STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF SAN JACINTO

RESOLUTION NO. 3454

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF SAN JACINTO, CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE SAN JACINTO VALLEY MASTER DRAINAGE PLAN AND THE SAN JACINTO REGIONAL AREA DRAINAGE PLAN AMENDMENT; ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the City of San Jacinto ("City") has proposed to revise the existing San Jacinto Master Drainage Plan ("SJMDP") and Northwest Hemet Master Drainage Plan ("NW Hemet MDP"); prepare a new master drainage plan for an area to the west and north of the existing plans; and then to consolidate the three plans into one new plan: the San Jacinto Valley Master Drainage Plan ("SJV-MDP"); and also to amend the San Jacinto Regional Area Drainage Plan ("SJR-ADP") to incorporate the newly expanded and revised plan (collectively, the "Project" or "proposed Project"); and

WHEREAS, the SJV-MDP proposes a system of open channels, underground storm drains, and four detention basins, as well as to incorporate some existing facilities; and

WHEREAS, an ADP is a financing mechanism used to ensure that all new development pays its fair share for needed drainage facilities; and

WHEREAS, the Project area, which is approximately 27.4 square miles, includes lands within the cities of San Jacinto and Hemet, as well as unincorporated Riverside County, California; and

WHEREAS, the proposed Project site is generally bounded by the San Jacinto River to the north, Meridian Street to the east, Florida Avenue to the south, and Warren Road to the west; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) ("CEQA"), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) the City has determined that an Environmental Impact Report (EIR) should be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the proposed Project; and

WHEREAS, the City issued a Notice of Preparation ("NOP") on a Draft EIR on or about April 14, 2009 and circulated the NOP until May 15, 2009; and

WHEREAS, the Initial Study circulated with the NOP concluded that the proposed Project would not result in significant impacts in the following areas: Geology and Soils, Mineral Resources, Noise, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems. Therefore, these topics were not required to be considered in the Draft EIR; and

WHEREAS, the City solicited comments from potential responsible and trustee agencies and members of the public; and

WHEREAS, the City received eight (8) written comments in response to the NOP, which assisted the City in narrowing the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, on or about May 17, 2010, the City initiated a 45-day public review period by filing a Notice of Completion and Availability with the State Office of Planning and Research and releasing the Draft EIR for public review and comment; and

WHEREAS, pursuant to CEQA Guidelines section 15086, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others during the 45-day comment period; and

WHEREAS, the City received five (5) written comments during the public review period for the Draft EIR; and

WHEREAS, the City has prepared a Final EIR, consisting of comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR. For the purposes of this Resolution, the "EIR" shall refer to the Draft EIR, as revised by the Final EIR's errata section, together with the other sections of the Final EIR; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Proposed Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines and the cities of San Jacinto and Hemet and Riverside County Flood Control and Water Conservation District CEQA implementing procedures have been satisfied by the City in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Proposed Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Proposed Project sufficiently analyzes both the feasible Mitigation Measures necessary to avoid or substantially lessen the Proposed Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the environmental impacts identified in the EIR that the City finds are less than significant and do not require mitigation are described in Section 2 hereof; and

WHEREAS, the environmental impacts identified in the EIR as potentially significant but which the City finds can be mitigated to a level of less than significant, through the imposition of feasible Mitigation Measures identified in the EIR and set forth herein, are described in Section 3 hereof; and

WHEREAS, the environmental impacts identified in the EIR as potentially significant but which the City finds cannot be mitigated to a level of less than significant, despite the imposition of feasible Mitigation Measures identified in the EIR and set forth herein, are described in Section 4 hereof; and

WHEREAS, the cumulative impacts of the Project identified in the EIR and set forth herein, are described in Section 5 hereof; and

WHEREAS, the significant and irreversible environmental changes that would result from the Proposed Project, but which would be largely mitigated, and which are identified in the EIR and set forth herein, are described in Section 6 hereof; and

WHEREAS, the existence of any growth-inducing impacts resulting from the Proposed Project identified in the EIR and set forth herein, are described in Section 7 hereof; and

WHEREAS, alternatives to the Proposed Project that might eliminate or reduce significant environmental impacts are described in Section 8 hereof; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the EIR, and all oral and written evidence presented to it during all the meetings and hearings, all of which is incorporated herein by this reference; and

WHEREAS, the EIR reflects the independent judgment of the City Council and is deemed adequate for the purpose of making decisions on the merits of this Proposed Project; and

WHEREAS, no comments made in the public hearings conducted by the City or any additional information submitted to the City have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

THE CITY COUNCIL OF THE CITY OF SAN JACINTO DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: FINDINGS

At a session assembled on January 14, 2013, the City Council determined that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the Project are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures.

SECTION 2: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of Mitigation Measures.

A. AESTHETICS

1. Scenic Resources Within a Scenic Highway

Impact: The proposed Project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. (DEIR at ES-18; 3.1-7, 3.1-8.)

Supporting Explanation: The proposed facilities are located almost entirely within road rights-of-way (ROW) and disturbed agricultural areas. (DEIR at p. 3.1-5.) The SJV- MDP proposes three types of drainage features: underground storm drains, open channels (exposed but flush with the finished grade), and open basins (in-ground and surrounded by maximum six-foot high berms). (*Ibid.*) Since the proposed storm drains will be underground facilities and once constructed will not be visible, there will be no impact to scenic resources associated with the proposed storm drains. (*Ibid.*) The open channels and basins will be visible after construction and will be the focus of the discussion in this section. (*Ibid.*)

There are no State Designated Scenic Highways within the Project area. (*Ibid.*) The closest State Designated Scenic Highway is Highway 243 (Banning/Idyllwild Panoramic Highway), which is located over seven and one-half miles northeast of the Project's northeastern boundary. (*Ibid.*) Due to the distance of this highway from the proposed Project area, impacts to State Designated Scenic Highways will be less than significant. (*Ibid.*)

State Route 74 (Florida Avenue), as it passes east to west through Hemet, is considered a State Eligible Scenic Highway. (*Ibid.*) State Route 74 traverses through the southernmost portion of the Project area; however, there are no facilities proposed within one-quarter mile of this State Eligible Scenic Highway. (*Ibid.*) The closest proposed facilities are storm drains, which will not be visible after construction. (*Ibid.*) Therefore, the SJV-MDP will not impact State Eligible Scenic Highways. (*Ibid.*)

Ramona Expressway, Gilman Springs Road, State Route 79, and Soboba Road, which are located in proximity to the Project area, are designated County Eligible Scenic Highways in the San Jacinto Valley Area Plan (COR SJVAP, Figure 9). (*Ibid.*) Gilman Springs Road, State Route 79, and Soboba Road are not located within the boundaries of the SJV-MDP, thus the proposed Project will not impact these highways. (*Ibid.*)

The Project will provide drainage infrastructure that could support urban development in San Jacinto, portions of Hemet, and portions of Riverside County. (DEIR at p. 3.1-7.) Such development will change the visual setting of the Project area. (*Ibid.*) Therefore, the Project has the potential to indirectly damage scenic resources. (*Ibid.*) With respect to potential impacts to scenic resources in the Project Area, all future development projects will be subject to review and approval by the appropriate agency (San Jacinto, Hemet, or Riverside County) and must be consistent with the General Plan policies, ordinances, and regulations of the jurisdiction in which the development project is located. (*Ibid.*) Since any development in San Jacinto, Hemet, or Riverside County would be consistent with the general plans of those jurisdictions, indirect impacts to scenic resources in San Jacinto, Hemet, and Riverside County would be less than significant through mandated governmental actions implementing the respective general plans. (*Ibid.*)

B. AIR QUALITY

1. Violation of Air Quality Standard – Long-Term Impacts

Impact: The proposed Project's long-term impacts would not violate an air quality standard or contribute substantially to an existing or projected air quality violation. (DEIR at ES-19; 3.3-38, 42 – 43.)

Supporting Explanation:

Long-Term Impacts – RST Analysis

Long-term air quality impacts would occur once the Project is in operation. (DEIR at 3.3-35.) The majority of operational emissions would be from the infrequent visits by vehicles driven by maintenance personnel. (*Ibid.*) This and any other maintenance-related activity will not result in substantial sources of emissions when compared to the existing maintenance routine of the current MDPs for the area. (*Ibid.*)

Long-Term Impacts – LST Analysis

The drainage facilities proposed by the SJV-MDP consist of the construction of reinforced concrete boxes, reinforced concrete pipes, open concrete channels, open earth channels, and earthen basins. (DEIR at 3.3-37.) The majority of the operational emissions are in the form of mobile source emissions from infrequent visits by maintenance vehicles, without any stationary sources present. (*Ibid.*) According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a Project, if the Project includes stationary sources, or attracts mobile sources that may spend long periods queuing and idling at the site; such as warehouse/transfer facilities. (*Ibid.*) The proposed Project does not include such uses. (*Ibid.*) Therefore, due the lack of stationary source emissions, no long-term localized significance threshold analysis is needed. (*Ibid.*)

2. Net Increase in Criteria Air Pollutants

Impact: The proposed Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). (DEIR at ES-21; 3.3-41.)

Supporting Explanation:

Criteria Pollutants

In addressing cumulative effects for air quality, the AQMP utilizes approved general plans; therefore, it is the most appropriate document to use in evaluating cumulative impacts of the proposed Project. (DEIR at 3.3-38.) This is because the AQMP evaluated air quality emissions for the entire Basin using a future development scenario based on population projections and set forth a comprehensive program that would lead the region, including the Project area, into compliance with all federal and state air quality standards. (*Ibid.*) As described in the NOP for this Project, the Project will not conflict with or obstruct the implementation of the AQMP. (*Ibid.*) The Project's short-term construction emissions for NOx, PM-10, and PM-2.5 have been shown to be significant on a regional level. (*Ibid.*) However, since it is only the Project's short-term emissions that are above thresholds for NOx, PM-10, and PM-2.5, and the impact is temporary (approximately six months in duration), the impact is not considered to have a cumulatively considerable net increase on ozone and PM-10, which are non-attainment in the region under both state and federal standards, and is considered less than significant. (DEIR at 3.3-38 – 39.)

Greenhouse Gases (GHG)

The following analysis represents an attempt to estimate the proposed Project's GHG emissions assuming Project build-out in 2012 primarily through the quantification of CO2 emissions. (DEIR at 3.3-39.) CO2 emissions accounted for approximately 84

percent of the state's total GHG emissions in 2004. (*Ibid.*) Methane and nitrous oxide accounted for 5.7 and 6.8 percent, respectively. (*Ibid.*) Therefore, while not intended to be an all-inclusive inventory of overall GHG emissions from the Project; the estimation of CO2 from the most important construction and operation related sources is illustrative of much of the Project's contribution to GHG. (*Ibid.*)

It should be noted that the release of GHG in general and CO2 specifically into the atmosphere is not of itself an adverse environmental affect. (*Ibid.*) It is the effect that increased concentrations of GHG, including CO2, in the atmosphere has upon the Earth's climate (i.e., climate change) and the associated consequences of climate change that results in adverse environmental effects (e.g., sea level rise, loss of snowpack, severe weather events). (*Ibid.*) Although air quality modeling can estimate the proposed Project's incremental contribution of CO2 into the atmosphere, it is not feasible to determine whether or how an individual Project's relatively small incremental contribution (on a global scale) might translate into physical effects on the environment. (*Ibid.*) Since the Earth's climate is determined by the complex interaction of different components of the Earth and its atmosphere, it is not possible to discern whether the presence or absence of GHG emitted by the proposed Project would result in any measurable impact that would cause climate change. (*Ibid.*)

Short-Term Emissions: Construction Related Activities

The recently updated URBEMIS model calculates carbon dioxide emissions from fuel usage by construction equipment and construction-related activities, like worker trips, for the Project in tons per year (one ton equals 2,000 pounds). (DEIR at 3.3-40.) The URBEMIS estimate does not analyze emissions from construction related electricity or natural gas. (*Ibid.*) Construction related electricity and natural gas emissions vary based on the amount of electric power used during construction and other unknown factors which make them too speculative to quantify. (*Ibid.*) Life-cycle emissions associated with the manufacture of building materials are also not quantified in this analysis although they undoubtedly exist. (*Ibid.*) Quantification was not attempted because of the large spatio-temporal variation in sources for building products that may used to construct the SJV-MDP facilities and the consequent large uncertainty associated with the resulting emissions. (*Ibid.*) For this reason, to attempt to quantify life-cycle emissions of materials would be speculative. (*Ibid.*) This conclusion is consistent with recent guidance on quantification of emissions for commercial projects presented by the California Air Pollution Control Officer's Association guidance on CEQA and Climate Change (CAPCOA). (*Ibid.*)

An estimated total of 2,373 MtCO2 emissions from construction equipment will occur in the four modeled scenarios. (*Ibid.*) The draft SCAQMD GHG threshold guidance document released in October 2008 (SCAQMD 2008b) recommends that construction emissions be amortized for a Project lifetime of 30-years to ensure that GHG reduction measures address construction GHG emissions as part of the operational reduction strategies. (*Ibid.*) However, as long-term emissions are considered minimal for the proposed Project, and operational emissions were not analyzed, this particular approach does not apply to this Project. (*Ibid.*)

Total Project CO2 Emissions

Although it is uncertain which screening level applies to infrastructure projects, the proposed Project's CO2 emissions of 2,373 MtCO2 from construction emissions do not exceed the SCAQMD recommended screening level of 3,000 MtCO2/year for commercial projects, which is a lower that the level for industrial projects. (DEIR at 3.3-41.) The CARB has yet to identify a quantitative threshold level for residential or commercial projects and the threshold level for industrial projects is 7,000 MtCO2/year from non-transportation sources. (*Ibid.*)

Due to the level of estimated emissions, no mitigation is required to reduce GHG. (*Ibid.*) SCAQMD's recommendation of reducing the Project energy use and water use even when the Project-related emissions are below the screening level does not apply to this Project. (*Ibid.*) The operations of MDP facilities do not require energy usage. (*Ibid.*) In addition, the Project transports storm water and does not include or require water usage. (*Ibid.*)

The proposed Project's annual CO2 operational emissions will not exceed the SCAQMD recommended Tier 3 screening level of significance for commercial or industrial projects. (*Ibid.*) The SCAQMD additional requirements for energy and water usage do not apply to the Project. (*Ibid.*) The CARB has not yet developed a quantitative threshold for commercial projects and the currently recommended performance standards for construction and operation of commercial projects also do not apply to the SJV-MDP. (*Ibid.*) Therefore, the impact is considered less than significant. (*Ibid.*)

3. Sensitive Receptors – Long-Term Emissions

Impact: The proposed Project's long-term impacts would not expose sensitive receptors to substantial pollutant concentrations. (DEIR at ES-22; 3.3-41.)

Supporting Explanation: Based on the LST analysis of the proposed Project, the short-term construction of the SJV-MDP facilities will not result in any localized air quality impacts to sensitive receptors within the Project area for NOx or CO, during construction of Project facilities; however, emissions of PM-10 and PM-2.5 during construction are above SCAQMD recommended daily thresholds. (DEIR at 3.3-41.) Therefore, exposure of sensitive receptors to substantial pollution concentrations from short-term construction emissions is considered significant. (*Ibid.*) Due to the lack of stationary source emissions; no long-term localized significance threshold analysis is needed, and exposure of sensitive receptors to substantial pollution concentrations from long-term operational impacts is considered less than significant. (*Ibid.*)

C. BIOLOGICAL RESOURCES

1. Conflict with Local Policy or Ordinance

Impact: The proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance. Impacts would be less than significant. (DEIR at ES-34; 3.4-38.)

Supporting Explanation: The Project does not propose any above-ground structures that would require the removal of important natural resources and, through compliance with the MSHCP, will conserve important resources such as mature trees, rock outcroppings, hills, ridges, and other prominent land forms, as open space. (DEIR at 3.4-39.) The location of specific SJV-MDP facilities is dictated by engineering and hydraulic concerns. (*Ibid.*) The Project shall meet the goal of the City of Hemet and comply with the policies of the SJVAP through compliance with the MSHCP. (*Ibid.*) Therefore, the proposed Project would not conflict with any local policies or ordinances and impacts would be less than significant. (*Ibid.*)

D. HYDROLOGY/WATER QUALITY

1. Violation of Water Quality Standards/Waste Discharge Requirements During Construction

Impact: During Project construction, the proposed Project would not create or contribute Urban Runoff that would violate any water quality standards or waste discharge requirements, including the terms of the City's and County's municipal separate stormwater sewer system permit. (DEIR at 3.7-24 – 25.)

Supporting Explanation: The proposed MDP facilities are intended to improve stormwater and non-stormwater drainage by promoting groundwater recharge, redirecting stormwater runoff from agricultural lands and other urban developments, and removal of trash and debris from stormwater flows within the project area. (DEIR at 3.7-24.) All facilities proposed as part of the MDP will be constructed by either, the City of San Jacinto, City of Hemet, RCFCWCD, or future development projects within San Jacinto and portions of Hemet and unincorporated Riverside County. (DEIR at 3.7-24 – 25.)

San Jacinto and Hemet are co-permitees with Riverside County in the NPDES program, which is designed to reduce pollutant loads in urban runoff. (DEIR at 3.7-25.) According to the NPDES permit requirements, all new development projects and substantial rehabilitation efforts are required to incorporate BMPs. (*Ibid.*) Implementation of BMPs in accordance with RCFCWCD's NPDES Municipal Stormwater Management Program helps to protect surface water quality in the San Jacinto River watershed. (*Ibid.*)

In order to reduce the discharge of expected pollutants into receiving waters during construction of the proposed SJV-MDP facilities, the Cities or County or future

development projects in the Project area would be conditioned to construct portions of the SJV-MDP facilities, and would be required to prepare a SWPPP in accordance with the SWRCB General Permit for Construction Activities. (*Ibid.*) The General Permit requires the development and implementation of a SWPPP to identify an effective combination of erosion control and sediment control BMPs to minimize or eliminate the discharge of pollutants into receiving waters during construction. (*Ibid.*) In addition, BMPs for managing sources of non-stormwater discharges and waste are required to be identified in the SWPPP. (*Ibid.*) Examples of construction BMPs include silt fencing, gravel bag berms, fiber rolls, and street sweeping. (*Ibid.*) Through implementation of the SWPPP for future development projects in the project area, potential impacts to water quality from project construction would be reduced to a less than significant level. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

2. Violation of Water Quality Standards/Waste Discharge Requirements During Operation

Impact: After the project is completed, the proposed Project would not create or contribute urban runoff that would violate any water quality standards or waste discharge requirements, including the terms of the City's municipal separate stormwater sewer system permit. (DEIR at 3.7-25 – 26.)

Supporting Explanation: The proposed SJV-MDP facilities have been designed to improve stormwater and non-stormwater drainage within the project area by promoting groundwater recharge, redirecting stormwater runoff from agricultural lands and other urban developments, and removal of trash and debris from stormwater flows. (DEIR at 3.7-25.) Studies have shown that conversion from pre-dominantly agricultural to urban land-uses would likely improve or have no effect on water quality with respect to sediments (Geosyntec, 2008). (*Ibid.*) Most facilities proposed as part of the MDP will not be constructed until such time as future development projects within the project area approved. (*Ibid.*) As such, future development projects within the project area would be conditioned by the City of San Jacinto, the City of Hemet, and/or RCFCWCD to construct those MDP facilities that would be affected by that project. (*Ibid.*) Therefore, the project facilities would not be constructed until such time as future development projects are approved. (*Ibid.*)

Conditions of approval for development projects would include the preparation of a site-specific WQMP, which would provide for treatment of stormwater and non-stormwater discharge through site design, source control, and/or treatment control BMPs. (*Ibid.*) BMPs typically used to manage urban runoff include controlling roadway and parking lot contaminants by installing filters with oil and grease absorbents at storm drain inlets, cleaning parking lots on a regular basis, incorporating peak-flow reduction and infiltration features (such as grass swales, infiltration trenches, and grass filter strips) into landscaping, and implementing education programs. (DEIR at 3.7-25 – 26.) Since future development projects within the project area will be required to comply with the terms of the WQMP, post construction impacts to water quality standards or waste discharge requirements are expected to be less than significant. (DEIR at 3.7-26.) No mitigation measures are necessary. (*Ibid.*)

3. Pollutant Discharge

Impact: The proposed Project would not provide for the discharge of substantial additional sources of pollutants into Urban Runoff, including pollutants discharged from delivery areas; loading docks; other areas where materials are stored, vehicles or equipment are fueled or maintained, waste is handled, or hazardous materials are handled or delivered; other outdoor work areas; or other sources. (DEIR at 3.7-26.)

Supporting Explanation: The proposed SJV-MDP and SJR-ADP will serve as tools in planning and development of the Project area. (*Ibid.*) The SJV-MDP has been designed to provide regional stormwater drainage within the Project area. The SJR-ADP will provide an appropriate fee mechanism, based on the costs of the facilities in the SJV-MDP. (*Ibid.*)

In order to reduce the discharge of pollutants associated with future development projects within the boundaries of the SJV-MDP, future development project proponents will be required to prepare site-specific SWPPPs in accordance with the SWRCB General Permit for Construction Activities. (*Ibid.*) The General Permit requires the preparation and implementation of a site-specific SWPPP, to identify an effective combination of erosion control and sediment control BMPs to minimize or eliminate the discharge of pollutants into receiving waters. (*Ibid.*) In addition, BMPs for managing sources of non-stormwater discharges and waste are required to be identified in the SWPPP. (*Ibid.*)

Future development projects within the Project area will also be required to prepare a site specific WQMP that would identify BMPs to ensure that water quality of downstream receiving waters are not degraded following development. (*Ibid.*) As indicated in the WQMP, it is imperative that development projects minimize changes to hydrology to ensure that post-development runoff rates and velocities from a site do not adversely impact downstream erosion, sedimentation or stream habitat. (*Ibid.*) The goals of site design techniques identified in a site-specific WQMP is to reduce the pollutant loads from developed areas, and achieve post development runoff flow rates, volumes, velocities, and duration that prevent significant increase in downstream erosion compared to the pre-development condition, and prevent significant adverse impacts to stream habitat during the 2-year and 10-year, 24-hour rainfall event. (*Ibid.*)

Future development projects approved within the Project area have the potential to provide substantial pollutants to urban runoff within the Project area. (*Ibid.*) However, these development projects will be required to comply with the provisions of the Riverside County SWPPP and WQMP, minimizing the potential for substantial additional pollutants in urban runoff. (*Ibid.*) As such, the project would not directly result in substantial sources of pollutants into urban runoff. (*Ibid.*) Therefore, impacts are anticipated to be less than significant. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

4. Adverse Effect on Beneficial Uses of Waters

Impact: The proposed Project would not discharge pollutants in Urban Runoff so that one or more Beneficial Uses of receiving waters are adversely affected. "Beneficial Uses" include all uses of water necessary for the survival or well-being of man, plants and wildlife. (DEIR at 3.7-26 – 27.)

Supporting Explanation: Seven beneficial uses have been designated for surface water bodies in the vicinity of the project site. (DEIR at 3.7-27.) Since Canyon Lake is listed as impaired for nutrients and pathogens; and Lake Elsinore is listed as impaired for nutrients, organic enrichment/low dissolved oxygen, PCBs, and unknown toxicity, all future development projects approved within the project area will be required to reduce the potential for discharge of pollutants that would further impair downstream receiving waters, including Canyon Lake and Lake Elsinore. (*Ibid.*) As such, future development projects would be conditioned to prepare a site-specific SWPPP and WQMP. The selection of BMPs that treat urban runoff for nutrients, pathogens, organic enriched/low dissolved oxygen, PCBs, and unknown toxicity will be required. (*Ibid.*)

The proposed SJV-MDP facilities have the potential to convey pollutants associated with agricultural activities and residential, commercial and industrial developments. (*Ibid.*) However, the facilities shall be constructed either by RCFCWCD or by future development projects within the project area. (*Ibid.*) Implementation of the proposed SJV-MDP would facilitate the approval of future developments within the Project area, which may result in the discharge of pollutants in urban runoff that could adversely affect receiving waters. (*Ibid.*) However, future development project will be required to comply with the provisions of the NPDES permit and prepare SWPPPs and WQMPs incorporating appropriate BMPS; therefore, potential impacts to receiving waters would be mitigated at the time future developments are approved. Impacts are anticipated to be less than significant. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

5. Harm to Biological Integrity of Waters

Impact: The proposed Project would not discharge stormwater so that significant harm is caused to the biological integrity of waterways or water bodies. (DEIR at 3.7-27 – 28.)

