one of four open space classifications. Conservation of these areas will
25 ensure consistency and habitat protection under the Western Riverside Multiple Habitat
26 Conservation Plan.

1 D. **Community Benefits.** The significant and unavoidable impacts are outweighed and
2 rendered acceptable because the proposed Project will create an aesthetically pleasing and
3 distinct urban residential community identity (sense of place) through the establishment of
4 design criteria for architecture, landscaping, street improvements, signs, entry monuments,
5 and other planning and design features.

6 E. **Economic Benefits.** As described in the Fiscal Impact Resulting from the Belle Terre
7 Project prepared by David Taussig & Associates, Inc. dated February 19, 2014 (the "Fiscal
8 Impact Study," which is in the Project's file at the County), the Project will contribute the
9 following economic benefits to the County of Riverside (and other taxing agencies):

10 1. **Recurring Fiscal Revenues.** As summarized on Fiscal Study Table
11 1, the Project is estimated to contribute an annual recurring fiscal surplus of
12 \$105,519 in recurring fiscal revenues. Annual recurring revenues generated
13 by the Project are projected to equal approximately 1.07 times the general
14 fund costs associated with the Project. The largest revenue sources
15 attributable to the Project will be property tax in lieu of vehicle license fees,
16 secured property taxes, fines, forfeitures and penalties, and indirect sales
17 tax. Specifically, as shown in Fiscal Study Exhibit A-1, the Project is
18 estimated to generate \$347,950,501 in tax revenues, consisting of
19 \$266,200,000 in property taxes, \$31,000,000 in other property taxes,
20 \$29,250,501 in sales and use taxes, \$11,500,000 in property transfer tax,
21 and \$10,000,000 in tobacco tax.

22 2. **Library Fund.** As shown in Fiscal Study Table 3, the County Public
23 Library Fund is projected to have an annual fiscal surplus of \$13,904
24 attributable to the Project. Annual recurring revenues generated by the
25 Project are projected to equal approximately 1.16 times the Library Fund
26 costs associated with the Project.

1 3. Fire Fund. As shown in Fiscal Study Table 4, the County Fire Fund
2 is projected to have an annual revenue of \$282,860.

3 4. Regional and Local Traffic Improvements. As shown on Draft EIR
4 Table IV.O-17, the Project is anticipated to contribute approximately
5 \$14,800,000 to regional traffic improvements. Specifically, fees will be
6 contributed to the Transportation Uniform Mitigation Fee, County
7 Development Impact Fee and Southwest Road and Bridge Benefit District
8 programs. Additionally, the applicant will construct local transportation
9 improvements pursuant to Mitigation Measures O-2 and O-5.

10 5. Employment. The Project would also generate a number of short-
11 term jobs during construction of the Project.

12 F. Sustainability. As set forth in Chapter 4 of the Specific Plan and described in the EIR, the
13 Project includes many sustainability features, including, but not limited to the following:

14 1. Green Infrastructure

- 15 • Grade as much of the property as possible to divert
16 stormwater flow to the on-site drainage facility.
- 17 • Design the Project so that the grading balances on-site.
- 18 • Where applicable, create curb cuts to allow stormwater flows
19 to drain to permeable or landscaped areas.

20 3. Landscaping

- 21 • Install and correctly program automated irrigation systems to
22 reduce water use.
- 23 • Plant selection shall be based on species that are drought
24 tolerant, heat resistant, and hardy. Native plant material should also
25 be closely examined and considered for most landscaped areas. On
26 the aggregate, the Project should strive to use up to 75 percent

1 water-wise/drought-tolerant, native, or Mediterranean plant
2 materials.

- 3 • Prohibit the use of large turf areas in landscaping by
4 substituting water-conserving native groundcovers or perennial
5 grasses, shrubs, and trees.

6 4. Building-Level Sustainability

- 7 • Use only flooring and insulation products that are low
8 emitters of volatile organic compounds (VOC) and formaldehyde.

- 9 • Use only low- and zero-VOC paints, finishes, adhesives,
10 caulks, and other substances to improve indoor air quality and
11 reduce the harmful health effects of off-gassing.

- 12 • All homes shall use only gas fireplaces to minimize smoke
13 from wood-burning fireplaces and pollutants.

- 14 • To reduce construction-related air quality impacts,
15 construction equipment shall be properly maintained and serviced to
16 minimize exhaust emissions.

- 17 • Utilize shielded fixtures, avoiding overhead lighting of areas
18 such as walkways.

- 19 • Provide low-contrast lighting, and use low-voltage fixtures
20 and energy-efficient bulbs, such as compact fluorescent (CFL) and
21 light emitting diode (LED) bulbs.

- 22 • Install only energy efficient street lighting.

- 23 • Install radiant barriers to reduce summer heat gain and
24 winter heat loss. Radiant barriers consist of a highly reflective
25 material, such as aluminum, that prevents radiant heat from being
26 absorbed by the interior of the home.

