

Table 2-A, Impact and Mitigation Summary Matrix

IMPACT CATEGORY	IMPACT/THRESHOLD	MITIGATION MEASURE	LEVEL OF IMPACT	IMPLEMENTATION TIMING	RESPONSIBLE PARTY	MONITORING/REPORTING METHOD	IMPACT AFTER MITIGATION
		<p>Northbound: One left turn lane. One shared through and right turn lane.</p> <p>Southbound: One left turn lane. One shared through and right turn lane.</p> <p>Eastbound: One left turn lane. Two through lanes. One shared through and right turn lane.</p> <p>Westbound: One left turn lane. Two through lanes. One shared through and right turn lane.</p>		Occupancy or building permit for an equivalent amount of non-residential buildings	Department		
		<p>MM Trans 99: Improve the intersection of Hansen Avenue and 10th Street/SS Boulevard to include the following geometrics:</p> <p>Northbound: One left turn lane. One through lane. One right turn lane.</p> <p>Southbound: One left turn lane. One shared through and right turn lane.</p> <p>Eastbound: One left turn lane. Two through lanes. One right turn lane.</p> <p>Westbound: One left turn lane. One through lane. One shared through and right turn lane.</p>	Significant Impact	Prior to the issuance of 9,081 st Certificate of Occupancy or building permit for an equivalent amount of non-residential buildings	Transportation Department Building & Safety Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>MM Trans 100: Improve the intersection of Reservoir Avenue and 10th Street to include the following geometrics:</p> <p>Northbound: Two left turn lanes. Two through lanes. One free flow right turn lane.</p> <p>Southbound: Two left turn lanes. Two through lanes. One right turn lane.</p> <p>Eastbound: Two left turn lanes. One through lane. One right turn lane.</p> <p>Westbound: Two left turn lanes. Two through lanes. One right turn lane.</p>	Significant Impact	Prior to the issuance of 9,081 st Certificate of Occupancy or building permit for an equivalent amount of non-residential buildings	Transportation Department Building & Safety Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>Roadways internal to the project shall be constructed as needed for development; as determined on the basis of village-level traffic studies and as described below.</p>					
		<p>MM Trans 101: Construct the signalized intersection of SS Boulevard and MM Street to include the following geometrics:</p> <p>Northbound: One left turn lane. One through lane. One right turn lane.</p> <p>Southbound: One left turn lane. One shared through and right turn lane.</p> <p>Eastbound: One left turn lane. One shared through and right turn lane.</p> <p>Westbound: One left turn lane. One through lane. One right turn lane.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation

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		turn lane.					
		<p>MM Trans 102: Construct the signalized intersection of Town Center Boulevard and Retail Access to include the following geometrics:</p> <p>Northbound: One shared through and right turn lane. Southbound: One left turn lane. One through lane. Eastbound: Not applicable. Westbound: One left turn lane. One right turn lane.</p> <p>MM Trans 103: Construct the signalized intersection of SS Boulevard - RR Street and Town Center Boulevard - Park Center Boulevard to include the following geometrics:</p> <p>Northbound: One left turn lane. One through lane. One right turn lane. Southbound: One left turn lane. One through lane. One right turn lane. Eastbound: One left turn lane. Two through lanes. One right turn lane. Westbound: One left turn lane. One through lane. One shared through and right turn lane.</p> <p>MM Trans 104: Construct the signalized intersection of Park Center Boulevard and FF Street to include the following geometrics:</p> <p>Northbound: One left turn lane. Two through lanes. One right turn lane. Southbound: One left turn lane. Two through lanes. One right turn lane. Eastbound: One left turn lane. One shared through and right turn lane. Westbound: One left turn lane. One through lane. One right turn lane.</p> <p>MM Trans 105: Construct the intersection of Park Center Boulevard and VV Street to include the following geometrics:</p> <p>Northbound: One through lane. One shared through and right turn lane. Southbound: One through lane. One shared through and right turn lane. Eastbound: One right turn lane. Stop controlled. Westbound: One right turn lane. Stop controlled.</p>	<p>Significant</p> <p>Significant</p> <p>Significant</p> <p>Significant</p>	<p>Pursuant to Village level traffic study timing</p> <p>Pursuant to Village level traffic study timing</p> <p>Pursuant to Village level traffic study timing</p> <p>Pursuant to Village level traffic study timing</p>	<p>Transportation Department</p> <p>Transportation Department</p> <p>Transportation Department</p> <p>Transportation Department</p>	<p>Approval of Street Improvement Plans</p> <p>Approval of Street Improvement Plans</p> <p>Approval of Street Improvement Plans</p> <p>Approval of Street Improvement Plans</p>	<p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p>