Supporting Explanation: Currently within the Project area, stormwater from low flow events ponds within low areas and agricultural and roadside ditches or is conveyed via sheet flows or agricultural and roadside ditches. (DEIR at 3.7-27.) The general drainage pattern within the Project area is in a northwest direction, towards the San Jacinto River, the natural low point in the valley. Regionally the SJV-MDP facilities follow the existing drainage pattern of the project area. (*Ibid.*)

Sensitive plant species previously identified in the Project area are located within the 100-year floodplain of the San Jacinto River. (DEIR at 3.7-27 – 28.) The proposed Project will not alter the velocity, volume, or seasonal flow of the San Jacinto River 100-

year floodplain. (DEIR at 3.7-28.) Thereby the proposed Project will not alter the historic floodplain of the river and habitat for these species. (*Ibid.*)

Although development within the SJV-MDP area would result in changes to the existing local hydrology, areas that currently pond or receive sheet flow would continue to do so in the small events at the local level. (*Ibid.*) It would be during the larger storm events that storm water would be collected and conveyed through the MDP facilities. (*Ibid.*) Vertical hydrology (rainfall) is predominantly responsible for the maintenance of vernal pools, and existing plant populations in the area. (*Ibid.*) Any existing vernal pools and associated sensitive species would continue to receive local runoff and rainfall. (*Ibid.*) Therefore, the proposed Project is not expected to have a significant indirect impact on the biological integrity of the San Jacinto River or any other water body. (*Ibid.*)

The SJV-MDP facilities have potential to discharge stormwater flows to downstream receiving water bodies, thus potentially affecting the biological integrity of those water bodies. (*Ibid.*) However, future development projects within the project area will be required to comply with all provisions of the NPDES permit program, including the preparation of a SWPPP and WQMP, thus potential impacts to receiving waters would be mitigated at the time future developments are approved. (*Ibid.*) Therefore, impacts are less than significant. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

6. Violation of Water Quality Standard/Discharge Requirement

Impact: The proposed Project would not violate any water quality standards or waste discharge requirements. (DEIR at 3.7-28 – 30.)

Supporting Explanation: Implementation of the proposed Project will not add significant amounts of impervious surfaces to the project area, as the proposed facilities will be underground stormdrain pipelines, earthen and concrete-lined trapezoidal channels, and earthen basins. (DEIR at 3.7-28.) The SJV-MDP would establish a comprehensive stormwater drainage system in the Project area, to provide adequate drainage for the Project area to support buildout in accordance with land uses identified in the San Jacinto, Hemet, and Riverside County General Plans. (*Ibid.*)

The proposed project will reduce flooding from stormwater and urban runoff currently experienced in the project area. The proposed drainage facilities themselves will not generate or create a significant increase in runoff or stormwater pollutants. (DEIR at 3.7-28 – 29.) The project detention basins will allow for some sediment transported in stormwater runoff to settle out over time, and will attenuate peak-flow rates from storm events. (DEIR at 3.7-29.) Activities relating to the construction of MDP facilities will be regulated by the RWQCB under the NPDES permit program at the time future development projects are approved within the project area. (*Ibid.*)

The RWQCB may also regulate portions of the SJV-MDP under the Porter-Cologne Water Quality Control Act or Section 401 of the CWA. (*Ibid.*) Stormwater pollution prevention measures will be identified and must be followed to reduce or

eliminate discharge of pollutants to surface water from stormwater and non-stormwater discharges from, not only the construction of the SJV-MDP facilities, but the implementation of future approved development projects within the project area, as well. (*Ibid.*)

Specific water quality impacts will be further mitigated at the time of facility construction through the ongoing compliance with existing water quality regulatory programs. (*Ibid.*) The proposed facilities shall be constructed in conformance with the RWQCB, NPDES Permit R8-2002-001. (*Ibid.*) This permit regulates flood control facilities operated by the RCFCWCD, among others, within the Santa Ana River Watershed. (*Ibid.*) The Permit requires the RCFCWCD to conduct public education, monitoring, illicit connection/illegal discharge detection and removal, maintenance activities, and coordination with other MS4 operators to ensure that pollutants discharging from MS4 systems are mitigated to the maximum extent practicable. (*Ibid.*) Facilities constructed under the proposed Project would be required to comply with this permit. (*Ibid.*)

In addition, any proposed facilities that impact "waters of the United States" or "waters of the State" will be regulated by the RWQCB under Section 401 of the CWA or the State's Porter- Cologne Water Quality Control Act. (*Ibid.*) The Project also incorporates unlined reaches of channels and basins, which can serve to attenuate peak-flow rates and allow for infiltration of stormwater. (*Ibid.*) Additional water quality control measures may be implemented at the time of construction in order to comply with Total Maximum Daily Load (TMDL) requirements established by the RWQCB within the watershed. (*Ibid.*)

In light of the above water quality regulatory programs already in place, which the proposed Project and future development projects within the Project area will have to comply with, impacts to water quality are anticipated to be less than significant. (*Ibid.*)

Substantial population increase is anticipated in San Jacinto, Hemet, and Riverside County. This increase in population would increase the quantity of urban runoff generated, decrease the quality of treated wastewater, and increase the need for effluent disposal. (*Ibid.*) The effluent, when discharged into a stream, or other surface water body, has the potential to degrade the quality of the water in the receiving water body. (DEIR at 3.7-29 – 30.) Additionally, stormwater runoff from urban areas contains a variety of organic and inorganic substances that may reduce the quality of water resources. (DEIR at 3.7-30.)

Through the development review process, San Jacinto, Hemet, and Riverside County comply with various statutory requirements necessary to achieve regional water quality objectives and protect groundwater and surface waters from polluted stormwater runoff. (*Ibid.*) As a Co-Permittee with the Riverside County under the MS4 permit, San Jacinto and Hemet are responsible for eliminating illegal discharges and connections into storm drains that ultimately discharge into surface waters. (*Ibid.*) Additionally, San Jacinto, Hemet, and Riverside County are required to consider water quality impacts

during review of development project proposals to ensure that appropriate structural and non-structural BMPs are incorporated into project design, construction, and operation phases to reduce contaminants in stormwater discharges, consistent with requirements of the NPDES permit. (*Ibid.*) Because of existing NPDES permitting requirements potential indirect impacts related to water quality remain less than significant. (*Ibid.*)

Metropolitan has expressed concern for placement of Project facilities in proximity to their facilities because of potential impacts to the water quality within them. (*Ibid.*) In order to avoid potential impacts to water quality within any of Metropolitan's regional water conveyance pipelines, which are located within the project boundary, future development projects within the SJV-MDP project boundary shall be required to comply with all of Metropolitan's *Guidelines for Developments in the Area of Facilities, Fee Properties, And/or Easements of the Metropolitan Water District of Southern California*. (*Ibid.*) As such, any facilities constructed in proximity to Metropolitan's facilities, will be conditioned to submit detailed plans to Metropolitan for their review and approval. (*Ibid.*) Therefore, impacts to water quality within Metropolitan's facilities are anticipated to be less than significant. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

7. Alter Drainage Patterns

Impact: The proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site. (DEIR at 3.7-30 – 31.)

Supporting Explanation: Currently within the Project area storm water from low flow events ponds within low areas and agricultural and roadside ditches or is conveyed via sheet flows or agricultural and roadside ditches. (DEIR at 3.7-30.) The general drainage pattern within the project area is in a northwest direction, towards the San Jacinto River, the natural low point in the valley. (*Ibid.*) Regionally the SJV-MDP facilities follow the existing drainage pattern of the Project area. (*Ibid.*)

On a local level, construction of SJV-MDP facilities will alter the existing drainage pattern by detaining and channelizing sheet flows in the Project area in SJV-MDP facilities. (*Ibid.*) This change in the local drainage pattern is an inherent part of the Project; however, the Project is designed to improve drainage, and will not result in substantial erosion or siltation on or off site. (DEIR at 3.7-30 – 31.)

Implementation of the Project would not result in significant impervious area, as the proposed facilities will be constructed primarily within existing and proposed road right-of-way, and basins are comprised of earthen material for attenuation of peak-flow rates and increased percolation. (DEIR at 3.7-31.) The proposed trapezoidal channels are planned to be earthen or concrete-lined. (*Ibid.*) The concrete-lined trapezoidal channels will add impervious area to the overall project area. However, implementation

of the Project would improve stormwater and non-stormwater drainage within the Project area by channelizing and directing flows in the Project area. (*Ibid.*)

Impervious surfaces, including paved areas such as parking lots, roadways, and building rooftops decrease the area in which stormwater runoff can infiltrate, potentially resulting in decreased absorption and increased runoff. (*Ibid.*) Future development projects in the project area would be conditioned to comply with the provisions of the Riverside County WQMP which includes site design requirements to minimize directly connected impervious areas. (*Ibid.*) This WQMP requirement will reduce the overall impervious areas within the Project area, and thus reduce the overall amount of surface runoff from urban areas. (*Ibid.*)

The proposed SJV-MDP has been designed to accommodate 100-year stormwater flows from the Project area; therefore, after implementation of the SJV-MDP will not result in peak flows exiting the site that would result in flooding on or off site. (*Ibid.*) Impacts are considered to be less than significant. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

8. Erosion

Impact: The proposed Project would not significantly increase erosion on or off site. (DEIR at 3.7-31.)

Supporting Explanation:The proposed facilities would be constructed and phased to be available at such time as future development projects in the Project area are approved. (*Ibid.*) Future developments would be conditioned to comply with the provisions of the Riverside County SWPPP and WQMP. (*Ibid.*)

The SWPPP includes provisions to identify potential on-site pollutants, identify and implement an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface water from stormwater and non-stormwater discharges during construction activities. (*Ibid.*) The site-specific WQMP must describe the BMPs that will be implemented and maintained throughout the life of a project, and is used by property owners, facility operators, tenants, facility employees, maintenance contractors, etc., to prevent and minimize water pollution that can be caused by stormwater or urban runoff. (*Ibid.*) BMP selection includes site design measures to minimize directly connected impervious areas, source control measure to minimize urban runoff potential, and/or treatment control measures to minimize urban runoff pollutant loads. (*Ibid.*) Therefore, through compliance with the NPDES permitting program and incorporation of appropriate BMPs, impacts are expected to be less than significant. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

9. Alteration of Runoff Flow

Impact: The proposed Project would not significantly alter the flow velocity or volume of stormwater runoff in a manner than results in environmental harm. (DEIR at 3.7-32.)

Supporting Explanation: Currently the Project area experiences periodic flooding due to the relatively flat topography of the area and the inadequacy of existing stormwater drainage facilities. (*Ibid.*) The proposed facilities have been designed to attenuate peak-flow rates and create a more efficient stormwater drainage system. (*Ibid.*) The potential increase of the flow velocity within the Project area will be attenuated through the Project basins; therefore, impacts from increased flow velocity are less than significant. (*Ibid.*)

Many of the SJV-MDP facilities would be constructed by future development projects within the Project area. (*Ibid.*) As such, future development projects would be conditioned to prepare a site-specific WQMP, which includes site design requirements to minimize directly connected impervious surfaces. (*Ibid.*) This requirement to reduce directly connected impervious surfaces will allow for percolation to occur throughout the Project area, as future projects are approved, thus maintaining a more natural runoff rate, once the SJV-MDP is fully constructed. (*Ibid.*) The volume of water within the proposed drainage facilities is not anticipated to increase significantly because future project proponents will be required to comply with the provisions of the Riverside County WQMP, impacts are anticipated to be less than significant. (*Ibid.*)

10. Placement within 100 Year Flood Area

Impact: The proposed Project would not place structures within a 100 year flood hazard area which would impede or redirect flood flows. (DEIR at 3.7-32.)

Supporting Explanation: Portions of the proposed SJV-MDP will be constructed within mapped 100-year flood hazard areas. (*Ibid.*) However, placement of these flood control facilities within 100-year flood hazard areas is needed due to the relatively flat topography of the project area, and to contain the 100-year storm flows. (*Ibid.*) The proposed MDP facilities will re-direct sheet flows across the Project area into basins, open channels, and underground storm drains and convey these flows towards the San Jacinto River to the north of the Project. (*Ibid.*) When completed, the proposed drainage system will provide 100-year protection and eliminate the major flood hazards in the project area. (*Ibid.*)

Additionally, RCFCWCD is in the design stage for the San Jacinto River Levee Stage 4 project, which, once completed, will significantly alter the existing 100-year flood plain along the northern boundary of the project area. (*Ibid.*) Since construction of the proposed MDP facilities in conjunction with the San Jacinto River Levee Stage 4 Project would alleviate flooding potential within the project area, impacts are considered less than significant. (*Ibid.*) No mitigation measures are necessary. (*Ibid.*)

SECTION 3: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The City Council hereby finds that Mitigation Measures have been identified in the EIR and this Resolution which will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts and the Mitigation Measures which will reduce them to a less than significant level are as follows:

A. BIOLOGICAL IMPACTS

1. Candidate, Sensitive or Special Status Species

Impact: The proposed Project would have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. However, with mitigation, impacts would be less than significant. (DEIR at 3.4-22 – 26.)

Finding: Implementation of the following mitigation measures would reduce Project impacts on candidate, sensitive, or special status species to a less than significant level. (DEIR at 3.4-40 – 41.)

MM Bio 1: In order to avoid violation of the MBTA and California Fish and Game Code site preparation activities (removal of trees and vegetation) shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species.

If site-preparation activities are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits, for private development projects, or prior to construction for public agency contracts, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the Project area and appropriate buffer, 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (nonlisted), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active. (DEIR at 3.4-40.)

MM Bio 2: Facility-specific habitat assessments and focused surveys for burrowing owls will be conducted within burrowing owl survey areas. A pre-construction survey for resident burrowing owls will also be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities within those portions of the Project site containing suitable burrowing owl habitat. If ground-disturbing activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls. Take of active nests shall be avoided. The pre-construction survey and any relocation activity will be conducted in accordance with MSHCP instructions and/or guidelines. (*Ibid.*)

MM Bio 6: Within areas of suitable habitat associated with the Narrow Endemic Plant Species Survey Area (NEPSSA) and Criteria Area Plant Species Survey Area (CAPSSA), facilityspecific focused plants surveys will be required. Including the smooth tarplant mapped as part of this study, the MSHCP requires at least 90 percent avoidance of areas providing long-term conservation value for the NEPSSA and CAPSSA target species. If avoidance is not feasible, then individual projects will require the approval of a DBESP including appropriate mitigation, i.e., on-site or off-site enhancement, restoration, establishment (creation), preservation, payment into habitat mitigation banks or in lieu fee programs, or a combination of one or more of these options. Furthermore, the smooth tarplant mapped within Cell Group V is expected to be required for conservation as part of the Cell Group V criteria. (DEIR at 3.4-41.)

MM Bio 7: Focused surveys shall be conducted within potentially suitable habitat for Chaparral sand-verbena and South coast salt scale by a qualified biologist during the flowering season of these species and prior to construction activities. If special status plant species are found to be present in the footprint, further measures as recommended by a qualified biologist shall be taken to avoid or minimize adverse project effects to these species and their habitat. If avoidance is not feasible, then individual projects will require the approval of a DBESP including appropriate mitigation. (*Ibid.*)

MM Bio 8: Focused surveys shall be conducted within potentially suitable habitat for the San Bernardino kangaroo rat and Los Angeles pocket mouse by a qualified biologist during the appropriate season of these species and prior to construction activities. If these species are found to be present in the footprint, occupied habitat shall be fenced and avoided. If occupied habitat cannot be avoided, further

measures as recommended by a qualified biologist and in consultation with the California Department of Fish and Game, shall to be taken to avoid or minimize adverse project effects to these species and their habitat. (DEIR at 3.4-41 – 42.)

Supporting Explanation:

Special-Status Plant Species

Areas that support a moderate to high occurrence potential for special status plants are located in western/central portions of the Project area. (DEIR at 3.4-22.) These areas generally have more potential to support special-status resources due to the presence of suitable habitat. (*Ibid.*)

Twelve of the proposed linear facilities, Line Y, Lat Y-2 through Lat Y-11, and Line V are partially or entirely located within the Criteria Area Plant Species Survey Area (CAPSSA) 3. (*Ibid.*) Several special-status plant species have low to high potential for occurrence along alignments within the Project area. (*Ibid.*) Plant species with a high potential to occur on site include Smooth tarplant (Centromadia pungens ssp. laevis) and Coulter's goldfields (Lasthenia glabrata ssp. coulteri). (*Ibid.*) Locations of smooth tarplant were detected along the alignments including Line V, Line Y and Lat Y-4 through Lat Y-7). (*Ibid.*) Approximately 25,000 tarplant individuals were counted within the alignments themselves, in addition to tens of thousands more in areas adjacent to the survey alignment. (*Ibid.*) The California Natural Diversity Database (CNDDB) shows records of smooth tarplant adjacent to Lat Y-1, Lat Y-2, Lat Y-4, Line Z, Line E, and Line Y. (*Ibid.*) The CNDDB also shows records of Coulter's goldfields within the vicinity of Line Z. (*Ibid.*)

Implementation of the proposed Project would result in direct impacts to two special-status plant species not covered by the MSHCP, but listed by the California Native Plant Society as list 1B.1, Chaparral sand-verbena and South coast saltscale, 1B.3. (DEIR at 3.4-24.) Plants in List 1B are rare, threatened, or endangered in California or elsewhere. (*Ibid.*) Those with the 0.1 threat-code extension, such as Chaparral sand-verbena, are seriously endangered in California. (*Ibid.*) Plants with the 0.3 extension are not very endangered in California. (*Ibid.*) Due to the disturbed nature of the pipelines and alignment, and the limited area of linear construction impact, the proposed project is not anticipated to result in a significant loss of habitat for Chaparral sand-verbena or South coast saltscale. (*Ibid.*) To further identify the potential direct impacts to these species (number of plants and/or area impacted), focused surveys are required for these species during their flowering season and prior to construction. (*Ibid.*) If these plants occur within the construction footprint, impacts to these species may be considered significant. (*Ibid.*) However, with implementation of MM Bio 7, impacts to special status plant species are considered less than significant. (*Ibid.*)

Approximately half of the Project area is located within the Narrow Endemic Plant Species Survey Area (NEPSSA) 3. (*Ibid.*) However, no narrow endemic plant species were observed within the Project area during the surveys. (*Ibid.*) The majority of the

narrow endemic plant species within survey area 3 have a low potential for occurrence within the Project area. (*Ibid.*) Neither Munz's onion (Allium munzii) nor many-stemmed dudleya (Dudleya multicaulis) are expected to occur within the Project area at all due to lack of suitable habitat. (*Ibid.*)

Therefore, the proposed Project is anticipated to result in direct impacts to smooth tarplant and Coulter's goldfields. (*Ibid.*) The proposed Project is not anticipated to result in direct impacts to Munz's onion or many-stemmed dudleya. (*Ibid.*) However, project-specific surveys would be required during the appropriate time of the year to determine the presence/absence of all Narrow Endemic Plants and Criteria Area Plants within the construction footprint prior to installation of facilities. (*Ibid.*) Implementation of MM Bio 6, which outlines compliance with Section 6 of the MSHCP, is required to reduce potential impacts to sensitive plant species to less than significant levels. (*Ibid.*)

Currently within the Project area, stormwater from low-flow events ponds within low areas and agricultural and roadside ditches or is conveyed via sheet flows or agricultural and roadside ditches. (*Ibid.*) The general drainage pattern within the Project area is in a northwest direction, towards the San Jacinto River, which is the natural low point in the valley. (*Ibid.*) Regionally, the MDP facilities follow the existing drainage pattern of the Project area. (*Ibid.*)

Sensitive plant species identified in the SJV-MDP Project area are located within the 100-year floodplain of the San Jacinto River. (*Ibid.*) The proposed Project will not alter the velocity, volume, or seasonal flow of the San Jacinto River 100-year floodplain. (*Ibid.*) Thereby, the proposed Project will not alter the historic floodplain of the river and habitat for associated species. (*Ibid.*) Although development within the SJV-MDP Project area would result in changes to the existing local hydrology, local hydrology will not be significantly impacted by construction of the MDP facilities alone. (*Ibid.*) Areas that currently pond or receive sheet flow, would continue to do so during small storm events at the local level. (*Ibid.*) It would be during the larger storm events that stormwater would be collected and conveyed through the MDP facilities. (*Ibid.*) Vertical hydrology (rainfall) is predominantly responsible for the maintenance of vernal pools, and existing plant populations in the area. (DEIR at 3.4-24 - 25.) Any existing vernal pools and associated sensitive species would continue to receive local runoff and rainfall. (DEIR at 3.4-25.) Therefore, the proposed Project is not expected to have a significant indirect impact on sensitive plant species in the SJV-MDP Project area or downstream in the San Jacinto River floodplain. (*Ibid.*)

Special-Status Wildlife Species

Despite the fact that the Project area is located in a predominately agricultural and disturbed environment, special-status native species, primarily birds, may occur in less than optimal and/or disturbed conditions, and may forage over agricultural habitats present in the Project area. (*Ibid.*) The proposed Project would impact disturbed habitats potentially suitable for several species of raptors (e.g., white-tailed kite, northern harrier, Cooper's hawk, golden eagle, and burrowing owl). (*Ibid.*) Because most potentially-

occurring raptor species are very widespread and roam over large areas of foraging territory, these losses would amount to a relatively small, incremental reduction of seasonal foraging habitat and occasional use areas. (*Ibid.*) Impacts to disturbed foraging habitats would not constitute significant adverse impacts to any of the affected species, locally or regionally. (*Ibid.*)

The SJV-MDP Project area contains trees, shrubs, ground cover, and structures that provide suitable habitat for nesting migratory birds, including raptors. (*Ibid.*) If any vegetation or structures are to be removed during the nesting season (February 1 to August 31), facility-specific nesting bird surveys shall be conducted first to determine the presence/absence of active nests. (*Ibid.*) If active nests are identified, appropriate avoidance buffers should be established in the nesting activity has completed, and fledglings have left the nest and are no longer dependent on the parents (see MM Bio 1). (*Ibid.*) Implementation of Mitigation Measure MM Bio 1 is required to reduce potential impacts to sensitive and protected bird species to less than significant levels. (*Ibid.*)

Several special-status wildlife species are common throughout the region and were determined to have a moderate to high potential to occur. (*Ibid.*) Many of these species are considered to be too widespread and common to warrant listing as threatened or endangered by the U.S. Fish and Wildlife Service (FWS) or CDFG. (*Ibid.*) Potential impacts to these species (e.g., loggerhead shrike, California horned lark, San Diego black-tailed jackrabbit, and prairie falcon) would include a small, temporary loss of breeding and/or seasonal foraging habitat locally, neither of which is considered significant. (*Ibid.*) Individuals present within the Project area would be displaced by construction activities. (*Ibid.*) Following construction, many species may continue to forage within the proposed earthen channels and basins. (*Ibid.*) Given the relative abundance of these species in other areas locally, the temporary loss of highly disturbed habitats and an undetermined, but expected low number of individuals displaced, would not constitute a significant adverse impact to these species on a local or regional basis or to the species or their overall range. (DEIR at 3.4-25 - 26.) Compliance with the MSHCP will reduce impacts to a less than significant level. (DEIR at 3.4-26.)

Portions of the Project area may provide suitable nesting habitat for burrowing owls. Focused surveys for burrowing owl were conducted on July 31, and August 7, 8, 11, 12, 20, 22, and August 26, 2008. (*Ibid.*) No burrowing owls were identified within the facility alignments or basin locations. Though no burrowing owls were detected during the focused surveys, much of the Project area has a moderate to high probability to support owls, whether breeding pairs, resident individuals, or transient individuals. Future habitat assessments and focused surveys (if suitable habitat/burrows are present) shall be required for SJV-MDP facilities located within the MSHCP burrowing owl survey area. (*Ibid.*) Construction activities could adversely impact burrowing owls if active nests are located near the proposed facilities at the time of construction. (*Ibid.*) Construction noise and activity may disrupt normal breeding and nesting patterns or activities of these species. (*Ibid.*) Mitigation measures are required to reduce potential impacts from the Project construction to less than significant levels (see MM Bio 2).