- Use natural ventilation techniques, such as operable windows, to take advantage of airflow for cooling residential interiors, reducing the amount of energy needed for cooling.
- Install water and energy saving fixtures and appliances, such as showerheads, toilets, washing machines, clothes dryers, refrigerators, and dishwashers certified as EnergyStar compliant.
- Utilize a minimum insulation value of R30 in ceilings.
- Install programmable thermostats in all units.
- To reduce water consumption and associated energy usage on the aggregate, the Project shall be designed to comply with the mandatory 20 percent reduction in indoor water usage contained in the current CalGreen code and a reduction in outdoor water usage contained in the County's Ordinance No. 859.
- Install only low water consumption, EnergyStar compliant appliances and fixtures.
- Install dual flush or other toilets using less than 1.6 gallons per foot 9gpf.
- Install faucets and showerheads using 2.5 gallons per minute (gpm) or less.
- The Project shall be designed to exceed the 2008 Title 24 standards by 10 percent on the aggregate.
- Install only energy-efficient windows, such as the models with spectrally selective low-e glass and with wood, vinyl, or fiberglass frames.
- Incorporate building materials that take advantage of heat storage or thermal mass to reduce energy needed for heating and cooling interiors. Materials such as concrete, masonry, and

1 wallboard store heat absorbed during the day and slowly release it
2 throughout the evening, thereby moderating indoor temperatures
3 over a 24-hour period.

4 • All development shall incorporate energy-saving devices
5 where feasible.

6 • Design and install heating, ventilation, and air conditioning
7 (HVAC) systems according to the standards provided by the Air
8 Conditioning Contractors of America (ACCA) handbooks or other
9 comparable high performance HVAC standards.

10 • The network or pedestrian and combination
11 biking/pedestrian trails shall be provided to encourage walking and
12 biking for short destination trips.

13 • Bicycle racks shall be provided within the open space and
14 park system.

15 • The certified waste hauler contracted by the developer shall
16 implement a curbside recycling program. The contract shall also
17 include provisions for separating lawn trimmings and other green
18 waste for recycling.

19 **BE IT FURTHER RESOLVED** that the Board of Supervisors has reviewed and considered the
20 information in the EIR. The EIR reflects the independent judgment of the County. The Board of
21 Supervisors finds that EIR No. 581 is an accurate and objective statement that complies with CEQA. In
22 response to comments from the public and other public agencies, some revision to the Draft EIR were
23 incorporated into the Final EIR, as described in Section IV of the Final EIR. Pursuant to CEQA, on the
24 basis of the review and consideration of the Final EIR, the County finds the following:

25 A. Factual corrections and minor changes have been set forth as clarifications and
26 modifications to the Draft EIR;

- 1 B. The factual corrections and minor changes to the Draft EIR are not substantial changes in
2 the Draft EIR that would deprive the public of a meaningful opportunity to comment on a
3 substantial adverse environmental effect of the Project, a feasible way to mitigated or avoid
4 such an effect, or a feasible project alternative;
- 5 C. The factual corrections and minor changes to the Draft EIR will not result in new
6 significant environmental effects or substantially increase the severity of the previously
7 identified significant effects disclosed in the Draft EIR;
- 8 D. The factual corrections and minor changes in the Draft EIR will not involve mitigation
9 measures or alternatives that are considerably different from those analyzed in the Draft
10 EIR that would substantially reduce one or more significant effect on the environment; and
- 11 E. The factual corrections and minor changes to the Draft EIR do not render the Draft EIR so
12 fundamentally inadequate and conclusory in nature that meaningful public review and
13 comment would be precluded.

14 Thus, none of the conditions set forth in CEQA requiring recirculation of a Draft EIR have been
15 met. Incorporation of the factual corrections and minor changes to the Draft EIR into the Final EIR does
16 not require the Final EIR to be circulated for public comment.

17 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** EIR No. 531;
18 **ADOPTS** the Mitigation Monitoring and Reporting Plan specified therein; and **ADOPTS** the Statement
19 of Overriding Considerations set forth herein. In the event of any inconsistencies between the mitigation
20 measures as set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation
21 Monitoring and Reporting Program shall control.

22 **BE IT FURTHER RESOLVED** that the Board of Supervisors hereby **ADOPTS** Specific Plan
23 No. 382 as the Specific Plan of Land Use for the real property described and shown in the plan, on file in
24 the Office of the Clerk of the Commission and the County Planning Department, including the final
25 conditions of approval and exhibits, and said real property shall be developed substantially in accordance
26 with the plan, unless the plan is repealed or amended by the Board.

1 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of EIR No. 581 and
2 Specific Plan No. 382 shall be placed on file in the Office of the Clerk of the Board, Office of the
3 Planning Director and Office of the Building and Safety Director and that no applications for subdivision
4 maps, conditional use permits or other development approvals shall be accepted for real property
5 described and shown in the plan, unless such applications are substantially in accordance therewith.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
7 documents upon which this decision is based are the Clerk of the Board of Supervisors and the County
8 Planning Department and that such documents are located at 4080 Lemon Street, Riverside, California,
9 92502.

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12 G:\PROPERTY\MCLACK\PLANNING AND LAND USE\RESOLUTIONS\FINAL BOARD RESOLUTION ADOPTING SP 382 AND CERTIFYING EIR NO 581 - BELLE
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