San Bernardino kangaroo rat (SBKR) (Dipodomys merriami parvus) was determined to have a low potential to occur within the Project area. Los Angeles pocket mouse (LAPM) (Perognathus longimembris brevinasus) was also determined to have a low potential to occur within the Project area. (*Ibid.*)

The extreme northern end of Line K terminates at the edge of the mammal survey area for LAPM and SBKR; however, the rest of the facility alignments are located outside of the mammal survey areas. (*Ibid.*)

With implementation of mitigation measure MM Bio 8, survey and conservation requirements pursuant to Section 6.3.2 of the MSHCP, potential impacts from the proposed Project are considered less than significant. (*Ibid.*)

Based on compliance with the MSHCP and with the implementation of the mitigation measures identified above, potential adverse impacts associated with special status species and their habitat are reduced to a less than significant level. (DEIR at 3.4-42.)

2. Riparian Habitat or Other Sensitive Natural Community

Impact: The proposed Project would have a substantial adverse effect on a riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. However, with mitigation, impacts would be less than significant. (DEIR at ES-28; 3.4-26 – 27.)

Finding: Implementation of the following mitigation measures would reduce Project impacts on riparian habitat or other sensitive natural community to a less than significant level. (DEIR at 3.4-40 – 41.)

MM Bio 4: The project-specific mapping of riparian and unvegetated riverine features will be required pursuant to Section 6.1.2 of the MSHCP. For areas not excluded as artificially created, the MSHCP requires 100 percent avoidance of riparian/riverine areas. If avoidance is not feasible, then individual projects will require the approval of a DBESP including appropriate mitigation, i.e., on-site or off-site enhancement, restoration, establishment (creation), preservation, payment into habitat mitigation banks or in lieu fee programs, or a combination of one or more of these options, to offset the loss of functions and values as they pertain to the MSHCP covered species. Riparian vegetation will also need to be evaluated for the least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo. If suitable habitat is present, focused surveys for the species will be required. If avoidance is not feasible, then individual projects will require the approval of a DBESP including appropriate mitigation, i.e., on-site or off-site enhancement,

restoration, establishment (creation), preservation, payment into habitat mitigation banks or in lieu fee programs, or a combination of one or more of these options. (DEIR at 3.4-40 – 41.)

MM Bio 5: The project-specific mapping of vernal pools will be required pursuant to Section 6.1.2 of the MSHCP. As noted above, vernal pools (or similar seasonal ponding alkali playa areas) are expected to occur at least in the area comprising Cell Group V, but have the potential to occur elsewhere within the Project area. For areas not excluded as artificially created, the MSHCP requires 100 percent avoidance of vernal pools. If avoidance is not feasible, then individual projects will require the approval of a DBESP including appropriate mitigation to offset the loss of functions and values as they pertain to the MSHCP covered species. Vernal pools and other seasonal ponding depressions will also need to be evaluated for Riverside and Vernal pool fairy shrimp. (DEIR at 3.4-41.)

Supporting Explanation: Approximately 6.38 acres of riparian habitat were mapped within the Project alignments (see Figure 3.4-B), and contained native riparian vegetation including willow (Salix spp.), mule fat (Baccharis salicifolia), and Freemont's cottonwood (Populus fremontii). (DEIR at 3.4-26.) Much of the riparian vegetation occurs in scattered isolated patches, though at least one of the surveyed alignments terminates at the edge of extensive riparian habitat associated with the San Jacinto River. (*Ibid.*) The remaining majority of the SJV-MDP alignments extend through disturbed areas supporting a predominance of non-native and native ruderal vegetation, including non-native grasses, though these areas are often interspersed with remnants of alkali playa vegetation. (*Ibid.*) Some of the remnant alkali playa areas exhibited evidence of seasonal ponding, though at the time of surveys there was not enough vegetation to adequately evaluate the features as vernal pools. (*Ibid.*)

The riparian areas that were mapped ranged from roadside/agricultural ditches, to ponds and basins, but also included the edge of extensive riparian habitat associated with the San Jacinto River. (DEIR at 3.4-27.) Some of the mapped areas qualify as MSHCP Riparian Areas, though others would likely be excluded due to their artificial nature. (*Ibid.*) Facility-specific mapping would be required to determine which areas may be subject to MSHCP requirements, and which may not (see MM Bio 4 and 5). (*Ibid.*)

Vertical hydrology (rainfall) is predominantly responsible for the maintenance of vernal pools, and existing plant populations in the area. (*Ibid.*) Any existing vernal pools and associated sensitive species would continue to receive local runoff and rainfall. If suitable habitat for species listed in Section 6.1.2 of the MSHCP (least Bell's vireo, southwestern willow flycatcher, western yellowbilled cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp) occurs within the proposed Project area and Project design does not incorporate avoidance of the suitable habitat, avoidance and minimization measures shall be implemented in accordance with the MSHCP species-specific objectives for the species (see MM Bio 4 and 5). (*Ibid.*)

The Project will not result in any de-watering of any potential vernal or riparian areas because it will not alter the velocity, volume, or seasonal flow of the San Jacinto River 100-year floodplain. (*Ibid.*) Although development within the SJV-MDP Project area would result in changes to the existing local hydrology, local hydrology will not be significantly impacted by construction of the MDP facilities alone. (*Ibid.*) Areas that currently pond or receive sheet flow would continue to do so during small storm events at the local level. It would be during the larger storm events that stormwater would be collected and conveyed through the MDP facilities. (*Ibid.*)

The biologists mapped "riparian" vegetation throughout the MDP study area, regardless of whether it qualified as MSHCP riparian vegetation or should be excluded from that designation (e.g., artificial creation). (*Ibid.*) It was determined from the general biological assessment conducted in August 2008 that riparian habitat in the Project area is mostly associated with the San Jacinto River, occurring along Lines 3, 4, 5, 6, E, H, J, and Z. (*Ibid.*) Additionally, RCFCWCD is in the design stage for the San Jacinto River Levee Stage 4 Project, which once completed, will significantly alter the existing 100-year flood plain along the northern boundary of the Project area. (*Ibid.*) Hydrological and biological impacts of the San Jacinto Levee Project are not part of this Project, and will be addressed in the San Jacinto River Levee DEIR. (*Ibid.*) The SJV-MDP will ultimately connect to the Levee Project via parallel channels constructed as part of the Levee Project, and will not disturb any biologically sensitive areas within the vicinity of the San Jacinto River area. (*Ibid.*) Compliance with mitigation measures MM Bio 4 and 5, and Section 6.1.2 of the MSHCP reduces potential impacts to riparian habitats/vernal pools, and associated species from Project implementation to less than significant levels by requiring mapping, surveys, and avoidance techniques where habitat is identified. (*Ibid.*)

3. Wetlands

Impact: The proposed Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (DEIR at ES-30; 3.4-28.) However, with mitigation, impacts would be less than significant.

Finding: Implementation of the following mitigation measures would reduce Project impacts on federally protected wetlands to a less than significant level. (DEIR at 3.4-40 – 41.)

MM Bio 3: Project-specific delineations will be required to determine the limits of the U.S. Army Corp of Engineers (ACOE), RWQCB, and CDFG jurisdiction. Impacts to jurisdictional waters will require authorization by the corresponding regulatory agency. If impacts are indicated, then jurisdictional water will either a) be avoided or b) be minimized by limiting the degree or magnitude of the action and its implementation; rectifying the impact by repairing, rehabilitating, or restoring, the impacted environment; reducing or eliminating the

impact over time by preservation and maintenance operations during the life of the action; compensating for the impact by replacing or providing substitute resources or environments in addition to obtaining the necessary permits from requisite jurisdictions.

MM Bio 4, supra.

Supporting Explanation: In August 2008, Glenn Lukos Associates, Inc., conducted a preliminary general assessment for waters subject to the jurisdictions of: (i) the U.S. ACOE pursuant to Section 404 of the Clean Water Act (CWA); (ii) the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of CWA or pursuant to the California Porter-Cologne Act; and/or (iii) CDFG pursuant to Section 1602 of the California Fish and Game code. Features with the potential for jurisdiction were mapped, including agricultural ditches and other roadside ditches, basins, etc., but a comprehensive, wetland/waters delineation was not conducted. Facility-specific jurisdictional delineations will need to be conducted to determine whether features would be subject to the jurisdictions of the ACOE, RWQCB, and CDFG (see MM Bio 3). (DEIR at 3.4-27.)

The Project area contains roadside ditches and other ditches, which if later are shown to be historic diversions of natural waters, would be potential jurisdictional waters. (*Ibid.*) However, the majority (if not all) of these ditches would be considered as non-RPWs and so these features will need to be evaluated in facility-specific jurisdictional delineations to determine if they exhibit a significant nexus to TNWs, and therefore jurisdictional themselves. (*Ibid.*) Ditches that are shown to have been wholly excavated in uplands would not be subject to the jurisdiction of the ACOE. (*Ibid.*)

Areas supporting hydrophytic vegetation would need to be evaluated at a project-specific level to determine whether they satisfy wetland criteria. (*Ibid.*) Any "isolated" wetlands will need to be evaluated by the ACOE and the Environmental Protection Agency (EPA) following their joint regulatory guidance, in order to confirm whether any of the "isolated" wetlands would be jurisdictional. (*Ibid.*)

With implementation of MM Bio 3, potential impacts to federally-protected wetlands are reduced to less than significant levels through evaluation, avoidance, and/or activity minimization and rehabilitation. (*Ibid.*)

Regional Water Quality Control Board Jurisdiction

Many of the features within the Project area may not be subject to ACOE jurisdiction as a water of the United States, but that may be subject to the waste discharge requirements (WDRs) of the RWQCB as waters of the State. (*Ibid.*) This may include isolated basins and seasonal ponded features that support aquatic resources such as fairy shrimp, including non-listed species such as the versatile fairy shrimp (Branchinecta lindahli). (*Ibid.*)

California Department of Fish and Game Jurisdiction

The Project area contains features, including drainage ditches that would be subject to CDFG jurisdiction. (*Ibid.*) Project-specific jurisdictional delineations will be required to determine the extent of CDFG jurisdiction. (*Ibid.*) Impacts to CDFG jurisdiction will require a Streambed Alteration Agreement. (*Ibid.*)

4. Conflict with MSHCP, NCCP, or Other Plan

Impact: The proposed Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan. However, with mitigation, impacts would be less than significant. (DEIR at ES-34 – 38; 3.4-29.)

Finding: Implementation of the following mitigation measures would reduce Project impacts on any conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan to a less than significant level. (DEIR at 3.4-40 – 42.)

MM Bio 1, 2, 4, 5, 6, and **8**, supra.

Supporting Explanation: The Project area occurs within the San Jacinto Valley Area Plan of the overall MSHCP planning area. Portions of the Project occur within Subunit 1 (Gilman Springs/Southern Badlands), Subunit 2 (Lakeview Mountains East), and Subunit 4 (Hemet Vernal Pool Areas – East), though the majority of the proposed facilities do not occur within a conservation subunit. (DEIR at 3.4-29.) The portion of the Project area within Subunit 1 coincides with the extreme southern end of Cell Groups L and M, as well as portions of Cells 2461, 2462, 2568, 2569, and 2674. (*Ibid.*) The portion of the Project area within Subunit 2 coincides with the extreme eastern portion of Cell Group A'. (*Ibid.*) The portion of the Project area within Subunit 4 coincides with Cell Group V and portions of Cells 2775, 2878, and 3291. (*Ibid.*)

The proposed Project is located within a geographic area covered by the MSHCP. As portions of the Project are located within the Criteria Area of the MSHCP, the JPR process will be conducted by the Western Riverside County Regional Conservation Authority (RCA) for those MDP facilities located within an MSHCP Criteria Area, to ensure Project compliance with the MSHCP for facilities located in cells, prior to construction. (*Ibid.*) Those cells that will be considered in the JPR process include Cells 2666, 2774, 2775, 2878, 2363, 2364, 2461, 2462, 2568, 2569, 2674, 2893, 2981, and 3291. (*Ibid.*)

Approximately 6.38 acres of riparian areas were mapped within the SJV-MDP facility alignments, though more, smaller areas may exist within areas that could not be accessed. (DEIR at 3.4-32.) The riparian areas that were mapped, ranged from roadside/agricultural ditches, to ponds and basins, but also included the edge of extensive riparian habitat associated with the San Jacinto River. (*Ibid.*) Some of the

mapped areas qualify as MSHCP Riparian Areas, though others would likely be excluded due to their artificial nature. (*Ibid.*) Project-specific mapping would be required to determine which areas may be subject to MSHCP requirements, and which may not.

Numerous roadside ditches were noted throughout the Project area, though not all of these could be mapped and evaluated due to the restricted access. (*Ibid.*) The majority (if not all) of the ditches would be excluded as MSHCP "riverine areas" due to their artificial nature. (*Ibid.*)

Section 6.1.2 of the MSHCP requires habitat assessments (and focused surveys where suitable habitat is present) for riparian bird species with MSHCP survey requirements, including the least Bell's vireo (Vireo bellii pusillus), southwestern willow flycatcher (Empidonax traillii traillii), and western yellow-billed cuckoo (Coccyzus americanus occidentalis). (*Ibid.*) All three species are migratory birds that would have some potential to occur within the MDP Project area as transient individuals during migration. (*Ibid.*) However, the yellow-billed cuckoo would not be expected to breed within the Project area due to a lack of suitable habitat. (*Ibid.*) The southwestern willow flycatcher has the potential to breed within the San Jacinto River, but would not be expected to breed within any of the Project areas. (*Ibid.*) The least Bell's vireo occupies portions of the nearby San Jacinto River, and may have a moderate potential to breed within scattered isolated riparian vegetation within the Project area, though the opportunity is extremely limited. (*Ibid.*) Project-specific focused surveys will need to be conducted for the vireo within potentially suitable to be impacted by a project. (*Ibid.*)

The majority of lands within the SJV-MDP are not likely to support vernal pools given their disturbed nature. (*Ibid.*) However, vernal pools/playa areas are known to exist within the Project area, including within the area designated as Proposed Noncontiguous Habitat Block 6 by the MSHCP. (*Ibid.*) The proposed Habitat Block includes an existing chicken ranch and other agricultural lands where playa areas are interspersed amongst these land uses. (*Ibid.*) Although during the survey, the biologist did note some scattered playa areas surrounding the chicken ranch property and adjacent lands, these areas were not able to be adequately evaluated for vernal pools/fairy shrimp due to seasonal constraints. (*Ibid.*)

The MSHCP states that the proposed Habitat Block provides preservation value for several special-status vernal pool plant species, including the federally-listed California Orcutt grass, thread-leaved brodiaea, and spreading navarretia; as well as the vernal pool fairy shrimp (Branchinecta lynchi). (*Ibid.*) However, it is not clear in the existing records whether one or more of these species have actually been detected within the Project area. (*Ibid.*) Based on a review of existing information, it appears that the MSHCP at least regards these areas as having conservation value for the sensitive vernal pool species. (*Ibid.*) Future facility-specific focused surveys will be required during the appropriate season to confirm the presence/absence of the relevant vernal pool plants and listed fairy shrimp (see MM Bio 5 and 6). (*Ibid.*) If avoidance is infeasible for any riparian/riverine areas or vernal pools located within the Project area, then a Determination of Biologically Equivalent or Superior Preservation (DBESP) must be

approved by the wildlife agencies taking into account mitigation offered to offset the loss of functions associated with riparian/riverine areas and/or vernal pools as they pertain to the Covered Species. (DEIR at 3.4-32, 34.)

With the incorporation of mitigation, the Project will comply with the requirements of the MSHCP, and will therefore, be consistent with Section 6.1.2 of the MSHCP. (DEIR at 3.4-34.)

Under Section 6.1.3 of the MSHCP, *Protection of Narrow Endemic Plant Species*, site-specific focused surveys for narrow endemic plant species shall be required where appropriate or suitable habitat is present within the Narrow Endemic Plant Species Survey Area (NEPSSA). (*Ibid.*) The western/central portion of the Project area coincides with NEPSSA number 3, which includes target plant species. (*Ibid.*) At least two of these plants, Munz's onion and many-stemmed dudleya, are not expected to occur within the SJV-MDP area due to a lack of suitable habitat. (*Ibid.*) Other Narrow Endemic Plants on the list may have the potential to occur based on potentially suitable habitat. (*Ibid.*) The area of the Project coinciding with Cell Group V will need to be thoroughly evaluated for vernal pool plant species, including the Narrow Endemic Plants that are associated with vernal pools/playas. (*Ibid.*) Facility-specific surveys would be required during the appropriate time of the year to determine the presence/absence of all Narrow Endemic Plants and Criteria Area Plants (see MM Bio 6). (*Ibid.*)

With the incorporation of mitigation, the Project will comply with the requirements of the MSHCP and therefore be consistent with Section 6.1.3 of the MSHCP. (*Ibid.*)

To minimize effects associated with locating development in proximity to the MSHCP Conservation Area, guidelines in Section 6.1.4 of the MSHCP shall be implemented in conjunction with review of individual public and private development projects in proximity to the MSHCP Conservation Area and address the following: drainage, toxics, lighting, noise, invasive species, barriers, and grading/land development. (*Ibid.*) Portions of the Project area coincide with or occur in proximity to Proposed Noncontiguous Habitat Block 6, Existing Constrained Linkage C, and Proposed Core 5. (*Ibid.*)

The majority of the Project area occurs within the MSHCP Survey Area for the western burrowing owl. (DEIR at 3.4-35.) For areas where access was granted, focused owl surveys were conducted on July 31 and August 7, 8, 11, 12, 20, 22, and August 26, 2008. (*Ibid.*) For areas without access, a general roadside assessment was conducted unless view obstruction prevented such assessments. (*Ibid.*) Since the majority of the Project area occurs outside of the Criteria Area, the basis for long-term conservation would depend on the number of breeding pairs present within a facility footprint (three or more pairs versus fewer than three pairs). (DEIR at 3.4-36.) If the 90-percent avoidance requirement would apply, but avoidance was not feasible, then a DBESP would need to be approved to mitigate for the loss of occupied owl habitat. (*Ibid.*) Furthermore, whether avoidance is not required or not feasible, any burrowing owls present at a

facility site must be relocated following accepted protocols, and take of active nests must be avoided. (*Ibid.*)

The extreme northern end of Line K terminates at the edge of the mammal survey area for LAPM and SBKR, however, the rest of the facility alignments are located outside of the mammal survey areas. (*Ibid.*) SBKR (Dipodomys merriami parvus) was determined to have a low potential to occur within the Project area. (*Ibid.*) The LAPM (Perognathus longimembris brevinasus) was also determined to have a low potential to occur within the Project area. With implementation of mitigation measure MM Bio 8, the Project will be consistent with Section 6.3.2 of the MSHCP. (*Ibid.*)

Also, the majority of the proposed facilities are not located directly adjacent to MSHCP Conservation Areas and are surrounded by already developed or highly disturbed lands; however, those facilities located adjacent to MSHCP Conservation Areas will incorporate brush management consistent with the protection of biological resources. (*Ibid.*) Any necessary fuel modification associated with the Project will remain within the Project area. (*Ibid.*) The proposed Project is consistent with Section 6.4 of the MSHCP. (*Ibid.*)

The Project is also consistent with Section 7.5.3 through compliance with NPDES regulations. (DEIR at 3.4-37.)

The proposed Project is located within the boundary of the RCHCA Habitat Conservation Plan (HCP) for the SKR. (*Ibid.*) The SKR HCP establishes a mechanism for the long-term conservation of the species. (*Ibid.*) Potential impacts to the SKR are mitigated on a regional basis through compliance with the MSHCP and the SKR HCP. (*Ibid.*)As the Project is not in a core reserve, the Project will not conflict with the SKR HCP and impacts are less than significant. (*Ibid.*)

With implementation of mitigation measures MM Bio 1, 2, 4, 5, 6, and 8, the Project is consistent with the MSHCP. (*Ibid.*) The proposed Project is not located within any other adopted HCP or NCCP. (*Ibid.*) The proposed Project will not conflict with an approved local, regional, or state conservation plan and potential impacts are less than significant. (*Ibid.*)

5. Movement of Migratory Fish or Wildlife

Impact: The proposed Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or establish native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. However, with mitigation, impacts would be less than significant. (DEIR at ES-31 – 32; 3.4-38.)

Finding: Implementation of the following mitigation measures would reduce Project impacts on any substantial interference with the movement of any native resident or migratory fish or wildlife species or establishment of native resident or migratory wildlife corridors, or impediment of the use of native wildlife nursery sites to a

less than significant level. (DEIR at 3.4-40 – 42.)

MM Bio 2, 4, 5, 6, and **8**, supra.

Supporting Explanation: Portions of the Project area coincide with Proposed Core 5 which is comprised of the portion of the upper San Jacinto River extending from the San Jacinto Mountains to just west of State Street. (DEIR at 3.4-38.) Maintenance of floodplain processes and water quality of the San Jacinto River is important for these species, as well as maintenance of habitat quality. (*Ibid.*) There are no other waterways within the project area that could serve as movement corridors. (*Ibid.*) This Core likely provides for movement of mammals such as mountain lion and bobcat, connecting to Core Areas in the San Jacinto Mountains, Lake Perris, and San Jacinto Wildlife Refuge. (*Ibid.*) In addition to indirect effects associated with adjacent planned land uses, flood control activities resulting from adjacent planned land uses may also adversely affect species such as arroyo toad, San Bernardino kangaroo rat, least Bell's vireo, southwestern willow flycatcher, and Los Angeles pocket mouse. (*Ibid.*) With implementation of mitigation measures MM Bio 2, 4, 5, 6, and 8, the project-specific mapping and surveying of habitat, and the implementation of avoidance techniques and/or the approval of a DBESP and enhancement, preservation, or payment of fees will ensure that impacts are mitigated to a less than significant level. (*Ibid.*)

B. CULTURAL RESOURCES

1. Historical Resources

Impact: The proposed Project would cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. However, with mitigation, impacts would be less than significant. (DEIR at ES-39 – 41; 3.5-15 – 16.)

Finding: Implementation of the following mitigation measures would reduce Project impacts on historical resources to a less than significant level. (DEIR at 3.5-18 – 19.)

MM Cultural 1: A paleontological resources field survey (or surveys) shall be completed prior to the earlier of issuance of a grading permit or construction of any SJV-MDP facility subject to further CEQA analysis. If the results of such survey (or surveys) identify the presence of potentially significant paleontological resources, avoidance or other appropriate measures (such as excavation, analysis, and interpretation of resources) potentially leading to curation in perpetuity in a facility that meets the standards of the State of California Guidelines for the Curation of Archaeological Collections (OHP 1993) and 36 CFR 79, shall be implemented. (DEIR at 3.5-18.)

MM Cultural 2a: Prior to the earlier of issuance of a grading permit or construction of any SJV MDP facility subject to further CEQA analysis, the San Jacinto Public Works Department Hemet Public Works Department, or RCFCWCD shall require the Project applicant to commission an assessment of the potential for archeological and cultural resources to be performed by a qualified archaeologist in conjunction with recognized Native American tribes, including the Soboba Band of Luiseno Indians (Soboba), in order to determine the presence and extent of any such resources within the Project area and evaluate the significance of such resources. The assessment shall include a NAHC and CHRIS records search, a Phase I walkover survey, and preparation of an archaeological report containing the results of this assessment. Phase II archaeological evaluations will be completed prior to project approval if recommended in the assessment. (*Ibid.*)

MM Cultural 2b: The San Jacinto Public Works Department, Hemet Public Works Department, or RCFCWCD shall enter into a Treatment and Disposition Agreement (TDA) with Soboba to address treatment and disposition of archaeological and cultural resources and human remains associated with Soboba that may be uncovered or otherwise discovered during construction within the jurisdiction of the San Jacinto Public Works Department, Hemet Public Works Department, or RCFCWCD. The TDA may establish provisions for tribal monitors. Following execution of the TDA by the San Jacinto Public Works Department or Hemet Public Works Department and Soboba, the TDA will be incorporated by reference into individual grading permits for portions of the Project that are within the jurisdiction of San Jacinto Public Works Department or Hemet Public Works Department; TDAs executed between RCFCWCD and Soboba will be incorporated into the construction specifications. (*Ibid.*)

MM Cultural 2c: If the archaeological/cultural resources assessment described in MM Cultural 2a demonstrates the potential for archaeological/cultural resources to occur on the Project site, tribal monitors, including those from Soboba, may be allowed to monitor, at such tribe's sole cost and expense, all grading, excavation, and ground-disturbing activities, including further surveys. Following the agreement of the San Jacinto Public Works Department, Hemet Public Works Department, or RCFCWCD, the designated archaeologist, the tribal monitor, and any applicable responsible or trustee agencies, grading, excavation, ground-disturbing activities shall be halted temporarily, and redirected in the event that any archaeological/cultural resources are discovered, in order to evaluate the significance of said archaeological/cultural resources.

Any artifacts collected or recovered shall be cleaned, identified, catalogued, analyzed, and prepared for curation at an appropriate repository with permanent retrievable storage to allow for additional research in the future. Site records or site record updates (as appropriate) shall be prepared and submitted to the Eastern Information Center as a permanent record of the discovery. (DEIR at 3.5-18 - 19.)

Supporting Explanation: The "Historical/Archeological Resources Survey Report" provides background information on the archaeological and historical resources within the portions of the Project footprint that could be surveyed. (DEIR at 3.5-15.) One historic resource, Site 33-015743, is within the boundaries of a segment of the former San Jacinto Valley Railway that dates to 1888. (*Ibid.*)

According to the conceptual alignments and facilities identified in the SJV-MDP, Project-related activities at this location will be limited to trenching for the installation of an underground storm drain within the railway ROW. (*Ibid.*) If construction within the railway ROW is limited to underground facilities, and does not include the intersection of any facilities with the rail line or associated railway structures, the Project will not result in the destruction or relocation of the railway nor will it alter the basic characteristics of the site. (*Ibid.*) Therefore, the proposed project will not cause a substantial adverse change in the significance of Site 33-015743, the only historical resource encountered in the portions of the Project footprint studied (CRM-A, p. 25). (*Ibid.*)

The alignments are conceptual at this time. (*Ibid.*) If at final design of any SJV-MDP facilities in the vicinity of the railway, the conceptual plans change to include construction of above-ground structures or the removal of existing tracks or other railroad-related structures within the ROW, this would be considered a modification of the Project for which subsequent CEQA analysis (i.e., initial study, negative declaration, addendum to the EIR, subsequent EIR, supplemental EIR) will be required. (*Ibid.*)

A vernacular commercial building at 301 N. State Street, known as "Rocios Party Rentals," is located within Project's footprint. (*Ibid.*) A review of historic aerial photographs, it post-dates 1967 and therefore is not considered a potential historical resource and no mitigation is required. (*Ibid.*) No other potential historical resources were encountered within or adjacent to the project footprint during this study. (*Ibid.*)

Portions of the Project footprint were inaccessible to field survey personnel and could not be surveyed; thus, it is possible that historical resources could be present on the portions of the Project's footprint that could not be surveyed and a field survey will be required for these facilities per mitigation measure MM Cultural 2a. (*Ibid.*)

Since the project area falls within the bounds of the Soboba Band's Tribal Traditional Use Areas, mitigation measure MM Cultural 2a, 2b, and 2c, require Native American tribes, including Soboba, to be notified prior to any ground-disturbing work on Project facilities that the field survey required per MM Cultural 1 identified as having the potential to contain archaeological, historical or cultural resources. (DEIR at 3.5-19.) In

the event that unanticipated buried cultural resources are encountered, Mitigation measure MM Cultural 2c, requires construction in the vicinity of the find to be redirected until a qualified archaeologist determines an appropriate course of action. (DEIR at 3.5-19 – 20.) Therefore, the implementation of mitigation measures MM Cultural 2a through 2c would reduce potential impacts to historical resources to a less than significant level. (*Ibid.*)

2. Archaeological Resources

Impact: The proposed Project would cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5. However, with mitigation, impacts would be less than significant. (DEIR at ES-42 – 44; 3.5-15 – 16.)

Finding: Implementation of the following mitigation measures would reduce Project impacts on archaeological resources to a less than significant level. (DEIR at 3.5-18 – 19.)

MM Cultural 1, 2a-2c, supra.

Supporting Explanation: Numerous prehistoric—i.e., Native American—archaeological sites have been found in the area consisting of various amounts of habitation debris such as: ceramic shards, chipped stone and groundstone tools, debitage, midden soils, fire-affected rock, and sometimes human remains. (DEIR at 3.5-15.)

Bedrock milling features and, less frequently, petroglyphs, have been found in the San Jacinto Valley in areas where bedrock outcrops are present. (DEIR at 3.5-16.) However, no evidence of any prehistoric archaeological cultural resources was found within or adjacent to that portion of the Project footprint that could be surveyed (CRM-A, p. 18). (*Ibid.*)

The NAHC reported that the sacred lands record search identified the presence of Native American cultural resources within the project's boundary and suggested the Soboba Band of Luiseño Indians and 10 other local Native American representatives be contacted for further information. (*Ibid.*) CRM TECH initiated correspondence contacts of the 11 organizations on the referral list provided by NAHC, in addition to the to the Ramona Band of Cahuilla Indians, Morongo Band of Indians, Soboba Band of Luiseño Indians and Temecula Band of Luiseño Mission Indians, were also contacted. (*Ibid.*)

As of May 2009, representatives of the Cahuilla Band, Soboba Band, and Temecula Band responded to CRM TECH's request for comment. (*Ibid.*) The Soboba Band commented directly to San Jacinto in June 2007 regarding this Project and requested a Native American monitor (from the tribe) be present during all Project-related ground-disturbing activities and the tribe be involved in all future consultations between the Project proponent and the Lead Agency. (*Ibid.*) This request was reiterated in correspondence (dated April 14, 2008) from the Soboba Band's Cultural Resources Coordinator to CRM-TECH. (*Ibid.*)

In a letter dated March 28, 2008, the Temecula Band identified the Project area as a part of the tribe's ancestral lands, requested further consultation with the Project proponent and Lead Agency, and copies of all archaeological documentation pertaining to the Project. (*Ibid.*)

In a telephone conversation on March 27, 2008, the Cultural Resources Coordinator for the Cahuilla Band of Indians stated that the tribe had concerns regarding Native American cultural resources within the Project's boundary, and that members of the tribe may be interested in a site visit. (*Ibid.*) Subsequent to this conversation, the Cultural Resources Coordinator left his position with the Cahuilla Band and CRM TECH contacted the Chairperson of the Cahuilla Band, who requested to review the inquiry letter for the project. (*Ibid.*) CRM TECH contacted the Chairperson of the Cahuilla Band again in July 2008 concerning the field survey results and a possible site visit. (*Ibid.*) At that time, the Chairperson of the Cahuilla Band replied that he would contact CRM TECH directly if Project's footprint warranted a site visit. (*Ibid.*) As of May 2009, CRM TECH has not heard back any member of the Cahuilla Band. (*Ibid.*) Throughout the course of the Native American consultation, no specific sites of Native American cultural concern were identified within the Project boundary by any of the tribal representatives contacted. (*Ibid.*)

Based on the results of the records searches, Native American consultations, and field surveys, no archaeological resources were identified for those SJV-MDP facilities that were surveyed. (*Ibid.*) Since the project area falls within the bounds of the Soboba Band's Tribal Traditional Use Areas, mitigation measure MM Cultural 2a, 2b, and 2c, require Native American tribes, including Soboba, to be notified prior to any ground-disturbing work on Project facilities that the field survey required per MM Cultural 1 identified as having the potential to contain archaeological, historical or cultural resources. (DEIR at 3.5-19.) In the event that unanticipated buried cultural resources are encountered, Mitigation measure MM Cultural 2c, requires construction in the vicinity of the find to be redirected until a qualified archaeologist determines an appropriate course of action. (DEIR at 3.5-19 – 20.) Therefore, the implementation of mitigation measures MM Cultural 2a through 2c would reduce potential impacts to archaeological resources are a less than significant level. (*Ibid.*)

3. Paleontological Resources

Impact: The proposed Project would directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature. However, with mitigation, impacts would be less than significant. (DEIR at ES-44 – 47; 3.5-17.)

Finding: Implementation of the following mitigation measures would reduce Project impacts on paleontological resources to a less than significant level. (DEIR at 3.5-19.)

MM Cultural 3: Earth-moving activities encountering soils that are identified as Pleistoceneage or older alluvium, by the soils engineer, shall be

monitored by a qualified paleontological monitor. Continuous monitoring shall be restricted to undisturbed older alluvium, which might be present below the surface. To avoid construction delays, the monitor shall be prepared to quickly salvage fossils, as they are unearthed. The monitor shall remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The monitor shall have the authority to temporarily halt or divert grading equipment to allow for the removal of abundant or large specimens. (DEIR at 3.5-19.)

MM Cultural 4: All recovered specimens shall be prepared and stabilized for identification and permanent preservation, including the washing of sediment samples to recover small invertebrates and vertebrates. (*Ibid.*)

MM Cultural 5: Identification and curation of recovered specimens into an established accredited museum repository with permanent retrievable paleontological storage shall be required. Mitigation of adverse impacts to significant paleontological resources is not complete until the curation process has been fully completed and documented. (*Ibid.*)

MM Cultural 6: Preparation of a report of findings with an appended itemized inventory of specimens shall be required. The submittal of the report to the Lead Agency and the curation of recovered specimens into an established, accredited museum repository would signify the completion of the mitigation program. (*Ibid.*)

Supporting Explanation: The results of the Paleontological Resources Assessment (DEIR Appendix D.2) indicate that the surficial soils within the Project's footprint consist of alluvium of Recent (Holocene) age and have a low potential for significant nonrenewable fossil remains. (DEIR at 3.5-17.) However, these younger alluvial sediments are of variable thickness and are known to rest directly on top of older Pleistocene-age sediments, which have a high potential to yield significant vertebrate fossil remains. (*Ibid.*) Therefore, the proposed Project's potential to impact paleontological resources is determined to be low in the surficial alluvial sediments but high in the subsurface Pleistoceneage soils. (*Ibid.*)

The thickness of the younger sediments may be determined from the geotechnical soil borings, should they be available at the onset of grading or trenching activities. (*Ibid.*) Previous studies in the area reveal that fossils recovered from similar sediments have been deeper than 10 feet, but that some can be found as shallow as three feet deep, especially nearer the base of hills. (*Ibid.*) Since Project-related excavations will be greater than three feet in depth, mitigation measures, Mitigation measures MM Cultural 3 through MM Cultural 6 outline specific measures that will be taken if certain soil types or any artifacts are unearthed during construction activities,

and will ensure that impacts to paleontological resources are reduced to a less than significant level. (*Ibid.*)

C. HAZARDS AND HAZARDOUS MATERIALS

1. Creation of Hazard to the Public or Environment

Impact: The proposed Project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; or be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment. However, with mitigation, impacts would be less than significant. (DEIR at ES-48 – 51; 3.6-20 – 22.)

Finding: Implementation of the following mitigation measures would reduce Project impacts related to hazards or hazardous materials to a less than significant level. (DEIR at 3.622 – 24.)

MM Haz 1: As part of the final design of each SJV-MDP facility, the design engineer or designee shall check proposed sites for listing on the most recent Hazardous Waste and Substances List provided by the Riverside County Department of Environmental Health pursuant to Section 65962.5 of the Government Code. If the location of said facility is on the Hazardous Waste and Substances List, avoidance of that property or properties will be the first consideration; if avoidance is infeasible, MM Haz 2 shall be implemented. (DEIR at 3.6-22 – 23.)

MM Haz 2: If the selected facility traverses a site listed on the Hazardous Waste and Substances List, and avoidance is not feasible or if there are other indications that a site could be contaminated, a Phase 1 Environmental Site Assessment (ESA) for such facility will be prepared. If the Phase 1 ESA identifies possible contamination along the facility alignment, then all recommended subsurface investigation measures listed in the Phase I ESA will be implemented. Based on subsurface investigations characterizing subsurface contamination, remediation measures (such as excavation of contaminated soil, bioremediation, or soil-vapor extraction), shall be implemented for the applicable facility or an alternative facility alignment will be chosen. (DEIR at 3.6-23.)

MM Haz 3: All environmental investigation and/or remediation (such as excavation of contaminated soil, bioremediation, or soil-vapor extraction) shall be conducted under a Workplan approved by jurisdictional regulatory agencies overseeing hazardous waste cleanups until the applicable regulatory standard is met. (*Ibid.*)

MM Haz 4: Prior to any excavation or soil removal on known contaminated sites, or if contaminated soil (i.e., soil with a visible sheen or detectable odor) is encountered, a complete characterization of the soil will be conducted. Appropriate sampling shall be conducted prior to disposal of the excavated soil. If the soil is contaminated, it shall be properly disposed of according to California's Land Disposal restrictions (California Code of Regulations, Chapter 18, Title 22). If site remediation involves the removal of contamination, then contaminated material shall be transported off-site by a licensed handler/hauler to a licensed hazardous waste disposal facility. (*Ibid.*)

MM Haz 5: If soil import is required for construction of a specific facility, proper sampling shall be conducted prior to the use of such imported soil to make sure that the imported soil is free of contamination. (*Ibid.*)

MM Haz 6: If during construction of a specific facility, soil and/or groundwater contamination is suspected, construction in the area of the suspected contamination shall cease and appropriate health and safety measures shall be implemented. The construction contractor shall contact the respective jurisdictional enforcement agency (i.e., San Jacinto, Hemet, Riverside County, RCFCWCD) to obtain the necessary information on appropriate measures and their implementation. The measures recommended by the applicable enforcement agency will be implemented. (*Ibid.*)

Supporting Explanation: The EDR report listed a total of 64 sites within one-mile of the proposed project alignment. (DEIR at 3.6-20.) Based on the results of the EDR report, the Project proposes facilities within close vicinity of 27 sites classified as hazardous materials sites under various regulatory statuses. (*Ibid.*)

Sites listed on the HAZNET, FINDS, CLEANERS, Small Quantity Generators (SQGs), Large Quantity Generators (LQGs), UST, HIST UST, RCRA, and/or TRIS databases only pose a potential problem in the event of a spill or leak. (*Ibid.*) Consequently, unless these sites also appear on a list of contaminated sites, there is no evidence of any problems at this time. (*Ibid.*) Although no significant impacts related to hazards and hazardous materials are anticipated from Potentially Contaminated Sites in the Project vicinity – sites that have at least one listing describing it as potentially contaminated – or from Project-related construction and operations, common types of unanticipated existing contamination (resulting from prior leaking underground storage tanks, poor chemical handling or accidental/intentional unauthorized chemical release) could be encountered during construction of proposed facilities. (DEIR at 3.6-22.) With the adherence to local, state and federal regulations and the mitigation measures listed above, potential significant environmental effects related to hazards and hazardous materials will be reduced to less than significant levels. (DEIR at 3.6-23.)

SECTION 4: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The City Council hereby finds that, despite the incorporation of Mitigation Measures outlined in the EIR and in this Resolution, the following impacts from the Proposed Project and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

A. AGRICULTURAL IMPACTS

1. Conversion of Prime, Unique Farmland

Impact: The proposed Project would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. This impact will remain significant and unavoidable. (DEIR at 3.2-13, 14.)

Finding: No feasible mitigation exists to reduce or eliminate the conversion of Farmland. This impact will remain significant and unavoidable. (DEIR at ES-18; 3.2-14, 18 – 19.)

Supporting Explanation: The SJV-MDP identifies, at a conceptual level, proposed storm drains, channels, and basins, which could be located in Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively referred to as Important Farmland). (DEIR at 3.2-12.) The proposed storm drains are underground facilities, and as such, will not result in a permanent conversion of Important Farmland, as the facility footprint could be returned to its original condition. (*Ibid.*)

Construction and operation of the proposed basin and channels would result in a permanent change to Important Farmland, as they are open facilities and must be maintained in order to retain flood control capacity. (*Ibid.*)

Construction of the proposed open channels will be primarily located within or adjacent to road ROW. (DEIR at 3.2-13.) However, construction of SJV-MDP facilities will result in the direct conversion of approximately 121.75 acres of Important Farmland to open storm channel facilities; which is a potentially significant impact. (*Ibid.*)

The proposed Line D Basin, which is anticipated to encompass approximately 15 acres, is located within an area identified as being Prime Farmland and Farmland of Statewide Importance. (*Ibid.*) Therefore, construction of this facility will result in the direct conversion of 15 acres of Important Farmland to a non-agricultural use by converting the property to a flood control facility, which is a potentially significant impact. (*Ibid.*)

On-site agricultural use would not be economically viable in the long term and would be inconsistent with the goals and objectives of the General Plans for San Jacinto, Hemet, and Riverside County. (DEIR at 3.2-14.) Off-site agricultural use is also

infeasible because there is no other comparable land planned for agriculture use in San Jacinto or Hemet's General Plans and placing agricultural restrictions on new parcels would result in the same or similar issues as with on-site mitigation. Off-site mitigation would also conflict with the goals and objectives of the respective General Plans. (*Ibid.*) Therefore, no feasible mitigation exists to reduce or eliminate the conversation of Important Farmland to non-agricultural uses. (*Ibid.*)

2. Conflict with Zoning for Agricultural Use/Williamson Act Contract

Impact: The proposed Project would conflict with existing zoning for agricultural use, or a Williamson Act contract. This impact will remain significant and unavoidable. (DEIR at 3.2-13.)

Finding: No feasible mitigation exists to reduce or eliminate the conflict with a Williamson Act contract. This impact will remain significant and unavoidable. (DEIR at ES-18 – 19; 3.2-13, 18 – 19.)

Supporting Explanation: SJV-MDP conceptual alignment and location of open channels Line 1, Line 2, Line 3, Line X, and the Line E-Y-Z Confluence Basin are within property under a Williamson Act contract. (DEIR at 3.2-13.) With respect to the proposed open channels, construction will be primarily located within or adjacent to road ROW. (*Ibid.*) Construction of open channels within existing road ROW will not conflict with or require the cancellation of a Williamson Act contract due to the limited direct impacts associated with construction and operation of the linear open channel facilities. (*Ibid.*) The conversion of approximately 6.3 acres of Farmland of Local Importance under a Williamson Act Contract to a non-agricultural use will be required in the construction of the Line E-Y-Z Confluence Basin and will be a direct impact to a Williamson Act Contract. (*Ibid.*)

With respect to indirect impacts to existing zoning and Williamson Act contracts, the San Jacinto General Plan does not include an agricultural land use designation and allows the development of currently zoned agricultural land for urban uses. (*Ibid.*) By providing drainage infrastructure that could support development of the Project area, the proposed Project could indirectly contribute to the development of land currently zoned for agricultural uses or protected by a Williamson Act contract for urban uses, which is an indirect significant impact. (*Ibid.*)

3. Conversion of Farmland to Non-Agricultural Use

Impact: The proposed Project would involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. This impact will remain significant and unavoidable. (DEIR at 3.2-13.)

Finding: No feasible mitigation exists to reduce or eliminate the conversion of farmland to non-agricultural use. This impact will remain significant and unavoidable.

(DEIR at ES-19; 3.2-13 – 14, 18 – 19.)

Supporting Explanation: The proposed Project will provide drainage infrastructure that could support development of the Project area. (DEIR at 3.2-13.) Development of adjacent areas would result in the direct conversion of farmland (including Important Farmland) to non-agricultural uses. (*Ibid.*) Consequently, the proposed Project has the potential to indirectly convert farmland in the Project area. (*Ibid.*) The San Jacinto, Hemet, and part of the unincorporated portions of the Project area are designated for non-agricultural land uses in the adopted General Plans; thus the direct conversion of farmland to non-agricultural uses would likely occur in the Project area with the build out of the San Jacinto, Hemet, and Riverside County General Plans. (DEIR at 3.2-13 - 14.) Because the proposed Project will likely support the conversion of farmland to non-agricultural uses, impacts are considered potentially significant. (DEIR at 3.2-14.)

Drainage facilities included in the Project and development in the Project area will be consistent with the land use designations in the San Jacinto, Hemet, and Riverside County General Plans. (DEIR at 3.2-18.) Thus, both on-site and off-site mitigation are infeasible due to the economic viability of large-scale agriculture and would conflict with the goals and policies of these General Plans. (*Ibid.*)

Property owner cooperation, substantial financial incentives, and agricultural preservation programs (such as voluntary Williamson Act contracts, private land trusts, agricultural land mitigation banks, and conservation easements) could reduce the Project's impacts to agricultural uses. (*Ibid.*) These measures would, at most, prevent future conversion of farmland to non-agricultural use, but they would not create farmland where it does not currently exist. (*Ibid.*) These measures would not prevent conversion of farmland already projected in the San Jacinto, Hemet, and Riverside County General Plans and facilitated by the Project's drainage facilities. (DEIR at 3.2-18 - 19.) Therefore, Project impacts with respect to agricultural resources would remain significant and a Statement of Overriding Considerations would be required prior to Project approval. (DEIR at 3.2-19.)

B. AIR QUALITY

1. Violation of Air Quality Standard – Short-Term Impacts

Impact: The proposed Project's short-term impacts would violate an air quality standard or contribute substantially to an existing or projected air quality violation. Impacts would remain significant. (DEIR at ES-19; 3.3-38, 42 – 43.)

Finding: Implementation of the following mitigation measures would reduce air quality impacts as they relate to a violation of air quality standards. However, this impact will remain significant and unavoidable. (DEIR at 3.3-42.)

MM Air 1: During construction, ozone precursor emissions from all vehicles and construction equipment shall be controlled by maintaining

equipment engines in good condition and in proper tune per manufacturers' specifications to the satisfaction of the jurisdiction in which the construction is taking place, i.e., San Jacinto Public Works Department, Hemet Public Works Department, Riverside County Department of Building and Safety, or RCFCWCD. Equipment maintenance records and equipment design specification data sheets shall be kept on site during construction. Compliance with this measure shall be subject to periodic verification by the San Jacinto Public Works Department, Hemet Public Works Department, Riverside County Building and Safety Department, or RCFCWCD. (*Ibid.*)

MM Air 2: Signs shall be posted stating that all vehicles are prohibited from idling in excess of five minutes, both on and off site. (*Ibid.*)

MM Air 3: Electricity from power poles shall be used instead of temporary diesel- or gasoline powered generators to reduce the associated emissions. (*Ibid.*)

MM Air 4: To reduce construction vehicle (truck) and equipment idling while waiting to enter/exit the site, the contractor shall submit a traffic control plan that will describe in detail safe detours to prevent traffic congestion to the best of the Project's ability, and provide temporary traffic control measures. To reduce traffic congestion, and therefore NOx, the plan shall include, as necessary, appropriate, and practicable the following: dedicated turn lanes for movement of construction trucks and equipment on and off site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow. (*Ibid.*)

Supporting Explanation:

Short-Term Impacts – RST Analysis

Short-term emissions were evaluated using the URBEMIS 2007 for Windows version 9.2.4 computer program. (DEIR at 3.3-30.) The model evaluated emissions resulting from basin excavation and construction of several types of drainage facilities. (*Ibid.*) Construction timing and phasing of all San Jacinto Valley MDP facilities are unknown; therefore, it was assumed that construction of all four modeled scenarios could start no sooner than August 2010. (*Ibid.*) The default parameters within URBEMIS were used and these default values reflect a worst-case scenario, which means that any other proposed MDP facility's emissions are expected to be equal to or less than the estimated construction emissions modeled for each of the four modeled scenarios. (*Ibid.*)

Four different "worst-case" scenarios representing each type of individual construction Project were analyzed. (*Ibid.*) In addition to the default values used, several assumptions relevant to model inputs for short-term construction emission estimates of each facility are presented below.

Casa Loma Basin:

- Construction of this basin is anticipated to require no less than nine months. Construction timing is unknown and is assumed to occur no sooner than August 2010. (*Ibid.*)

- Approximately 727,000 cubic yards (CY) of soil will be exported from the site. While the location of the exported soil is unknown at this time, plenty of sites exist within 10 miles of the Project site to deposit fill material. Therefore, for modeling purposes each truck trip (two truck trips per truckload) is set at 10 miles. A maximum disturbance area of 2-acres is assumed to occur per day. (*Ibid.*)

- To evaluate Project compliance with SCAQMD Rule 403 for fugitive dust control, the facility utilized the mitigation option of watering the Project site three times daily which achieves a control efficiency of 61 percent for PM-10 and PM-2.5 emissions. (*Ibid.*)

Line Y:

- Construction of 12,000 linear feet of Line Y in this analysis also includes Line Y-1 and does not include the segment of Line Y that continues south from the connection with Line Y-1 to Warren Road ending at Seventh Street. The maximum dimensions for this underground concrete box alignment are 14-feet wide by 11-feet deep. (*Ibid.*)

- Construction of this facility is anticipated to progress at a rate of 100 feet per day. Construction timing is unknown and is assumed to occur no sooner than August 2010. (*Ibid.*)

- A trench depth of 20 feet is anticipated approximately 1,500 CY of on-site cut/fill will be disturbed daily during the excavation and re-compaction of the Project area. (*Ibid.*)

- To evaluate Project compliance with SCAQMD Rule 403 for fugitive dust control, the Project utilized the mitigation option of watering the facility site three times daily which achieves a control efficiency of 61 percent for PM-10 and PM-2.5 emissions. (DEIR at 3.3-31.)

Line E:

- Construction of the 14,700 linear feet of open channel is anticipated to progress at a rate of 500 feet per day. As stated above, construction timing is

unknown and is assumed to occur no sooner than August 2010. (*Ibid.*)

- A trench depth of 7 feet is anticipated and approximately 7,300 CY of on-site cut/fill will be disturbed daily during the excavation and re-compaction of the Project area. (*Ibid.*)

- To evaluate Project compliance with SCAQMD Rule 403 for fugitive dust control, the facility utilized the mitigation option of watering the Project site three times daily which achieves a control efficiency of 61 percent for PM-10 and PM-2.5 emissions. (*Ibid.*)

Line D-4:

- Construction of the 2,200 linear feet of 42-inch underground pipeline is anticipated to progress at a rate of 100 feet per day. As stated above, construction timing is unknown and is assumed to occur no sooner than August 2010. (*Ibid.*)

- A trench depth of 9 feet is anticipated and approximately 233 CY of on-site cut/fill will be disturbed daily during the excavation and re-compaction of the Project area.

- To evaluate Project compliance with SCAQMD Rule 403 for fugitive dust control, the Project utilized the mitigation option of watering the Project site three times daily which achieves a control efficiency of 61 percent for PM-10 and PM-2.5 emissions. (*Ibid.*)

- Approximately 15,400 square feet (0.35 acres) of surface area will be covered in asphalt once the pipeline is in place. To ensure a worst-case scenario, it is assumed that both pipeline installation and asphalt paving could occur concurrently. (*Ibid.*)

Criteria pollutant emissions from construction of the Casa Loma Basin Project will exceed the SCAQMD regional daily thresholds for NOx throughout construction, and construction of Line E will exceed the SCAQMD regional daily thresholds for PM-10, and PM-2.5. (DEIR at 3.3-34.) Construction of Line Y and Line D4 will not exceed any SCAQMD regional daily thresholds for criteria pollutant emissions. (*Ibid.*) The main source of NOx emissions is from on-road vehicle exhaust from soil hauling and construction equipment; the main source of PM-10 and PM-2.5 emissions is from fugitive dust during channel excavation activities. (*Ibid.*)

Since this Project consists of several distinct proposed facility alignments and basin sites, there is the possibility that construction of various SJV-MDP facilities will overlap. (*Ibid.*) It was determined that construction of the Casa Loma Basin and the analyzed portion of Line Y would be the most likely of all SJV-MDP facilities to be constructed at the same time; therefore, this combination of facilities was used to Project the maximum daily emissions for the Project. (*Ibid.*) The maximum daily emissions from these overlapping construction schedules during 2010 and 2011 are

contained in Table 3.3-G. (*Ibid.*)

Table 3.3-G, Estimated Maximum Daily Emissions (2010–2011)

Activity/Year	Peak Daily Emissions (lb/day)					
	VOC	NO_x	CO	SO_2	PM-10	PM-2.5
SCAQMD Daily Thresholds	75	100	550	150	150	55
2010						
Casa Loma Basin	17.59	191.56	83.38	0.15	149.35	37.16
Line Y	4.86	38.43	22.30	0.00	93.87	21.11
Maximum	22.45	229.99	105.68	0.15	243.22	58.27
Exceeds Threshold?	No	Yes	No	No	Yes	Yes
2011						
Casa Loma Basin	16.38	175.09	77.40	0.15	148.56	36.42
Line Y	4.57	35.95	21.48	0.00	93.74	20.99
Maximum	20.95	211.04	98.88	0.15	242.30	57.41
Exceeds Threshold?	No	Yes	No	No	Yes	Yes

The maximum short-term emissions during 2010 and 2011 will be higher than the emissions from the two individual Project types alone. (DEIR at 3.3-35.) As shown in Table 3.3-G, criteria pollutant emissions from construction in both years will exceed the SCAQMD regional daily thresholds for NOx, PM-10, and PM-2.5 during the construction of various facilities or combinations of facilities, but will not exceed any other pollutant thresholds. (*Ibid.*)

Short-Term Impacts – LST Analysis

For short-term construction emissions, it is estimated that the maximum area to be disturbed for each representative facility would be less than or equal to two acres a day. (DEIR at 3.3-36.) According to the LST methodology, only on-site emissions need to be analyzed. (*Ibid.*) On-site construction emissions do not include worker trips or on-road diesel truck emissions from soil hauling. (*Ibid.*) SCAQMD has provided LST lookup tables and sample construction scenarios (available at http://www.aqmd.gov/ceqa/handbook/LST/LST.html) to allow users to readily determine if the daily emissions for proposed construction or operational activities could result in significant localized air quality impacts for projects five acres or smaller. (*Ibid.*) Although some of the representative facility sites are larger than five acres, it is anticipated that an area no larger than two acres would be disturbed on any of the representative facility sites per day during construction. (*Ibid.*) Therefore, the LST lookup tables were used for construction emissions. (*Ibid.*) Facility-specific information such as disturbance area, amount of dirt handled, and the equipment type and numbers were input instead of default information when available. (*Ibid.*)

The LST thresholds are estimated using the maximum daily-disturbed area (in acres) and the distance of the Project to the nearest sensitive receptors (in meters).

(*Ibid.*) The LST lookup tables only provide thresholds for distances of 25, 50, 100, 200, and 500 meters away from the Project boundary, so the receptor distances used reflect one of these distances. (*Ibid.*) Because the proposed Project, as analyzed, consists of four separate facility sites in different locations that are located different distances from sensitive receptors, each representative facility is analyzed separately for its relationship to the nearest sensitive receptors. (*Ibid.*) Existing residences are the nearest sensitive receptors in the Project area for each of the representative facilities. (*Ibid.*) However, the entire SJV- MDP area includes many types of sensitive receptors consisting of schools, child care centers, athletic facilities, playgrounds, retirement homes, and convalescent homes adjacent to and in close proximity with the majority of the SJV-MDP facilities. (*Ibid.*)

The Casa Loma Basin is separated from its nearest sensitive receptors by Cottonwood Avenue at a distance of approximately 100 feet (30 meters). (*Ibid.*) Line Y is separated from the nearest sensitive receptors, residences on agricultural lands, by a minimum of approximately 600 feet (183 meters) so the receptor distance of 200 meters was used. (*Ibid.*) The nearest sensitive receptor to Line E is a residence approximately 170 feet (52 meters) west of its proposed alignment on Sanderson Avenue near the existing San Jacinto Reservoir. LST Methodology states that Project's with boundaries located closer than 25 meters to the nearest receptor should use the LST distance of 25 meters for the analysis. (DEIR at 3.3-36 – 37.) A distance of 25 meters was used to estimate the receptor distance for Line D-4 construction that will occur within existing road right-of-way adjacent to sensitive receptors on Hewitt Street. (DEIR at 3.3-37.) Table 3.3-H summarizes the emissions from each representative facility and the corresponding threshold.

Table 3.3-H, Localized Short-Term Construction Impacts

Activity	Maximum Daily Disturbed Area (acres)	Peak Daily Emissions (lb/day)			
		NO_x	CO	PM-10	PM-2.5
Casa Loma Basin	2.0	115.2	53.7	9	5.9
25 Meter Threshold	2.0	234	970	7	4
Exceeds Threshold		**No**	**No**	**Yes**	**Yes**
Line Y	0.23	53.5	26.8	3.4	2.8
200 Meter Threshold	1.0	460	4,850	67	20
Exceeds Threshold		**No**	**No**	**No**	**No**
Line E	1.15	102.3	49.7	6.7	5.1
50 Meter Threshold	1.0	203	974	12	4
Exceeds Threshold		**No**	**No**	**No**	**Yes**
D-4	0.23	74.4	38.2	4.8	4.2
25 Meter Threshold	1.0	162	661	4	3
Exceeds Threshold		**No**	**No**	**Yes**	**Yes**

According to Table 3.3-H, construction of the Casa Loma Basin and Line D-4 will result in localized PM-10 and PM-2.5 impacts to the respective sensitive receptors in the Project vicinity and the construction of Line E will result in localized PM-2.5 impacts

to its receptors. (*Ibid.*) Localized emissions of NOx and CO from construction of each representative Project will not exceed the applicable LST. (*Ibid.*)

Conclusion

In an effort to reduce estimated emissions, the mitigation measures listed above were considered. (DEIR at 3.3-42.) MM Air 1 through 4 are associated with reduction in construction-related emissions for NOX, PM-10 and PM-2.5. (*Ibid.*) Although implementation of mitigation measures MM Air 1 through 4, will reduce Project-generated emissions, there are no distinct SCAQMD established quantitative reductions associated with them; therefore, to be conservative, it is assumed that there is no change in the estimated emissions of the Project from those mitigation measures. (*Ibid.*) **The Project's short-term construction emissions will still exceed the SCAQMD regional significance thresholds for NOx, PM-10, and PM-2.5**. (DEIR at 3.3-42 - 43.) **Short-term construction will also exceed applicable localized significance thresholds (LST) for PM-10 and PM-2.5**. (DEIR at 3.3-43.)

2. Sensitive Receptors – Short-Term Emissions

Impact: The proposed Project's short-term impacts would expose sensitive receptors to substantial pollutant concentrations. (DEIR at ES-22; 3.3-41.) Even with mitigation, impacts from short-term emissions may remain significant.

Finding: Implementation of the following mitigation measures would reduce air quality impacts as they relate to sensitive receptors. However, this impact will remain significant and unavoidable. (DEIR at 3.3-42.)

MM Air 1 through 4, supra.

Supporting Explanation: Based on the LST analysis of the proposed Project, the short-term construction of the SJV-MDP facilities will not result in any localized air quality impacts to sensitive receptors within the Project area for NOx or CO, during construction of Project facilities; however, emissions of PM-10 and PM-2.5 during construction are above SCAQMD recommended daily thresholds. (DEIR at 3.3-41.) Therefore, exposure of sensitive receptors to substantial pollution concentrations from short-term construction emissions is considered significant. (*Ibid.*) Due to the lack of stationary source emissions; no long-term localized significance threshold analysis is needed, and exposure of sensitive receptors to substantial pollution concentrations from long-term operational impacts is considered less than significant. (*Ibid.*)

In an effort to reduce estimated emissions, the mitigation measures listed above were considered. (DEIR at 3.3-42.) MM Air 1 through 4 are associated with reduction in construction-related emissions for NOX, PM-10 and PM-2.5. (*Ibid.*) Although implementation of mitigation measures MM Air 1 through 4, will reduce Project-generated emissions, there are no distinct SCAQMD established quantitative reductions associated with them; therefore, to be conservative, it is assumed that there

is no change in the estimated emissions of the Project from those mitigation measures. (*Ibid.*) The Project's short-term construction emissions will still exceed the SCAQMD regional significance thresholds for NOx, PM-10, and PM-2.5. (DEIR at 3.3-42 – 43.) Short-term construction will also exceed applicable localized significance thresholds (LST) for PM-10 and PM-2.5. (DEIR at 3.3-43.)

C. POPULATION AND HOUSING

1. Induce Substantial Population Growth

Impact: The proposed Project would induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of road or other infrastructure. Impacts will remain significant and unavoidable. . (DEIR at 3.8-6 – 9.)

Finding: No feasible mitigation exists to reduce or eliminate the conversion of farmland to non-agricultural use. This impact will remain significant and unavoidable. (DEIR at 3.8-9.)

Supporting Explanation: The SJV-MDP does not include the construction of new homes or businesses, and therefore will not directly induce substantial population growth in the Project area. (DEIR at 3.8-6.) The proposed Project may indirectly induce substantial population growth in the SJV-MDP boundaries by providing flood control infrastructure, sized to protect the Project area at full build out per the San Jacinto, Hemet, and Riverside County General Plans. (*Ibid.*)

The proposed MDP facilities have been designed to convey stormwater flows from areas planned for urban development within San Jacinto, Hemet, and Riverside County. Currently the Project area experiences periodic flooding due to the relatively flat topography of the area and the inadequacy of existing stormwater drainage facilities. (*Ibid.*) The proposed Project includes facilities designed to attenuate peak-flow rates and create a more efficient stormwater drainage system. (*Ibid.*) Though the Project would alter the flow velocity and volume of storm water flows, the proposed SJV-MDP will result in decreased flood potential in the Project area because the facilities have been sized and planned in a comprehensive manner taking into account existing and proposed land uses within the proposed boundaries of the SJV-MDP. (*Ibid.*) The proposed project will reduce flooding from stormwater and urban runoff currently experienced in the project area. (*Ibid.*)

As a comprehensive, area-wide master drainage plan, the SJV-MDP is sized and designed to accommodate continued development throughout the San Jacinto Valley. (*Ibid.*) New development will be accompanied by construction of both on-site storm detention basins and related structures in the near term, and construction of master plan facilities in San Jacinto and Hemet that will accompany longer term improvements to the San Jacinto River channel. (DEIR at 3.8-6 – 7.)

A project could indirectly induce growth by removing barriers to growth, by creating a condition that attracts additional population or new economic activity, or by providing a catalyst for future unrelated growth in an area. (DEIR at 3.8-7.) While a project may have a potential to induce growth, it does not automatically result in growth. (*Ibid.*) Growth can only happen through capital investment in new economic opportunities by the public or private sectors. (*Ibid.*) The land use policies established by the San Jacinto, Hemet, and Riverside County will regulate growth in the Project area. (*Ibid.*) Growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if can be demonstrated that the potential growth significantly affects the environment in some other way. (*Ibid.*)

The City of San Jacinto General Plan Final EIR (SCH No. 2001111165) addressed potential environmental impacts, including growth inducement, from implementation of policies and land use designations as set forth in the San Jacinto General Plan. (*Ibid.*) As outlined in the Draft EIR, adoption and implementation of the San Jacinto General Plan would indirectly induce substantial population growth through increased residential and non-residential development, resulting in a significant impact. Findings for the General Plan found for significant cumulative impacts indicate that "The city Council of the City of San Jacinto, based on substantial evidence in the record, thereby finds that no mitigation is available to render the effect less than significant. (*Ibid.*) The effect therefore remains significant and unavoidable." (*Ibid.*)

The City of Hemet General Plan also addressed potential environmental impacts, including growth inducement, from implementation of policies and land use designations as set forth in the San Jacinto General Plan. (*Ibid.*) According to the Hemet General Plan, there are no strategies specifically designed to mitigate the impacts of the buildout population; rather, all of the strategies contained in the General Plan can be regarded as mitigation for the impacts related to population increase, such as additional infrastructure or increased water use, that result from implementation of the proposed land use plan. (*Ibid.*)

Housing impacts related to projected growth in the Hemet area are potentially significant. (*Ibid.*) However, housing conditions and characteristics, such as overcrowding and unsound units, will improve through implementation of the strategies contained in the General Plan. (*Ibid.*) In addition, the condition of the homeless in the study area is likely to improve through implementation of the goals and strategies in the Housing Element. (*Ibid.*) Therefore, the impacts to housing as a result of the Project can be mitigated to below a level of significance. (*Ibid.*)

The Riverside County General Plan Final EIR October 2003 (SCH No. 2002051143) and its associated Statement of Overriding Considerations document (October 7, 2003) addressed potential environmental impacts, including growth inducement, from implementation of policies and land use designations set forth in the General Plan. (DEIR at 3.8-8.) As outlined in the Riverside County General Plan Final EIR, development following the General Plan would result in growth. Based on the definition of growth inducement, a General Plan is inherently growth inducing. (*Ibid.*)

The growth permitted by the General Plan leads to various significant unavoidable adverse impacts. (*Ibid.*) The General Plan is a master plan providing the framework by which public officials will be guided on making decisions relative to development within Riverside County. (*Ibid.*) However, it is the implementation of land use policies that will incrementally increase demands for public services, utilities, and infrastructure, and the need for medical, educational, and recreational facilities. Riverside County has the land use authority and has adopted a FEIR, findings and a Statement of Overriding Consideration for such growth. (*Ibid.*)

The proposed Project could indirectly induce growth by removing one potential barrier to growth, by providing planned drainage infrastructure. (*Ibid.*) The City of San Jacinto, the City of Hemet, and the County of Riverside General Plans outline the type of development and growth that will be allowed in the area. (*Ibid.*) Thus, potential indirect impacts from development in the Project area are not expected to exceed the potential impacts that have already been disclosed in their General Plan EIRs. (*Ibid.*) Yet, because implementation of the proposed Project could indirectly induce substantial population growth in San Jacinto, Hemet, and portions of unincorporated Riverside County, impacts are considered significant. (*Ibid.*)

SECTION 5: RESOLUTION REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS

The cumulative impact analysis for the proposed Project is based on information contained in the San Jacinto General Plan, San Jacinto General Plan EIR (SCH No. 2001111165), Hemet General Plan, Hemet General Plan EIR (SCH 90020515), Riverside County General Plan, and Riverside County General Plan Final EIR (SCH No. 2002051143) certified by the respective jurisdictions. (DEIR at 5.0-2.) These documents are utilized because the geographic area addressed in these documents encompasses the proposed boundaries of the SJV-MDP, and all portions of the surrounding area that could be potentially impacted by the proposed Project's contribution to cumulative impacts. (*Ibid.*)

A. AESTHETICS

There are no State Designated Scenic Highways within the Project area. (*Ibid.*) The closest State Designated Scenic Highway is Highway 243 (Banning/Idyllwild Panoramic Highway), which is located over seven and one-half miles northeast of the Project's northeastern boundary. (*Ibid.*) Therefore, **the SJV-MDP will not impact State Eligible Scenic Highways.** (*Ibid.*) Ramona Expressway, Gilman Springs Road, State Route 79, and Soboba Road, which are located in proximity to the Project area, are designated County Eligible Scenic Highways in the San Jacinto Valley Area Plan (COR SJVAP, Figure 9). (*Ibid.*) Gilman Springs Road, State Route 79, and Soboba Road are not located within the boundaries of the SJV-MDP. Ramona Expressway passes through the Project area. Line 2, portions of Line H, and Line J-3 are proposed to be located adjacent to the Ramona Expressway. (*Ibid.*) Line 2 is proposed as an underground storm drain from Sanderson Avenue to a point approximately 2,000 feet east of the Ramona Expressway/Sanderson Avenue intersection, and as an open

channel from the Ramona Expressway/Sanderson Avenue intersection approximately one and one-quarter mile west. (*Ibid.*) Line H is a storm drain that would cross the Ramona Expressway at State Street. Line J-3 is an open channel, which would be located adjacent to the Ramona Expressway from the Ramona Expressway/San Jacinto Avenue intersection approximately 2,750 feet east of said intersection. (*Ibid.*)

The open channel portions of Line 2 and Line J-3 would be visible to passing motorists using Ramona Expressway. (DEIR at 5.0-3.) However, this view would be brief lasting only a few seconds for each facility for motorists traveling between 50 to 55 miles per hours (mph). (*Ibid.*) The posted speed limit for Ramona Expressway is 55 mph. Due to the limited exposure to these facilities, **impacts to a County Eligible Scenic Highway are considered less than significant.** (*Ibid.*)

Proposed Mitigation Measures

The proposed Project will result in **less significant impacts** with respect to aesthetics, no mitigation measures are proposed. (*Ibid.*)

Summary of Cumulative Environmental Effects After Mitigation Measures are Implemented

The San Jacinto General Plan EIR identified potential cumulative impacts to scenic views resulting from development per the San Jacinto General Plan. (*Ibid.*) New development may increase light and glare, which would have the potential to significantly impact views from outside of San Jacinto. (*Ibid.*) Although sources of light and glare will increase within San Jacinto, any new development will be required to meet the standards contained in the City's Lighting Regulations that are contained within the Zoning Ordinance. (*Ibid.*) Therefore, because the City will mitigate new sources of light, the City **will not cumulatively contribute a considerable level of new light and glare** (SJGP DEIR, p. 7-2). (*Ibid.*)

The County of Riverside General Plan Final EIR identified potential cumulative impacts to scenic views from development in surrounding areas. (*Ibid.*) Development would result in the intensification of existing urban uses as well as conversion of open space into urban land uses. (*Ibid.*) The intensification of existing urban uses would result in a less than significant impact. (*Ibid.*) Whereas, the conversion of open space to urban uses would result in a significant unavoidable impact. (*Ibid.*) Therefore, development per the County of Riverside General Plan will cumulatively contribute significantly to the loss of visual character if Riverside County. (*Ibid.*)

The Hemet General Plan EIR concluded that ultimate development planned and envisioned will fundamentally change the aesthetic character of the Hemet area from largely open agricultural to more of a typical suburban setting and these impacts cannot

be mitigated below a level of significance (HGP EIR, F-5). (*Ibid.*) However, the portions of Hemet which are within the boundaries of the SJV-MDP boundary are already developed with residential and commercial uses. (*Ibid.*)

The geographic scope for cumulative aesthetics analysis is the SJV-MDP boundary and immediately adjacent communities and jurisdictions. (*Ibid.*) Implementation of the proposed Project will provide drainage infrastructure that could support development of portions of San Jacinto, portions of Hemet, and portions of unincorporated Riverside County in accordance with the General Plan for each jurisdictions. (*Ibid.*) Development of the Project area will result in the construction of structures associated with urban development. (*Ibid.*) This future development will change the character of the foreground views from vacant, natural open space and agriculture, to ornamental landscaping and buildings. (*Ibid.*)

Future development will be subject to the approval process for the jurisdiction in which it is located, and will be required to comply with all development guidelines and ordinances regulating building size, type, location, landscaping, and design. (*Ibid.*) Since future development will be conditioned and designed to be aesthetically pleasing, as required by the San Jacinto, Hemet, and Riverside County General Plans, **indirect cumulative impacts to aesthetics resulting from the proposed Project are considered less than significant**. (DEIR at 5.0-3 – 4.)

B. AGRICULTURAL RESOURCES

Construction and operation of the proposed basin and channels would result in a permanent change to Important Farmland, as they are open facilities and must be maintained in order to retain flood control capacity. (DEIR at 5.0-4.) Construction of the proposed open channels will be primarily located within or adjacent to road right-of-way (ROW). (*Ibid.*) Construction of open channels, will not significantly impact existing agricultural uses adjacent to the open channel facilities, because limited property within the footprint of the open channel facilities will be converted to a public, i.e., non-agricultural use. (*Ibid.*) Based on the limited direct impacts associated with construction and operation of the linear open channel facilities, **potential impacts to Important Farmland from the construction of these facilities are less than significant.** (*Ibid.*)

The proposed Line D Basin, which is anticipated to encompass approximately 15 acres, is located within an area identified as being Prime Farmland and Farmland of Statewide Importance. (*Ibid.*) Therefore, construction of this facility will result in the direct conversion of 15 acres of Important Farmland to a non-agricultural use by converting the property to a flood control facility, which is a **potentially significant impact.** (*Ibid.*)

SJV-MDP conceptual alignment and location of open channels Line 1, Line 2, Line 3, Line X, and the Line E-Y-Z Confluence Basin are within property under a Williamson Act contract. (*Ibid.*) With respect to the proposed open channels, construction will be primarily located within or adjacent to road ROW. (*Ibid.*) Construction of open channels within existing road ROW will not conflict with or require

the cancellation of a Williamson Act contract due to the limited direct impacts associated with construction and operation of the linear open channel facilities. (*Ibid.*) The conversion of approximately 6.3 acres of Farmland of Local Importance under a Williamson Act Contract to a non-agricultural use will be required in the construction of the Line E-Y-Z confluence basin and will be a **direct impact** to a Williamson Act Contract. (*Ibid.*)

As previously discussed, the proposed Project will provide drainage infrastructure that could support development of the Project area. (*Ibid.*) Development of adjacent areas would result in the direct conversion of farmland (including Important Farmland) to non-agricultural uses. Consequently, the proposed Project has the potential to indirectly convert farmland in the Project area. (*Ibid.*) The portions of the Project area in San Jacinto, Hemet, and part of the unincorporated portions of the Project area are designated for non-agricultural land uses in the adopted San Jacinto, Hemet, and Riverside County General Plans; thus the direct conversion of farmland to non-agricultural uses would likely occur in the Project area with the build out of the San Jacinto, Hemet, and Riverside County General Plans. (*Ibid.*)

Because the proposed Project will likely support the conversion of farmland to non-agricultural uses, **impacts are considered potentially significant.** (*Ibid.*)

Summary of Cumulative Environmental Effects from General Plans

The San Jacinto General Plan will allow new development to occur that will convert existing agricultural resources to non-agricultural uses. (DEIR at 5.0-5.) Mitigation measures described in Section 5.2 of the San Jacinto General Plan Draft EIR will reduce impacts to agricultural resources. (*Ibid.*) However, the new development will have significant and unavoidable impacts on agricultural resources. (*Ibid.*) Therefore, development planned and envisioned by the San Jacinto General Plan will contribute to the cumulative loss of agricultural resources in San Jacinto. (*Ibid.*)

Development planned and envisioned in the Riverside County General Plan would result in the conversion of state-designated farmland as well as land currently utilized for agricultural productivity to a variety of non-agricultural uses. (*Ibid.*) The Riverside County General Plan contains policies of which will reduce or minimize the effects of future development on agricultural resources. (*Ibid.*) Because these policies do not set specific requirements that will limit the conversion of agricultural lands to non-agricultural uses, and because no feasible or reasonable mitigation was identified to reduce these potential impacts to a less than significant level; impacts to existing farmland and State-designated farmland remain significant and unavoidable and will contribute to a cumulative adverse impact (CORGP FEIR, p. 536). (*Ibid.*)

The City of Hemet General Plan EIR concluded that ultimate development planned and envisioned will impact almost all of the agricultural soils and farming activities in support of suburban uses. (*Ibid.*) Therefore, the ultimate development will

have an adverse cumulative regional impact on soil and agricultural resources that cannot be mitigated below a level of significance (HGP EIR, F-2). (*Ibid.*) However, the portions of the Hemet within the boundaries of the SJV-MDP are currently developed with residential and commercial uses. (*Ibid.*) Therefore, the Project will not cumulatively impact agricultural resources in Hemet. (*Ibid.*)

Proposed Mitigation Measures

No mitigation measures were found to be feasible. See Section 3.2 of the Draft EIR for further discussion. (*Ibid.*)

Summary of Environmental Effects After Mitigation Measures are Implemented

Direct impacts to agricultural land in the Project area include the conversion of approximately 15 acres of Important Farmland and 6.3 acres of Farmland of Local Importance associated with the construction of the four basins identified in the SJV-MDP. (*Ibid.*) The proposed Project provides a master plan and funding mechanism for drainage facilities that could support future urbanization as set forth in the San Jacinto, Hemet, and Riverside County General Plans and could result in the indirect conversion of Farmland. (*Ibid.*) Absent active property owner cooperation and substantial financial incentives, it is highly unlikely that long term agricultural production is viable and would continue in the Project area, with or without the Project. (*Ibid.*) Therefore, **there are no feasible mitigation measures that would reduce direct or indirect project impacts to less than significant levels.** (*Ibid.*) Adoption of a Statement of Overriding Considerations would be required prior to Project approval. (*Ibid.*)

C. AIR QUALITY

Based on the regional significance threshold analysis for the proposed Project, short-term construction emissions will exceed the daily regional thresholds set by SCAQMD for NOX, PM-10, and PM-2.5 during the construction of various facilities or combinations of facilities, but will not exceed any other regional criteria pollutant thresholds. (DEIR at 5.0-6.) Short-term construction impacts are **considered significant.** (*Ibid.*) No long-term MDP operational emissions were evaluated because the proposed SJV-MDP will not result in a change from the operation of the existing MDPs for the Project area; therefore, long-term operational impacts are **considered less than significant.** (*Ibid.*)

Based on the LST analysis of the proposed Project, the short-term construction of the Project will not result in any localized air quality impacts to sensitive receptors within the Project area for NOX or CO; however, emissions of PM-10 and PM-2.5 are above SCAQMD recommended daily thresholds, and short-term construction impacts are **considered significant.** (*Ibid.*) Due to the lack of stationary source emissions; no long-term localized significance threshold analysis is needed, and long-term operational impacts are considered **less than significant.** (*Ibid.*)

The portion of the SCAB in which the Project is located is designated as a non-attainment area for ozone, PM-10, and PM-2.5 under both state and federal standards. (*Ibid.*) In evaluating the cumulative effects of the Project, Section 21100(e) of CEQA states that —previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact analysis. In addressing cumulative effects for air quality, the AQMP utilizes approved general plans; therefore, it is the most appropriate document to use in evaluating cumulative impacts of the proposed Project. (*Ibid.*) This is because the AQMP evaluated air quality emissions for the entire Basin using a future development scenario based on population projections and set forth a comprehensive program that would lead the region, including the Project area, into compliance with all federal and state air quality standards. As described in the NOP for this Project (Appendix A), the Project will not conflict with or obstruct the implementation of the AQMP. (*Ibid.*) The Project's short-term construction emissions for NOX, PM-10, and PM-2.5 have been shown to be significant on a regional level. However, since it is only the Project's short-term emissions that are above thresholds for NOX, PM-10, and PM2.5, and the impact is temporary (approximately six months in duration), the impact is **not considered to have a cumulatively considerable net increase** on ozone and PM-10, which are non-attainment in the region under both state and federal standards, and is considered **less than significant.** (*Ibid.*)

In regards to GHG emissions, the proposed Project's construction emissions and annual CO2 operational emissions will not exceed the SCAQMD recommended Tier 3 screening level of significance for commercial or industrial projects. (*Ibid.*) The SCAQMD additional requirements for energy and water usage do not apply to the Project. (*Ibid.*) The CARB has not yet developed a quantitative threshold for commercial projects and the currently recommended performance standards for construction and operation of commercial projects also do not apply to the SJV- MDP. (*Ibid.*) Therefore, the impact is considered **less than significant.** (*Ibid.*)

Summary of Cumulative Environmental Effects from General Plans

The cumulative area for air quality impacts is the South Coast Air Basin (Basin). (DEIR at 5.0-7.) The portion of the Basin within which the Project is located is designated as a non-attainment area for ozone, PM-10 and PM-2.5 under both state and federal standards. (*Ibid.*)

The San Jacinto General Plan Draft EIR concluded that construction-related emissions associated with General Plan buildout will exceed SCAQMD thresholds. (*Ibid.*) These construction-related emissions will impact cumulative air quality as well and will **be significant and unavoidable** (SJGP EIR, p. 7-3). (*Ibid.*) Regional emissions, although significant and unavoidable, are more related to the consistency with SCAG area growth projections than with emissions (SJGP EIR, p. 7-5). (*Ibid.*)

The Riverside County General Plan Final EIR concluded that buildout per the Riverside County General Plan would contribute to the regional air pollutant emissions

during construction and at build out. (*Ibid.*) Therefore, the implementation of the Riverside County General Plan will have **significant and unavoidable cumulative air quality impacts** (CORGP FEIR, p. 536). (*Ibid.*)

The City of Hemet General Plan EIR concluded that ultimate development planned and envisioned will produce additional air pollutants which will contribute to the entire Basin and will result in **significant and unavoidable cumulative air quality impacts** (HGP EIR, p. F-3). (*Ibid.*)

Proposed Mitigation Measures

Mitigation measures addressing temporary construction and maintenance activities have been incorporated into the Project to reduce project-level impacts. (*Ibid.*)

Cumulative Environmental Effects After Mitigation Measures are Implemented

The Project-specific evaluation presented in the Draft EIR demonstrates that, even with mitigation, projected short-term emissions from construction of Project facilities are above applicable SCAQMD regional thresholds for NOX, PM-10, and PM-2.5 for various facilities or combinations of SJV-MDP facilities, but will not exceed any other pollutant thresholds. (*Ibid.*) Additionally, short-term emissions from construction of the Casa Loma Basin, Line E, and Line D-4 will exceed SCAQMD's LST for PM-10 and/or PM-2.5. (*Ibid.*)

No long-term MDP operational emissions were evaluated because the proposed MDP will not result in a change from the operation of the existing MDPs for the Project area. (*Ibid.*) Additionally, no long-term localized significance thresholds analysis is needed due to the lack of stationary source emissions. (*Ibid.*) Since the Project only exceeds standards during construction (a maximum duration of approximately six months, and considered a temporary impact), **the project is considered cumulatively less than significant.** (*Ibid.*)

Regarding global climate change and GHG emissions as discussed above, even in the absence of the Project, the impacts associated with global climate change will still exist, however due to the fact that the project's GHG emissions are temporary (only occur during construction; a maximum duration of approximately six months) and are well below the SCAQMD threshold, **the Project's contribution to global climate change is not considered cumulatively considerable.** (DEIR at 5.0-7 – 8.)

D. BIOLOGICAL RESOURCES

Several special-status plant species have low to high potential for occurrence along alignments within the Project area. (DEIR at 5.0-8.) Plant species with a high potential to occur on site include Smooth tarplant and Coulter's goldfields. Locations of smooth tarplant were detected along the alignments including Line V, Line Y and Lat Y-4 through Lat Y-7. (*Ibid.*) Additionally, approximately half of the Project area is located within the Narrow Endemic Plant Species Survey Area (NEPSSA) 3. (*Ibid.*) However, no

narrow endemic plant species were observed within the Project area during the surveys. Project-specific surveys would be required during the appropriate time of the year to determine the presence/absence of all Narrow Endemic Plants and Criteria Area Plants. (*Ibid.*)

The Project area contains trees, shrubs, ground cover, and structures that provide suitable habitat for nesting migratory birds, including raptors. (*Ibid.*) The MSHCP does not allow for the take of active nests. (*Ibid.*) If any vegetation or structures are to be removed during the nesting season (February 1 to August 31), facility-specific nesting bird surveys shall be conducted first to determine the presence/absence of active nests. (*Ibid.*) If active nests are identified, appropriate avoidance buffers should be established in the nesting activity has completed, and fledglings have left the nest and are no longer dependent on the parents. (*Ibid.*) Portions of the Project area may provide suitable nesting habitat for burrowing owls. (*Ibid.*) Focused surveys for burrowing owl were conducted on July 31, and August 7, 8, 11, 12, 20, 22, and August 26, 2008. (*Ibid.*) No burrowing owls were identified within the facility alignments or basin locations. (*Ibid.*) Though no burrowing owls were detected during the focused surveys, much of the Project area has a moderate to high probability to support owls, whether breeding pairs, resident individuals, or transient individuals. (*Ibid.*) Future habitat assessments and focused surveys (if suitable habitat/burrows are present) shall be required for areas that could not be accessed for the current study. (*Ibid.*) In addition, updated facility-specific focused surveys should be conducted for areas that have been previously surveyed. (*Ibid.*)

San Bernardino kangaroo rat (SBKR) (*Dipodomys merriami parvus)* was determined to have a low potential to occur within the Project area. (*Ibid.*) Los Angeles pocket mouse (LAPM) (*Perognathus longimembris brevinasus)* was also determined to have a low potential to occur within the Project area. (*Ibid.*) However, with implementation of mitigation measure MM Bio 8, survey and conservation requirements pursuant to Section 6.3.2 of the MSHCP, **potential impacts from the proposed Project are considered less than significant**. (*Ibid.*)

Approximately 6.38 acres of riparian habitat were mapped by the biologists within the Project alignments, and contained native riparian vegetation including willow, mule fat, and Freemont's cottonwood. (*Ibid.*) The riparian areas that were mapped ranged from roadside/agricultural ditches, to ponds and basins, but also included the edge of extensive riparian habitat associated with the San Jacinto River. (*Ibid.*) Some of the mapped areas qualify as MSHCP Riparian Areas, though others would likely be excluded due to their artificial nature. (*Ibid.*) Facility-specific mapping would be required to determine which areas may be subject to MSHCP requirements, and which may not. (*Ibid.*)

The Project area contains waters subject to jurisdictions of: (i) the U.S. ACOE pursuant to Section 404 of the Clean Water Act (CWA); (ii) the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of CWA or pursuant to the California Porter-Cologne Act; and/or (iii) CDFG pursuant to Section 1602 of the California Fish

and Game code. (DEIR at 5.0-9.) Features with the potential for jurisdiction were mapped, including agricultural ditches and other roadside ditches, basins, etc. (*Ibid.*) Facility-specific jurisdictional delineations will need to be conducted to determine whether features would be subject to the jurisdictions of the ACOE, RWQCB, and CDFG. (*Ibid.*) With implementation of MM Bio 3, **potential impacts to federally protected wetlands are reduced to less than significant levels.** (*Ibid.*)

Summary of Cumulative Environmental Effects from General Plans

The geographic scope for cumulative biological impacts is the Western Riverside County MSHCP area. (*Ibid.*) Development per the San Jacinto General Plan will have the potential to impact biological resources, which could diminish the amount of biological resources within the MSHCP region. (*Ibid.*) However, the San Jacinto General Plan is consistent with and will facilitate implementation of the applicable policies and programs identified in the MSHCP. (*Ibid.*) Additionally, the General Plan includes numerous objectives and policies designed to reduce impacts to biological resources over the long term. (*Ibid.*) Therefore, implementation of these programs and policies and mitigation described in the San Jacinto General Plan will manage and reduce impacts to biological resources within San Jacinto to **a less than significant level**. (*Ibid.*) Thus, buildout per the San Jacinto General Plan **will not create significant cumulative impacts to biological resources**. (*Ibid.*)

The development planned and envisioned under the Riverside County General Plan would result in the loss of extensive areas of natural habitats and associated biological resources. (*Ibid.*) Implementation of Riverside County General Plan policies and mitigation measures identified in the Riverside County General Plan EIR will reduce the impacts to below a level of significance. (*Ibid.*) Additionally, the MSHCP will provide mitigation for development impacts to threatened and endangered species through the Western Riverside County by way of development fee and property acquisition. (*Ibid.*)

Hemet General Plan EIR concluded that ultimate development planned and envisioned will eliminate native as well as sensitive plants and animals from the Hemet area. (*Ibid.*) Although the Hemet General Plan contains policies to help preserve biological resources, the Hemet General Plan EIR, which was certified prior to approval of the MSHCP, concluded Hemet General Plan these policies cannot mitigate cumulative regional loss of biological habitat below a level of significance (HGP EIR, p. F-3). (*Ibid.*) However, subsequent to the adoption of Hemet General Plan EIR, Hemet became a permittee under the MSHCP and is obligated to comply with its provisions. (*Ibid.*) Since, the MSHCP provides mitigation for development impacts to threatened and endangered species through the Western Riverside County by way of development fee and property acquisition, buildout per the Hemet General Plan **will not create significant cumulative impacts to biological resources**. (*Ibid.*)

Proposed Mitigation Measures

Mitigation measures addressing construction and maintenance will be incorporated into the project to reduce project-level biological impacts. (DEIR at 5.0-10.) The proposed Project must also comply with the adopted Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). (*Ibid.*) To address the potential impacts associated with the cumulative loss of habitat for special status wildlife the proposed project shall comply with all pertinent MSHCP requirements. (*Ibid.*)

Summary of Cumulative Environmental Effects After Mitigation Measures are Implemented

The Riverside County MSHCP Environmental Impact Report Section 5.1.1, *Cumulative Impact Analysis, Biological Resources,* evaluated the cumulative effects of the proposed MSHCP and alternatives on biological resources. (*Ibid.*) In particular, the analysis focuses on the cumulative effects of the proposed MSHCP with the regional growth forecasts. (*Ibid.*)

Through compliance with the MSHCP, the Project will not result in a cumulative adverse effect, either directly or through habitat modifications, on any of the Covered Species listed in the Plan as implementation of the MSHCP benefits Covered Species by preserving their habitat in order to address their life cycle needs. (*Ibid.*) Thus, through compliance with the MSHCP and based on the features of the MSHCP itself, **impacts to Covered Species are mitigated below a level of significance**. (*Ibid.*)

Implementation of the MSHCP will result in cumulatively significant impacts on the Non- Covered Species because the issuance of incidental take permits will remove an impediment to development outside of the MSHCP Conservation Area. (*Ibid.*) Non-Covered Species would receive little or no protection outside the reserves under existing ordinances and regulations. (*Ibid.*) However, within the Project area, there are no threatened or endangered species known or likely to be on site, which are not on the 146-species list covered by the MSHCP. (*Ibid.*) Therefore, impacts to Non- Covered species are **cumulatively less than significant.** (*Ibid.*)

The Project will **not cause adverse cumulative effects** related to the reduction of sensitive vegetation communities; as the project is located within the MSHCP Plan Area and the Plan itself is designed to preserve sufficient acreage of the sensitive vegetation communities present in western Riverside County. (*Ibid.*) Similarly, the Project will not cause adverse cumulative effects related to interference with the movement of any native resident or migratory fish or wildlife species or obstruction of genetic flow for the identified Planning Species. (*Ibid.*) Part of the purpose and goals of the MSHCP is to use regional planning efforts to assemble a reserve that will preserve contiguous blocks of habitat in large enough areas to ensure that the reserve will allow movement of species and flow of genetic information. (*Ibid.*)

The proposed Project will **not cause adverse cumulative impacts** by conflicting with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan or other approved local, regional, or state habitat conservation plan

either within or outside of the Plan area. (*Ibid.*) The MSHCP has been written specifically to complement existing HCPs, such as the Stephens' kangaroo rat long-term HCP. (*Ibid.*) Through compliance with the MSHCP and existing HCPs, local, regional, and state plans, cumulative impacts are considered less than significant. (*Ibid.*)

Cumulative effects associated with the proposed MSHCP take authorization would involve direct loss of habitat and species associated with ground disturbance in take authorized areas as development occurs in accordance with projected growth. (DEIR at 5.0-11.) Cumulative indirect effects would occur to species and habitats within the MSHCP Conservation Area and would be associated with development of proposed land uses and activities in take authorized areas in proximity to the MSHCP Conservation Area. (*Ibid.*) Indirect effects primarily result from adverse "edge effects" and may be short-term indirect effects related to construction or long-term indirect effects associated with development or land use practices in proximity to conserved habitat areas. (*Ibid.*) Cumulative indirect impacts resulting from construction activities include dust, noise, and general human presence that may temporarily disrupt species and habitat vitality and construction-related soil erosion and runoff. (*Ibid.*) Edge effects at the boundary between natural lands and human-occupied lands ("urban edge effects") arise due to human-related intrusions such as lighting, noise, invasive species, exotic predators (e.g., dogs and cats), hunting, trapping, off-road activities, dumping, and other forms of recreation and disturbance. (*Ibid.*) Human-induced edge effects are generally unfavorable to native species and are considered cumulative as edge increases throughout the landscape. (*Ibid.*)

Cumulative significant indirect impacts associated with edge effects and increased development outside the conservation areas established by the proposed MSHCP are addressed in the provisions of Section 6.1.4 of the Draft MSHCP. (*Ibid.*) Edge effects will result as development occurs in proximity to habitat; however, the proposed MSHCP contains provisions that will reduce the adverse impacts associated with edge effects. (*Ibid.*) The MSHCP provides take authorization for Covered Species. (*Ibid.*) The MSHCP would not directly cause edge effects, but it would dictate where such effects could occur through the reserve assembly process. (*Ibid.*) Thus, cumulative indirect impacts associated with edge effects are considered **less than significant.** (*Ibid.*)

E. CULTURAL RESOURCES

One historic resource is within the boundaries of a segment of the former San Jacinto Valley Railway that dates to 1888. (*Ibid.*) According to the conceptual alignments and facilities identified in the SJV-MDP, Project-related activities at this location will be limited to trenching for the installation of an underground storm drain within the railway ROW. (*Ibid.*) If construction within the railway ROW is limited to underground facilities, and does not include the intersection of any facilities with the rail line or associated railway structures, the Project will not result in the destruction or relocation of the railway nor will it alter the basic characteristics of the site. (*Ibid.*) Therefore, **the proposed Project will not cause a substantial adverse change in the**

significance of the site, the only historical resource encountered in the portions of the Project footprint studied. (*Ibid.*)

Portions of the Project footprint were inaccessible to field survey personnel and could not be surveyed; thus, it is possible that historical resources could be present on the portions of the Project's footprint that could not be surveyed. (*Ibid.*) Therefore, **to reduce potential impacts to historical resources that could be present to less than significant, mitigation measures are implemented.** (*Ibid.*)

Numerous prehistoric—i.e., Native American—archaeological sites have been found in the area consisting of various amounts of habitation debris such as: ceramic shards, chippedstone and groundstone tools, debitage, midden soils, fire-affected rock, and sometimes human remains. (DEIR at 5.0-11 – 12.) Bedrock milling features and, less frequently, petroglyphs, have been found in the San Jacinto Valley in areas where bedrock outcrops are present. (DEIR at 5.0-12.) However, no evidence of any prehistoric archaeological cultural resources was found within or adjacent to that portion of the Project footprint that could be surveyed. (*Ibid.*) Additionally, there have been no archaeological resources identified through records searches or Native American consultations. (*Ibid.*) However, since portions of the Project footprint were unable to be surveyed due to restricted access and Native American monitoring has been requested, implementation of **mitigation measures is required to ensure that impacts to archaeological resources are less than significant.** (*Ibid.*)

Surficial soils within the Project's footprint consist of alluvium of Recent (Holocene) age and have a low potential for significant nonrenewable fossil remains. (*Ibid.*) However, these younger alluvial sediments are of variable thickness and are known to rest directly on top of older Pleistocene-age sediments, which have a high potential to yield significant vertebrate fossil remains. (*Ibid.*) Therefore, the proposed Project's potential to impact paleontological resources is determined to be low in the surficial alluvial sediments but high in the subsurface Pleistoceneage soils. (*Ibid.*) **Mitigation measures, which relate to excavation and earthmoving activities, are required to ensure reduce potential impacts with respect to paleontological impacts to less than significant.** (*Ibid.*)

Summary of Cumulative Environmental Effects from General Plans

The geographic scope for cumulative impacts to cultural resources includes Riverside County. (*Ibid.*) Historical, archaeological, and paleontological resources in Riverside County could be cumulatively impacted by future development, like that which could occur under the proposed San Jacinto General Plan. (*Ibid.*) However, San Jacinto has implemented local policies and programs as well as mitigation that will reduce these impacts to below a level of significance. (*Ibid.*) Thus, **potential cumulative impacts to cultural resources will be reduced to a less than significant level** (SJGP EIR, p. 7-6). (*Ibid.*)

Development planned and envisioned in the Riverside County General Plan would contribute to the growth and urbanization of Riverside County resulting in direct and/or indirect loss of cultural and paleontological resources. (*Ibid.*) Therefore, implementation of the Riverside County General Plan will cumulatively contribute significantly to the loss of these sensitive areas and their resources (CORGP FEIR, p. 537). (*Ibid.*)

Hemet contains a variety of historical or pre-historical importance. (*Ibid.*) However, the Hemet General Plan EIR contains mitigation measures that protect the existing and undiscovered cultural resources. (*Ibid.*) Therefore, the **cumulative impact to cultural resources associated with the buildout per Hemet's General Plan will be mitigated to less than significant** (HGP EIR, p. F-6). (*Ibid.*)

Proposed Mitigation Measures

Mitigation measures will be incorporated into the project to reduce potential project-level impacts. (*Ibid.*) Additional mitigation measures addressing potential cumulative impacts are unnecessary. (*Ibid.*)

Summary of Cumulative Environmental Effects After Mitigation Measures are Implemented

Impacts related to historic and archaeological resources were found to be less than significant within the portions of the Project footprint surveyed. (DEIR at 5.0-13.) Mitigation measure MM Cultural 1 requires documentation of affected segments of the former San Jacinto Railway in the event implementation of the Project results in the construction of above ground facilities within in railway ROW or Project facilities intersect railway ROW. (*Ibid.*) Mitigation measure MM Cultural 2, requires archaeological and paleontological field surveys be performed on any facility footprint not previously surveyed prior to construction to ensure that no impacts to unknown archaeological or paleontological resources result from Project implementation. (*Ibid.*) Mitigation measure MM Cultural 3 requires a qualified archaeologist to determine an appropriate course of action in the event that unanticipated buried cultural resources are encountered. (*Ibid.*)

Since the Project area falls within the bounds of the Soboba Band's Tribal Traditional Use Areas, mitigation measure MM Cultural 4 requires coordination with Native American groups to allow a monitor to be present during all ground-disturbing work in potentially sensitive areas. (*Ibid.*)

No unique geologic feature is known to exist and no fossils have been documented in the Project footprint. (*Ibid.*) However, the Project footprint is underlain by deposits that could potentially have a high sensitivity for paleontological resources. (*Ibid.*) Paleontological specimens taken from rock similar to that of the project area have, in the past, contributed to scientific understanding of the distant past and, therefore, could be considered unique resources. (*Ibid.*) Consequently, ground-

disturbing activities resulting from construction of the proposed project could damage or destroy previously undocumented unique fossils, if located within the project footprint. Mitigation measures MM Cultural 5 through MM Cultural 8 outline specific measures that will be taken if certain soil types or any artifacts are unearthed during construction activities. (*Ibid.*) **Therefore, through implementation of proposed mitigation measures, potential cumulative impacts to cultural resources will be reduced to less than significant.** (*Ibid.*)

F. HAZARDS AND HAZARDOUS MATERIALS

Based on the results of the EDR report, the Project proposed facilities are within close vicinity of 27 sites classified as hazardous materials sites under various regulatory statuses. Sites listed on the HAZNET, FINDS, CLEANERS, Small Quantity Generators (SQGs), Large Quantity Generators (LQGs), UST, HIST UST, RCRA, and/or TRIS databases only pose a potential problem in the event of a spill or leak. (*Ibid.*) Consequently, unless these sites also appear on a list of contaminated sites, there is no evidence of any problems at this time. (*Ibid.*)

Although no significant impacts related to hazards and hazardous materials are anticipated from the Potentially Contaminated Sites, or from Project-related construction and operations, common types of unanticipated existing contamination (resulting from prior leaking underground storage tanks, poor chemical handling or accidental/intentional unauthorized chemical releases) could be encountered during the construction of proposed facilities. (*Ibid.*) **Therefore, through implementation of proposed mitigation measures, potential impacts will be reduced to less than significant levels.** (*Ibid.*)

Summary of Cumulative Environmental Effects from General Plans

The geographic scope for cumulative impacts to hazards and hazardous materials includes Riverside County. (DEIR at 5.0-14.) As future development occurs within San Jacinto, Hemet, and within Riverside County, the population will rise and the number of people exposed to hazards related to hazardous materials, flooding, and fires will increase. (*Ibid.*) The cumulative impact of regional development on public safety is potentially significant. (*Ibid.*) However, San Jacinto will implement mitigation identified in the San Jacinto General Plan EIR that will reduce these impacts to less than significant. (*Ibid.*) In addition, cumulative hazards impacts will be limited by public safety policies and programs implemented by other Riverside County jurisdictions. (*Ibid.*) These programs establish policies to ensure that planned land uses are compatible with the surrounding natural and urban environment and hazardous conditions are minimized. (*Ibid.*) Enforcement of state, county, and local hazardous material regulations will reduce significant public health hazards to a less than significant level. (*Ibid.*) Thus, development per the San Jacinto General Plan will not create significant cumulative impacts to hazards and hazardous materials (SJGP EIR, p. 7-6). (*Ibid.*)

Development planned and envisioned in accordance with the Riverside County General Plan would cumulatively increase the intensity of development in Riverside

County. (*Ibid.*) However, compliance with federal, State, and local regulations concerning the storage and handling of hazardous materials and/or waste would reduce the potential for significant public health and safety impacts from hazardous materials to occur. (*Ibid.*) Therefore, the impact of the planned development under the General Plan in addition to future development in surrounding areas is not expected to affect significantly the number of people exposed to public health and safety risks from exposure to hazardous materials (COR GP FEIR, p. 537). (*Ibid.*)

Development planned and envisioned under the City of Hemet General Plan will introduce new industrial uses and commensurate increase in commercial and residential uses which will generate increased amounts of hazardous materials. (*Ibid.*) However, policies contained in the Hemet and San Jacinto General Plans **will effectively mitigate potential cumulative impacts to less than significant** (HGP EIR, p. F-5). (*Ibid.*)

Proposed Mitigation Measures

The proposed Project was found to have less than significant impacts without the need for mitigation measures. (*Ibid.*) Compliance with the adopted mitigation measures contained in the Riverside County and City of Perris general plans and existing water resource regulations will reduce potential cumulative impacts associated with future offsite development. (*Ibid.*) Additional mitigation measures addressing potential cumulative impacts are unnecessary. (*Ibid.*)

Summary of Cumulative Environmental Effects After Mitigation Measures are Implemented

Risks associated with hazardous materials are generally site-specific and localized, and are thus limited to the Project site. (*Ibid.*) As such, the potential for cumulative impacts to occur is limited. (*Ibid.*) Due to the historic agricultural use of the Project property, an environmental regulatory database search was conducted to focus on the presence of above and underground storage tanks, potential for contaminated soil and/or groundwater, and evidence of poor material handling and/or storage which may have resulted in soil and/or groundwater contamination within the Project area. (*Ibid.*) Based on the results of the report, the proposed Project footprint exhibits no evidence of recognized environmental conditions related to hazardous materials that would prohibit project implementation or cause environment impacts from project construction or operation. (DEIR at 5.0-14 – 15.) The Project was found to have less than significant impacts related to the public or the environment from the accidental release of hazardous materials. (DEIR at 5.0-15.)

The geographical context for the cumulative impact analysis is SJV-MDP Project boundary. (*Ibid.*) Although each development site has potentially unique hazardous materials considerations, it is expected that future development within the San Jacinto, Hemet, and surrounding unincorporated Riverside County will generally comply with the range of federal, state, and local statutes and regulations applicable to hazardous

materials, and will be subject to existing and future programs of enforcement by the appropriate regulatory agencies. (*Ibid.*) For these reasons, cumulative impacts to the public or environment resulting from the accidental release of hazardous materials would be less than significant. (*Ibid.*) Consequently, **the proposed Project's impact to the public or environment associated with the release of hazardous materials would be less than cumulatively considerable and thus not significant.** (*Ibid.*)

G. HYDROLOGY AND WATER QUALITY

The Project's impacts to hydrology and water quality were found to be less than significant since the SJV-MDP includes features that will reduce potential impacts to water quality. (*Ibid.*) The Project is designed to improve drainage, and the proposed detention basins will reduce velocities, erosion, siltation, and flooding within the Project area. (*Ibid.*)

Summary of Cumulative Environmental Effects from General Plans

The geographic scope for cumulative impacts to hydrology and water quality is the San Jacinto River Basin. (*Ibid.*) As development proceeds in the San Jacinto River Basin, the amount of pollutants in runoff will increase, this in turn may impact surface and groundwater quality. (*Ibid.*) The amount of impervious surfaces will increase as development proceeds and erosion and sedimentation impacts on surface water will occur during grading and construction activities (SJGP FEIR, pg. 79). (*Ibid.*) However, San Jacinto will implement mitigation described in its General Plan EIR that requires all new development to implement BMPs in compliance with the Construction Stormwater Permit and/or San Jacinto's Municipal Separate Storm Sewer (MS4) Permit to ensure that impacts to hydrology and water quality are less than significant (SJGP FEIR pg. 80). (*Ibid.*)

Development planned and envisioned in accordance with the Riverside County General Plan will result in an increase impermeable surfaces that will increase the volume and rate of storm runoff. (*Ibid.*) Existing fixed drainage channels in urban areas may be unable to contain the runoff generated by relatively small, but intense rainfall events. (*Ibid.*) Additionally, the increase in stormwater runoff caused by new land uses has the potential to increase pollutants conveyed to the groundwater basins and surface waters in creeks and rivers. (*Ibid.*) Through implementation of Riverside County General Plan Policies, other Riverside County regulations, and NPDES requirements, **impacts to hydrology and water quality will be less than significant** (COR FEIR, Section 4.9). (*Ibid.*)

Summary of Cumulative Environmental Effects After Mitigation Measures are Implemented

With the exception of impacts to local drainage, on a cumulative basis, the proposed facilities, along with offsite development authorized by the San Jacinto

General Plan, Hemet General Plan, and Riverside County General Plan, could contribute to regional water quality impacts through introduction of urban runoff. (DEIR at 5.0-16.) However, due to each offsite Project's responsibility to mitigate its individual water quality impact through compliance with NPDES regulations, the potential cumulative effects will be less than significant. (*Ibid.*) Therefore, **cumulative impacts to water quality and the existing drainage pattern (on a regional basis) of the area from the proposed Project are less than significant**. (*Ibid.*)

The proposed Project includes features that will reduce potential impacts to water quality. (*Ibid.*) The proposed detention basins will reduce velocities, erosion, siltation and flooding in the project area. (*Ibid.*) The proposed Project was found to have less than significant impacts without the need for mitigation measures. Compliance with the adopted mitigation measures contained in the Riverside County, San Jacinto, and Hemet General Plans and existing water resource regulations will reduce potential cumulative impacts associated with future offsite development. (*Ibid.*) Additional mitigation measures addressing potential cumulative impacts are unnecessary. (*Ibid.*)

Proposed Mitigation Measures

With the exception of impacts to local drainage patterns, which are significant and unavoidable, the proposed Project was found to have less than significant impacts without the need for mitigation measures. (*Ibid.*) Compliance with existing water resource regulations will reduce potential cumulative impacts associated with future offsite development to **less than significant**; therefore additional mitigation measures addressing potential cumulative impacts are unnecessary. (*Ibid.*)

H. POPULATION AND HOUSING

The SJV-MDP does not include the construction of new homes or businesses, and therefore will not directly induce substantial population growth in the Project area. (*Ibid.*) The proposed Project could indirectly induce growth by removing one potential barrier to growth, by providing planned drainage infrastructure. (*Ibid.*) The San Jacinto General Plan, Hemet General Plan, and Riverside County General Plan outline the type of development and growth that will be allowed in the Project area. (*Ibid.*) Thus potential indirect impacts from development in the Project area are not expected to exceed the potential impacts that have already been disclosed in these General Plan EIRs. (*Ibid.*) Yet, because implementation of the proposed Project could **indirectly induce substantial population growth in San Jacinto, Hemet, and portions of unincorporated Riverside County, impacts are considered significant.** (*Ibid.*)

Summary of Cumulative Environmental Effects from General Plans

The geographic scope for cumulative population and housing is Riverside County. According to SCAG projections, Riverside County is projected to grow by

approximately 1.5 million people over the next 25 years. (*Ibid.*) Although the land uses allowed under the San Jacinto General Plan will provide for sufficient land to accommodate a portion of the region's projected population growth through the provision of additional housing and employment opportunities, implementation of the San Jacinto General Plan would allow a large increase in the population that exceeds the 2030 SCAG projections. (DEIR at 5.0-16 – 17.) As a result, the **San Jacinto General Plan will result in a significant and unavoidable cumulative impact to population and housing**. (DEIR at 5.0-17.)

Development planned and envisioned in the Riverside County General Plan would result in cumulatively significant population increases. (*Ibid.*) Although the rate of growth within Riverside County will be consistent with the SCAG projections, development permitted under the **Riverside County General Plan will cumulatively contribute significant population increases within the County and region** (CORGP FEIR, p. 536). (*Ibid.*)

Development planned and envisioned under the Hemet General Plan is expected to increase population. (*Ibid.*) However, the Hemet General Plan EIR concluded that implementation of the housing and land use measures contained in local General Plans will mitigate these impacts to less than significant. (*Ibid.*) Therefore, **no significant cumulative impacts are expected due to changes in population, housing, or household characteristics** (HGP EIR, p. F-7). (*Ibid.*)

Proposed Mitigation Measures

No mitigation measures were found to be feasible. (*Ibid.*)

Summary of Cumulative Environmental Effects After Mitigation Measures are Implemented

The proposed Project could indirectly induce substantial population growth in the San Jacinto Valley areas, by removing an obstacle to development. (*Ibid.*) The existing facilities in this area will not provide 100-year flood protection which would remove an obstacle to growth. (*Ibid.*) The adopted San Jacinto, Hemet and Riverside County General Plans outline the type of development and growth that will be allowed in the Project area. (*Ibid.*) The proposed Project was planned and sized to provide drainage facilities and infrastructure consistent with the General Plan land uses. (*Ibid.*) The proposed Project's potential indirect impacts would not exceed the impacts that have already been addressed during the adoption of the San Jacinto General Plan EIR (May 2006), the Hemet General Plan Final EIR (August 1992), or the Riverside County General Plan Final EIR (October 2003). (*Ibid.*) Nonetheless, **there are no mitigation measures that would reduce indirect Project impacts to less than significant levels.** (*Ibid.*) **Adoption of a statement of overriding considerations would be required prior to project approval.** (*Ibid.*)

SECTION 6: RESOLUTION REGARDING SIGNIFICANT IRREVERSIBLE

ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires that an EIR discuss "any significant irreversible environmental changes which would be involved in the proposed action should it be implemented." (DEIR at 5.0-19.) Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of nonrenewable resources.
- The primary and secondary impacts of the project would generally commit future generations to similar uses.
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project.
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy). (*Ibid.*)

Besides the temporary use of non-renewable resources (e.g., fossil fuels) during construction, the proposed Project will not result in the use of non-renewable resources. (*Ibid.*) Once the SJV-MDP facilities are constructed, the land use within the drainage facility footprints would need to remain permanently committed to flood control uses, since adjacent developed areas and infrastructure would depend on the flood control infrastructure for flood protection. (*Ibid.*) Thus, the proposed facilities and the previously described significant impacts to agricultural resources could be considered a significant irreversible change. (*Ibid.*) Likewise, the potential indirect growth inducement impacts could be considered an irreversible change to those portions of the Project area that are relatively rural and undeveloped. (*Ibid.*)

SECTION 7: RESOLUTION REGARDING GROWTH-INDUCING IMPACTS

State CEQA Guidelines Section 15126.2(d) requires an evaluation of growth inducing impacts that may result from a Proposed Project. (*Ibid.*) Growth inducing impacts can occur when a project places additional stress on a community by directly inducing economic or population growth that would lead to construction of new development projects as the same area as the Project. (*Ibid.*)

Implementation of the SJV-MDP will remove one obstacle to development and subsequent population growth in the Project area. (DEIR at 5.0-20.) However, the proposed SJV-MDP facilities are located in areas that are either already developed or planned for development in the Hemet, San Jacinto, and Riverside County General Plans. (*Ibid.*) The portion of the Project within unincorporated Riverside County is located within the San Jacinto Valley Area Plan. (*Ibid.*) Land use designations within the boundaries of the SJV-MDP include: Rural Residential; Low Density, Medium Density, High Density, and Very High Density Residential; Downtown and Community Commercial; Industrial, Public Institutional, and Open Space Recreational. (*Ibid.*)

The EIRs prepared for the San Jacinto, Hemet, and Riverside County General Plans addressed potential environmental impacts, including growth inducement, from implementation of policies and land use designations set forth in each jurisdiction's

General Plan. Development as planned for and envisioned by each General Plans will result in growth. (*Ibid.*) The purpose of a General Plan is to identify how and where growth and development may occur within a jurisdiction. (*Ibid.*) Therefore; based on the definition of growth inducement, a General Plan is inherently growth inducing. (*Ibid.*) The growth authorized by the San Jacinto, Hemet, and Riverside County General Plans leads to significant unavoidable adverse impacts. (*Ibid.*)

As stated in the San Jacinto General Plan EIR (SCH No. 2001111165), the specific intent of the San Jacinto General Plan is to provide for the orderly development and redevelopment, define the limits of development, and serve as a mechanism to accommodate and control future development. (*Ibid.*) The San Jacinto General Plan EIR further states that increased population and employment resulting from new residential and non-residential development has the potential to induce growth in areas outside of San Jacinto (SJGP EIR, pg. 7-9). (*Ibid.*) After implementation of all of mitigation measures identified in the San Jacinto General Plan EIR, impacts with respect to air quality, noise population, and traffic will remain significant and unavoidable (SJGP EIR, pgs. 7-10 and 7-11). (*Ibid.*)

As stated in the Hemet General Plan EIR (SCH 90020515), implementation of the General Plan will result in significant growth; however, the purpose of the Hemet General Plan is to permit growth in ways deemed desirable by Hemet and to mitigate effects of such growth. (*Ibid.*) The Hemet General Plan EIR states that implementation of the Hemet General Plan will induce growth directly through an increase in housing units and indirectly through the provision of better roads and infrastructure, and concludes growth-inducing impacts will be significant but not adverse (HGP EIR, pg. G-1). (*Ibid.*) After implementation of all mitigation measures identified in the Hemet General Plan EIR, impacts with respect to: land resources, water resources, biological resources, air resources, landforms and topography, flood hazards, aesthetic resources, school facilities, solid waste, circulation, and agriculture will remain significant and unavoidable (HGP EIR, pg. B-15). (*Ibid.*)

As stated in the Riverside County General Plan Final EIR (SCH No. 2002051143) development following the General Plan will result in growth. (*Ibid.*) The growth authorized by the Riverside County General Plan will result in significant unavoidable adverse impacts, such as air quality, biological resources, water resources, and traffic. (DEIR at 5.0-20 – 21.) The General Plan is a land use master plan providing the framework by which public officials will be guided on making decisions relative to development within Riverside County. (DEIR at 5.0-21.) The implementation of the General Plan's land use policies will incrementally increase demands for the proposed drainage facilities, public services, utilities, and infrastructure, and the need for medical, educational, and recreational facilities (COR GP EIR, Section 5.3.3). (*Ibid.*)

The proposed Project could indirectly induce growth by removing one potential barrier to growth, by providing flood control infrastructure. (*Ibid.*) The San Jacinto, Hemet, and Riverside County General Plans outline the type of development and growth that will be allowed in the Project area. (*Ibid.*) Thus, potential indirect impacts

from development in the Project area are not expected to exceed the potential impacts that have already been disclosed in the San Jacinto, Hemet, and Riverside County General Plan EIRs. (*Ibid.*) However, because implementation of the proposed SJV-MDP could indirectly induce substantial population growth in the Project area, **impacts with respect to growth inducement are considered significant.** (*Ibid.*)

SECTION 8: RESOLUTION REGARDING ALTERNATIVES

A. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/ PROJECT PLANNING PROCESS

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the Draft EIR.

Among the factors that are used to consider project alternatives for detailed consideration in an EIR are whether they would meet most of the basic project objectives, be feasible, and whether they would avoid or substantially reduce the significant environmental impacts of the project. (CEQA Guidelines Section 15126[c].) Several alternatives were eliminated during the scoping/planning process, either because they were deemed infeasible or because they were technologically or environmentally inferior as compared to the proposed Project.

The following objectives have been established for the proposed Project:

1. Provide a single comprehensive MDP that contains a drainage plan for the North and West Areas and the necessary updates and revisions to the SJMDP and NW Hemet MDP.
2. In conjunction with ultimate street improvements for the area within the boundaries of the SJV-MDP, contain the 100-year flood flows and alleviate the primary sources of flooding within the boundaries of the SJV-MDP.
3. Serve as a guide for the location and size of drainage facilities that need to be constructed to protect existing development and future development as the area within the boundaries of the SJV-MDP develops per the San Jacinto General Plan, Hemet General Plan, the Riverside County General Plan, and specifically, the San Jacinto Valley Area Plan.
4. Ensure that facility alignments are reserved for future construction of the drainage facilities identified in the SJV-MDP.
5. Identify facility alignments that do not traverse the Eastern Municipal Water District (EMWD) Waste Water Treatment Plant.
6. Identify facilities and facility alignments that require the minimal amount of ROW acquisition in potentially sensitive areas.
7. Identify the most economical combination of facilities taking into consideration ROW acquisition, construction, and maintenance costs.
8. Identify facilities that will accommodate phased development within the boundaries of the SJV-MDP

9. Create a funding mechanism to help finance the costs of construction of the facilities identified in the SJV-MDP.

Several alternatives to the proposed Project were considered and rejected as infeasible. (DEIR at 5.0-23 – 31.) Some of these alternatives were suggested in the scoping process and from comments to the NOP. (*Ibid.*) The alternatives considered and rejected were: (1) West Alternatives 1 through 4; and (2) North Alternatives 1 through 4.

1. West Alternatives 1 through 4

Descriptions:

West Alternative 1 consists of a combination of RCB culverts and open channels. (DEIR at 5.0-23.) West Alternative 1 begins as a RCB and travels easterly along Esplanade Avenue. Near the intersection of Esplanade Avenue and Warren Road, the lateral turns northerly and the alignment continues along the east side of Metropolitan's San Diego Canal. (*Ibid.*) At Seventh Street, the facility changes from an RCB to an open channel, and the alignment continues northerly along the east side of the MWD San Diego Canal until it reaches Metropolitan's Casa Loma Canal. After crossing underneath the Casa Loma Canal in a multi cell RCB, the alignment curves westerly until it reaches Warren Road. From there, it traverses northerly along the east side of Warren Road until it reaches a point approximately 2,000 feet south of the intersection of Warren Road and Metropolitan's Colorado River Aqueduct. (*Ibid.*) From this point, the alignment travels easterly approximately 2,000 feet and ties into the Northwest Basin (Webb 2006). (*Ibid.*)

West Alternative 2 consists of a combination of RCP, RCB culverts, and open channels with the addition of a detention basin between Cottonwood Avenue and Metropolitan's Casa Loma Canal. (*Ibid.*) West Alternative 2 begins as a RCB and travels easterly along Esplanade Avenue. (*Ibid.*) Near the intersection of Esplanade Avenue and Warren Road, the alignment northerly and continues along the east side of Metropolitan's San Diego Canal. (*Ibid.*) At Seventh Street, the facility changes from an RCB to an open channel and the alignment continues northerly along the east side of Metropolitan's San Diego Canal until it crosses Cottonwood Avenue and enters into a proposed detention basin. (*Ibid.*) The proposed basin has a preliminary footprint of 20 acres and is 16 feet deep in order to allow the outlet to cross underneath the Casa Loma Canal. (*Ibid.*) The outflow from the basin would be limited to approximately 50 cfs which would significantly reduce the size of downstream facilities (Webb 2006). (*Ibid.*)

West Alternative 2 exits the basin underneath the Casa Loma Canal as an RCP and curves westerly until it reaches Warren Road. (*Ibid.*) From there, the alignment continues northerly in Warren Road increasing in size until it turns into an RCB and continues to travel northerly in Warren Road until it reaches a point approximately 2,000 feet south of the intersection of Warren Road and Metropolitan's Colorado River Aqueduct; at which point, the alignment travels easterly approximately 2,000 feet and ties into the Northwest Basin (Webb 2006). (*Ibid.*)

West Alternative 3 consists of a combination of RCP, RCB culverts, and open channels with the addition of a detention basin between Cottonwood Avenue and the Metropolitan's Casa Loma Canal and a detention basin on the east side of Warren Road approximately 2,000 feet south of the intersection of Warren Road and Metropolitan's Colorado River Aqueduct. Alternative 3 begins as a RCB and travels easterly along Esplanade Avenue. (DEIR at 5.0-23 – 24.) Near the intersection of Esplanade Avenue and Warren Road the alignment turns northerly and continues along the east side of Metropolitan's San Diego Canal. (DEIR at 5.0-24.) At Seventh Street, the facility changes from an RCB to an open channel, continues northerly along the east side of Metropolitan's San Diego Canal until it reaches the Metropolitan's Casa Loma Canal. (*Ibid.*) After crossing underneath the Casa Loma Canal in a multi cell RCB, the alignment enters into a proposed detention basin that is north of the Casa Loma Canal and east of Warren Road. (*Ibid.*) The proposed basin has a preliminary footprint of 20 acres and will be 18 feet deep. (*Ibid.*) The outflow from the basin would be limited to approximately 50 cfs which would significantly reduce the size of downstream facilities (Webb 2006). (*Ibid.*)

West Alternative 3 exits the basin and travels northerly in Warren Road increasing in size until it turns into an RCB; the alignment then continues to northerly in Warren Road until approximately 2,000 feet south of the intersection of Warren Road and Metropolitan's Colorado River Aqueduct at which point it enters into a second proposed detention basin. (*Ibid.*) This second proposed basin (preliminarily) would have an approximately 30 acre footprint and be approximately 10 feet deep. (*Ibid.*) Peak outflows from the second basin would be reduced to approximately 35 cfs. Flow from this basin would travel northerly in Warren Road, cross under the Colorado River Aqueduct, and enter and tie into Line Z, or travel east and enter the Northwest Basin (Webb 2006). (*Ibid.*)

West Alternative 4 proposes directing Line D flows southerly of EMWD's Waste Water Treatment Plant (WWTP) into a large detention basin proposed northerly of Cottonwood Avenue, southerly of Metropolitan's Casa Loma Canal and easterly of Metropolitan's San Diego Canal. (*Ibid.*) The detention basin proposed in this location would be much larger than that proposed in Alternative 2 due to the increased tributary area. (*Ibid.*) Flows from the first detention basin would be greatly reduced (perhaps down to 50 cfs) and would exit the first basin following a similar underground alignment as described in Alternative 2 westerly to Warren Road. (*Ibid.*) The alignment continues northerly in Warren Road until approximately 2,000 feet south of the intersection of Warren Road and Metropolitan's Colorado River Aqueduct where it enters into a second detention basin, which will be very similar to the basin described in Alternative 3 (Webb 2006). (*Ibid.*)

Impacts: Implementation of West Alternative 1, West Alternative 2, West Alternative 3, or 4 would result in significant construction related impacts to air quality, significant direct and indirect impacts to agricultural resources, and significant indirect impacts to population/housing. (DEIR at 5.0-25.) With respect to air quality impacts, the

thresholds for particulate matter will be exceeded if more than one facility is under construction at any given time. (*Ibid.*) Many, if not most, of the MDP facilities are expected to be constructed as part of private development projects within three different jurisdictions; thus, it is highly unlikely that San Jacinto, Hemet, or Riverside could or would coordinate construction to reduce construction-related impacts to air quality to less than significant. (*Ibid.*)

With respect to agricultural resources, most of the Project area is designated Farmland and construction of the basins discussed in West Alternatives 1 through 3, could result in the direct conversion of Farmland to public facilities. (*Ibid.*) Additionally, since West Alternatives 1 though 3 could support and encourage planned development per the Riverside County, San Jacinto, and Hemet General Plans in an area containing approximately 153 acres of Farmland, implementation of any of these alternatives will have significant and unavoidable indirect impacts to agricultural resources. (*Ibid.*)

With respect to population/housing, West Alternatives 1 through 4 will indirectly induce substantial population growth by removing one potential barrier to growth through the provision of flood control infrastructure; thus impacts in this regard are significant and unavoidable. (*Ibid.*)

Objectives and Feasibility: The four conceptual alternatives for the West Area described above, were reviewed by San Jacinto and RCFCWCD and West Alternatives 1 through 3 were dismissed from further consideration because West Alternative 4 is the only alternative that meets the Project objective of identifying facility alignments that do not traverse EMWD's WWTP (Objective 5). (DEIR at 5.0-24.) The alignment for Line D in West Alternatives 1 through 3 traverses EMWD's WWTP. (*Ibid.*) EMWD does not want an open channel dividing their WWTP property; thus acquisition of ROW to construct an open channel in this location could be problematic. (*Ibid.*) Additionally, the physical constraints associated with running an underground conduit through the WWTP would make such an alignment extremely difficult to construct. (*Ibid.*) For these reasons, the City (as lead agency), RCFCWCD, and EMWD (as the owner of the property in question) preferred West Alternative 4, which conveyed Line D flows around the EWMD WWTP (Webb 2006). (*Ibid.*) However, given the increased size of West Alternative 4's detention basins, increased costs, especially related to maintenance, would result and, thus, would not achieve Objective 7. This alternative would also not avoid the significant impacts associated with the Project.

Finding: The City Council rejects West Alternatives 1 through 4 on the bases (1) that they would not achieve Project objectives to the same degree as the proposed Project; (2) that they would not avoid or substantially lessen the impacts associated with the Project; (3) that each of these bases individually justify the rejection of these alternatives; and (4) thereby finds that they were not required to be analyzed in further detail in the DEIR.

2. North Alternatives 1 through 4

Description:

North Alternative 1 consists of the following facilities (Webb 2007, pgs. 2 –3):

- Line 1 is an earthen channel that connects to an existing agricultural drainage ditch just west of the southwesterly edge of the Stage IV Levee. Line 1 traverses easterly for approximately 6,900 feet until it reaches Sanderson Avenue. Line 1 will cross underneath Sanderson Avenue as a reinforced box culvert. On the easterly side of Sanderson Avenue, Line 1 connects to a proposed detention basin. Line 1 will require 14.5 acres of ROW to construct. (DEIR at 5.0-25.)
- Line 2 is an earthen channel that connects to —Line Z. Line 2 runs along the northerly side of Ramona Expressway for approximately 6,900 feet and will require 11.2 acres of ROW to construct. (*Ibid.*)
- The North Alternative 1 Basin is bounded by Sanderson Avenue to the west and the future alignment of Record Road to the north. The North Alternative 1 Basin will have an approximate 12.5 acre footprint and have approximately 70 acre-feet of storage. (DEIR at 5.0-26.)
- Line 3 is a proposed earthen channel that ties into the southwest corner of the Alternative 1 Basin. Line 3 traverses southerly from the basin along the east side of Sanderson Avenue for approximately 1,300 feet. From there it traverses in an easterly direction for approximately 600 feet. Line 3 will pick up flows east of Sanderson Avenue, west of Line 4A, north of Ramona Expressway, and south of the future alignment of Record Road. In North Alternative 1, Line 3 will require 3.0 acres of ROW to construct. (*Ibid.*)
- Line 4 begins in the northeast corner of the North Alternative 1 Basin. It traverses along the future alignment of Record Road in a southeasterly direction for approximately 3,300 feet as an earthen channel. From there it continues along the future alignment of Record Road for approximately 4,200 feet as an underground RCB until it reaches the existing alignment of Record Road. From there it traverses easterly in Record Road for approximately 1,700 feet. In North Alternative 1, Line 4 will require 8.5 acres of right of way to construct. (*Ibid.*)
- Line 4A ties into Line 4 approximately 1,900 feet upstream of where Line 4 outlets into the North Alternative 1 Basin. Line 4A traverses southerly approximately 2,400 feet until it reaches Ramona Expressway. From there Line 4A traverses as an underground conduit in a southeasterly direction along Ramona Expressway for approximately 1,800 feet. At this point Line 4A turns and traverses easterly for approximately 1,200 feet. In North Alternative 1, Line 4A will require 5.7 acres of ROW to construct. (*Ibid.*)
- Line 4B ties into Line 4 approximately 3,250 feet upstream of where Line 4 outlets into the Alternative 1 Basin. Line 4 traverses in an easterly direction as an underground pipe for approximately 2,150 feet. From there it traverses in a southerly direction for approximately 800 feet. Since all of Line 4B is underground in North Alternative 1, it will require an easement for construction rather than ROW. (*Ibid.*)

North Alternative 1A consists of the following facilities (Webb 2007, pgs. 4 –5):

- Line 1 is an earthen channel that connects to an existing agricultural drainage ditch just west of the southwesterly edge of the Stage IV Levee. Line 1 traverses easterly for approximately 6,900 feet until it reaches Sanderson Avenue. Line 1 crosses underneath Sanderson Avenue as a reinforced box culvert. On the easterly side of Sanderson Avenue, Line 1 connects to a proposed detention basin. Line 1 will handle flows in the —west area northerly on the future alignment of Record Road and southerly of the Stage IV Levee. Line 1 will also serve as an outlet for the North Alternative 1A Detention Basin. In North Alternative 1A, Line 1 will require 14.5 acres of ROW to construct. (*Ibid.*)
- Line 2 is an earthen channel that connects to —Line Z. Line 2 runs along the northerly side of Ramona Expressway for approximately 6,900 feet and will require 11.2 acres of ROW to construct. (*Ibid.*)
- The North Alternative 1A Basin is bounded by Sanderson Avenue to the west and the future alignment of Record Road to the north. The Alternative 1A Basin will have an approximate 12.5 acre footprint and have approximately 70 acre-feet of storage. (DEIR at 5.0-27.)
- Line 3 is a proposed earthen channel that ties into the southwest corner of the North Alternative 1A Basin. Line 3 traverses southerly from the basin along the east side of Sanderson Avenue for approximately 1,300 feet. From there it traverses in an easterly direction for approximately 600 feet. In North Alternative 1A, Line 3 will require 3.0 acres of ROW to construct. (*Ibid.*)
- Line 4 begins in the northeast corner of the North Alternative 1A Basin and traverses easterly along the southerly side of the Stage IV Levee for approximately 5,000 feet as an earthen channel. From there it continues a reinforced box culvert in a southerly direction for approximately 1,900 feet until it reaches the future alignment of Record Road and then continues easterly along Record Road for approximately 3,000 feet as an underground conduit. In North Alternative 1A, Line 4 will require 12.0 acres of ROW to construct. (*Ibid.*)
- Line 4A ties into Line 4 approximately 1,300 feet upstream of the North Alternative 1A Basin and traverses southerly approximately 2,900 feet until it reaches Ramona Expressway. From there Line 4A traverses as an underground conduit in a southeasterly direction along Ramona Expressway for approximately 1,800 feet and then turns and traverses easterly for approximately 1,200 feet. In North Alternative 1A, Line 4A will require 6.0 acres of ROW to construct. (*Ibid.*)

North Alternative 2 consists of the following facilities (Webb 2007, pgs. 6 –7):

- Line 1 is an earthen channel that connects to an existing agricultural drainage ditch just west of the southwesterly edge of the Stage IV Levee. Line 1 traverses easterly for approximately 6,200 feet until it reaches the North Alternative 2 Basin. Line 1 will serve as an outlet for the North Alternative 2 Detention Basin and will require 11.7 acres of right-of-way to construct. (*Ibid.*)
- Line 2 is an earthen channel that connects to —Line Z. Line 2 runs along the northerly side of Ramona Expressway for approximately 6,900 feet and will

require 11.2 acres of ROW to construct. Alternative 2 Basin – The Alternative 2 Basin is bounded by Sanderson Avenue to the east and the Stage IV Levee to the north. The Alternative 2 Basin will have an approximate 13 acre footprint and have approximately 70 acre-feet of storage. The basin will reduce —middle area flows from approximately 1,200 cfs to 500 cfs. (*Ibid.*)

- Line 3 begins in the northeast corner of the North Alternative 2 Basin and traverses easterly across Sanderson Avenue in a multi-cell RCB culvert. From there it traverses along the future alignment of Record Road in a southeasterly direction for approximately 4,200 feet as an earthen channel and then continues for approximately 4,200 feet as an underground RCB until it reaches the existing alignment of Record Road, from which point it traverses easterly in Record Road for approximately 1,700 feet. In North Alternative 2, Line 3 will require 10.4 acres of ROW to construct. (DEIR at 5.0-27 – 28.)
- Line 3A is a proposed earthen channel that ties into Line 3 on the easterly side of Sanderson Avenue and traverses southerly from the basin along the east side of Sanderson Avenue for approximately 2,300 feet, then it traverses in an easterly direction for approximately 600 feet. In North Alternative 2, Line 3A will require 4.7 acres of ROW to construct. (DEIR at 5.0-28.)
- Line 3B ties into Line 3 approximately 2,800 feet upstream of Sanderson Avenue and traverses southerly approximately 2,400 feet until it reaches Ramona Expressway, then traverses as an underground conduit in a southeasterly direction along Ramona Expressway for approximately 1,800 feet. At this point Line 3B turns and traverses easterly for approximately 1,200 feet. In North Alternative 2, Line 3B will require 5.7 acres of ROW to construct. (*Ibid.*)
- Line 3C ties into Line 3 approximately 4,200 feet upstream of Sanderson Avenue and traverses in an easterly direction as an underground pipe for approximately 2,150 feet, then traverses in a southerly direction for approximately 800 feet. Since all of Line 3C is underground in North Alternative 2, it will require an easement for construction rather than ROW. (*Ibid.*)

North Alternative 2A consists of the following facilities (Webb 2007, pgs. 8 –9):

- Line 1 is an earthen channel that connects to an existing agricultural drainage ditch west of the southwesterly edge of the Stage IV Levee. Line 1 traverses easterly for approximately 6,200 feet until it reaches the North Alternative 2A Basin. In North Alternative 2A, Line 1 will require 11.7 acres of ROW to construct. (*Ibid.*)
- Line 2 is an earthen channel that connects to —Line Z. Line 2 runs along the northerly side of Ramona Expressway for approximately 6,900 feet and require 11.2 acres of ROW to construct. (*Ibid.*)
- The North Alternative 2A Basin is bounded by Sanderson Avenue to the east and the Stage IV Levee to the north and will have an approximate 13 acre footprint and approximately 70 acre-feet of storage. (*Ibid.*)
- Line 3 begins in the northeast corner of the North Alternative 2A Basin and traverses easterly across Sanderson Avenue in a multi-cell RCB culvert. From there it traverses along the southerly side of the Stage IV Levee for

approximately 5,900 feet as an earthen channel, then it continues as a reinforced box culvert in a southerly direction for approximately 1,900 feet until it reaches the future alignment of Record Road. From there it continues easterly along Record Road for approximately 3,000 feet as an underground conduit. In North Alternative 2A, Line 3 will require 13.7 acres of ROW to construct. (*Ibid.*)

- Line 3A is a proposed earthen channel that ties into Line 3 on the easterly side of Sanderson Avenue. Line 3A traverses southerly from the basin along the east side of Sanderson Avenue for approximately 2,300 feet; then it traverses in an easterly direction for approximately 600 feet. In North Alternative 2A, Line 3A will require 4.7 acres of ROW to construct. (DEIR at 5.0-28 – 29.)
- Line 3B ties into Line 3 approximately 2,500 feet upstream of Sanderson Avenue and traverses southerly approximately 2,900 until it reaches Ramona Expressway; at which point it traverses as an underground conduit in a southeasterly direction along Ramona Expressway for approximately 1,800 feet. At this point Line 3B turns and traverses easterly for approximately 1,200 feet. In North Alternative 2A, Line 3B will require 6.0 acres of ROW to construct. (DEIR at 5.0-29.)

North Alternative 3 consists of the following facilities (Webb 2007, pgs. 10 –11):

- Line 1 is an earthen channel that connects to an existing agricultural drainage ditch just west of the southwesterly edge of the Stage IV Levee. Line 1 traverses easterly for approximately 6,900 feet until it reaches Sanderson Avenue. Line 1 crosses underneath Sanderson Avenue as an RCB. On the easterly side of Sanderson Avenue, Line 1 traverses along the future alignment of Record Road in a southeasterly direction for approximately 4,200 feet as an earthen channel, then it continues along the future alignment of Record Road for approximately 4,200 feet as an underground RCB until it reaches the existing alignment of Record Road. From there it traverses easterly in Record Road for approximately 1,700 feet. In North Alternative 3, Line 1 will require 34.3 acres of ROW to construct. (*Ibid.*)
- Line 1A is a proposed earthen channel that ties into Line 1 on the easterly side of Sanderson Avenue and traverses southerly from the basin along the east side of Sanderson Avenue for approximately 2,300 feet; then it traverses in an easterly direction for approximately 600 feet. In North Alternative 3, Line 1A will require 4.7 acres of ROW to construct. (*Ibid.*)
- Line 1B ties into Line 1 approximately 2,800 feet upstream of Sanderson Avenue and traverses southerly approximately 2,400 feet until it reaches Ramona Expressway, then it traverses as an underground conduit in a southeasterly direction along Ramona Expressway for approximately 1,800 feet. At this point Line 1B turns and traverses easterly for approximately 1,200 feet. In North Alternative 3, Line 1B will require 5.7 acres of right-of-way to construct. (*Ibid.*)
- Line 1C ties into Line 1 approximately 4,200 feet upstream of Sanderson Avenue and traverses in an easterly direction as an underground pipe for approximately 2,150 feet, then it traverses in a southerly direction for approximately 800 feet.

Since all of Line 1C is underground in North Alternative 3, it will require an easement for construction rather than ROW. (*Ibid.*)

- Line 2 is an earthen channel that connects to —Line Z. Line 2 runs along the northerly side of Ramona Expressway for approximately 6,900 feet and will require 11.2 acres of ROW to construct. (*Ibid.*)

North Alternative 4 consists of the following facilities (Webb 2007, pgs. 11 –12):

- Line 1 is an earthen channel that connects to an existing agricultural drainage ditch just west of the southwesterly edge of the Stage IV Levee and traverses easterly for approximately 6,900 feet until it reaches Sanderson Avenue. Line 1 crosses underneath Sanderson Avenue as a multi-cell reinforced box culvert. On the easterly side of Sanderson Avenue, Line 1 traverses along the future alignment of Record Road in a southeasterly direction for approximately 6,800 feet as an earthen channel until it reaches the MWD Colorado River Aqueduct and traverses easterly along the Colorado River Aqueduct as an underground conduit for approximately 3,800 feet until it reaches State Street, at which point it connects to Line H of the SJMDP. In North Alternative 3, Line 1 will require 65.1 acres of ROW to construct. (DEIR at 5.0-30.)
- Line 1A is a proposed earthen channel that ties into Line 1 on the easterly side of Sanderson Avenue and traverses southerly from the basin along the east side of Sanderson Avenue for approximately 2,300 feet, then it traverses in an easterly direction for approximately 600 feet. Line 1A will require 4.7 acres of ROW to construct. (*Ibid.*)
- Line 1B ties into Line 1 approximately 2,800 feet upstream of Sanderson Avenue and traverses southerly approximately 2,400 feet until it reaches Ramona Expressway. From there Line 1B traverses as an underground conduit in a southeasterly direction along Ramona Expressway for approximately 1,800 feet, at which point Line 1B turns and traverses easterly for approximately 1,200 feet. In North Alternative 4, Line 1B will require 5.7 acres of right-of-way to construct. (*Ibid.*)
- Line 1C ties into Line 1 approximately 4,200 feet upstream of Sanderson Avenue and traverses in an easterly direction as an underground pipe for approximately 2,150 feet, then it traverses in a southerly direction for approximately 800 feet. Since all of Line 1C is underground in Alternative 4, it will require an easement for construction rather than right-of-way. Line 2 is an earthen channel that connects to —Line Z. Line 2 runs along the northerly side of Ramona Expressway for approximately 6,900 feet and will require 11.2 acres of ROW to construct. (*Ibid.*)

Impacts: Implementation of North Alternative 1, North Alternative 2, North Alternative 2A, North Alternative 3, and North Alternative 4, would result in significant construction related impacts to air quality, significant direct and indirect impacts to agricultural resources, and significant indirect impacts to population/housing. (DEIR at 5.0-31.) With respect to air quality impacts, the thresholds for particulate matter will be exceeded if more than one facility is under construction at any given time. (*Ibid.*) Many,

if not most, of the SJV-MDP facilities in the North Area are expected to be constructed as part of private development projects within San Jacinto or Riverside County. (*Ibid.*) It is unlikely that these two jurisdictions could or would coordinate construction to reduce construction-related impacts to air quality to less than significant. (*Ibid.*)

With respect to agricultural resources, most of the North Area is designated Farmland and construction of the facilities to serve the North Area could result in direct impacts to Farmland. (*Ibid.*) Additionally, since North Alternatives 1, 2, 2A, 3, and 4 could support and encourage planned development per the Riverside County and San Jacinto General Plans in an area containing approximately 758 acres of Farmland, implementation of any of these alternatives will have significant and unavoidable indirect impacts to agricultural resources. (*Ibid.*)

With respect to population/housing, North Alternatives 1, 2, 2A, 3, and 4 will indirectly induce substantial population growth by removing one potential barrier to growth through the provision of flood control infrastructure; thus impacts in this regard are significant and unavoidable. (*Ibid.*) Since North Alternatives 1, 2, 2A, 3, and 4 would result in significant unavoidable impacts to air quality, agricultural resources, and population/housing, these alternatives were eliminated from further study in this Draft EIR. (*Ibid.*)

Objectives and Feasibility: Based on the conceptual level analysis completed for the North Alternatives, from an engineering perspective, North Alternatives 1, 1A, 2, and 2A are preferable to North Alternatives 3 and 4 because the retention basins proposed in North Alternatives 1, lA, 2, and 2A achieve the Project objective of accommodating phased development within the boundaries of the SJV- MDP. (DEIR at 5.0-30.) North Alternatives 1 and 1A are slightly preferable to Alternatives 2 and 2A in that the crossing of Sanderson Avenue will be easier with facilities included in these alternatives since flows will be reduced upstream of Sanderson Avenue. (*Ibid.*) Alternatives 1A and 2A propose a narrower channel adjacent to Record Road, which is preferable from an engineering standpoint North Alternatives 1A and 2A are better than North Alternatives 1 or 2. (DEIR at 5.0-30 – 31.) Economically, there is not a significant difference between the top alternatives. Environmentally they are very similar. (DEIR at 5.0-31.) From an engineering standpoint, North Alternative 1A and 2A are also very similar. San Jacinto (as lead agency) and RCFCWCD have selected North Alternative 1A to be included in the SJV-MDP since this alternative is the most conducive to phased development (Webb 2007, pg. 14); thus, North Alternatives 1, 2, 2A, 3, and 4 were eliminated from further detailed study. (*Ibid.*)

Finding: The City Council rejects North Alternatives 1 through 4 (but not North Alternative 1a) on the bases (1) that they would not achieve Project objectives to the same degree as the proposed Project; (2) that they would not avoid or substantially lessen the impacts associated with the Project; (3) that each of these bases individually justify the rejection of these alternatives; and (4) thereby finds that they were not required to be analyzed in further detail in the DEIR. Alternative 1a is hereby incorporated into the Project.

B. ALTERNATIVES SELECTED FOR ANALYSIS

The CEQA Guidelines indicate that an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." (Guidelines § 15126[a].) Accordingly, the alternatives selected for review pursuant to the EIR focus on: (a) the specific general plan policies pertaining to the project site, and (b) alternatives that could eliminate or reduce significant environmental impacts to a level of insignificance, consistent with the project objectives (i.e. the alternatives could impede the attainment of project objectives). The alternatives analyzed in the following sections include:

- No Project Alternative (Existing Adopted ADPs/MDPs)
- Revise Existing MDPs Alternative

1. No Project Alternative

Description: The No Project Alternative includes implementation of the SJMDP (revised 1990) and NW Hemet MDP (1985), as previously adopted. (DEIR at 5.0-32.) The majority of the open channels proposed in these existing plans consist of both lined and unlined facilities. (*Ibid.*) In general, the lined channels are trapezoidal in shape with concrete paving on the side slopes and bottom. (*Ibid.*) The sides slope upward from the bottom at a rate of one foot vertically for every 1.5 feet horizontally. (*Ibid.*) A few of the proposed lined channels also consist of lined rectangular channel sections. (*Ibid.*) The lined trapezoidal channels in these plans generally range in size from a bottom width of 2 feet to 40 feet and in depth from 3 feet to 10 feet. (*Ibid.*) The proposed unlined channels are also trapezoidal in shape with generally flatter side slopes running 3 feet horizontally for every 1 foot of rise. (*Ibid.*) The channel right-of-way required will accommodate the channel as well as one or two maintenance roads. (*Ibid.*) The proposed underground storm drains consist of reinforced concrete pipe (RCP) ranging in size from 30 inches to 102 inches in diameter. Some sections of the proposed underground storm drains also consist of RCB. (*Ibid.*)

Under the previously adopted SJMDP, Lines C, D-2, and G would not be realigned; Line G-3a and G-3 would not be combined; Line E would continue to outlet into the San Jacinto River. (DEIR at 5.0-34.) The SJMDP does not include N Line E-2, N Line E-3, and three laterals along Line E (Kirby Lateral, Lyon Avenue Lateral, and 7th Street Lateral). (*Ibid.*) Under the No Project Alternative, N Line E-2, N Line E-3, and three laterals along Line E would not be added to the SJMDP. (*Ibid.*)

Under the previously adopted NW Hemet MDP, N Line D would remain an above ground facility and would never be constructed since development has already occurred along its alignment. (*Ibid.*) N Line D would terminate west of the intersection of Cawston and Cottonwood Avenues at the Casa Loma Basin, and Line D north of Cottonwood Avenue (shown on the SJV- MDP as Line V) would be a concrete lined-channel. (*Ibid.*)