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		<p>MM Trans 106: Construct the intersection of RR Street and DD Street to include the following geometrics:</p> <p>Northbound: One shared left turn, through, and right turn lane. Southbound: One shared left turn, through, and right turn lane. Eastbound: One shared left turn, through, and right turn lane. Stop controlled. Westbound: One shared left turn, through, and right turn lane. Stop controlled.</p> <p>MM Trans 107: Construct the intersection of EE Street and DD Street to include the following geometrics:</p> <p>Northbound: One shared left turn and through lane. Southbound: One shared through and right turn lane. Eastbound: One shared left turn and right turn lane. Stop controlled. Westbound: Not applicable.</p> <p>MM Trans 108: Construct the intersection of EE Street and FF Street to include the following geometrics:</p> <p>Northbound: One shared left turn, through, and right turn lane. Stop controlled. Southbound: One shared left turn, through, and right turn lane. Stop controlled. Eastbound: One shared left turn, through, and right turn lane. Stop controlled. Westbound: One shared left turn, through, and right turn lane. Stop controlled.</p> <p>MM Trans 109: Construct the intersection of OO Street and MM Street to include the following geometrics:</p> <p>Northbound: One shared left turn, through, and right turn lane. Stop controlled. Southbound: One shared left turn, through, and right turn lane. Stop controlled. Eastbound: One left turn lane. One through lane. One shared through and right turn lane. Westbound: One left turn lane. One through lane. One shared through and right turn lane.</p> <p>MM Trans 110: Construct the intersection of KK Street and MM Street to include the following geometrics:</p>	<p>Significant</p> <p>Significant</p> <p>Significant</p> <p>Significant</p>	<p>Pursuant to Village level traffic study timing</p> <p>Pursuant to Village level traffic study timing</p> <p>Pursuant to Village level traffic study timing</p> <p>Pursuant to Village level traffic study timing</p>	<p>Transportation Department</p> <p>Transportation Department</p> <p>Transportation Department</p> <p>Transportation Department</p>	<p>Approval of Street Improvement Plans</p> <p>Approval of Street Improvement Plans</p> <p>Approval of Street Improvement Plans</p> <p>Approval of Street Improvement Plans</p>	<p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p>

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		<p>Northbound: One shared left turn, through, and right turn lane. Stop controlled.</p> <p>Southbound: One shared left turn, through, and right turn lane. Stop controlled.</p> <p>Eastbound: One left turn lane. One through lane. One shared through and right turn lane.</p> <p>Westbound: One left turn lane. One through lane. One shared through and right turn lane.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>MM Trans 111: Construct the signalized intersection of LL Street and MM Street to include the following geometrics:</p> <p>Northbound: One left turn lane. One shared through and right turn lane.</p> <p>Southbound: One left turn lane. One shared through and right turn lane.</p> <p>Eastbound: One left turn lane. One shared through and right turn lane.</p> <p>Westbound: One left turn lane. One shared through and right turn lane.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>MM Trans 112: Construct the intersection of FF Street and GG Street to include the following geometrics:</p> <p>Northbound: Not applicable.</p> <p>Southbound: One left turn lane. One right turn lane. Stop controlled.</p> <p>Eastbound: One left turn lane. One through lane.</p> <p>Westbound: One shared through and right turn lane.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>MM Trans 113: Construct the intersection of TT Street and GG Street to include the following geometrics:</p> <p>Northbound: Not applicable.</p> <p>Southbound: One shared left turn and right turn lane. Stop controlled.</p> <p>Eastbound: One shared left turn and through lane.</p> <p>Westbound: One shared through and right turn lane.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>MM Trans 114: Construct the intersection of II Street and JJ Street to include the following geometrics:</p> <p>Northbound: One shared left turn and right turn lane. Stop controlled.</p> <p>Southbound: Not applicable.</p> <p>Eastbound: One shared through and right turn lane.</p> <p>Westbound: One shared left turn and through lane.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation

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		<p>MM Trans 115: Construct the intersection of TT Street and JJ Street to include the following geometrics:</p> <p>Northbound: One shared left turn and right turn lane. Stop controlled.</p> <p>Southbound: Not applicable.</p> <p>Eastbound: One shared through and right turn lane.</p> <p>Westbound: One shared left turn and through lane.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>MM Trans 116: Construct the intersection of TT Street and UU Street to include the following geometrics:</p> <p>Northbound: One shared left turn and through lane.</p> <p>Southbound: One shared through and right turn lane.</p> <p>Eastbound: One shared left turn and right turn lane. Stop controlled.</p> <p>Westbound: Not applicable.</p>	Significant	Pursuant to Village level traffic study timing	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation
		<p>MM Trans 117: All improvements listed for Phases 1A, 1B, 2, 3A, and 3B are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.</p>	Significant Impact	Prior to approval of Street Improvement Plans	Transportation Department	Approval of Street Improvement Plans	Less than significant with mitigation
	B: Cause an effect upon, or a need for new or altered maintenance of roads	No mitigation required within the County.	Significant	Not Applicable	Not Applicable	Not Applicable	Significant project-specific impacts without mitigation Significant cumulative impacts
	C: Cause an effect upon circulation during the project's construction	<p>MM Trans 118: If Option A is implemented to move fill dirt from south of Ramona Expressway to north and to mitigate for the potential significant effect on the circulation system that would result if access to Ramona Expressway from the existing Lakeview/Nuevo community was eliminated, the intersection of Lakeview Avenue and Ramona Expressway shall be maintained during the months that Ramona Expressway is being used in its relocated location to the north. (See Section 5.14, Threshold C, Pg. 5.14-178.)</p>	Significant Impact	Prior to the issuance of the Grading permit	Transportation Department Building and Safety Department	Approval of a Traffic Control Plan Issuance of a Grading permit	Less than Significant with mitigation
		<p>MM Trans 119: If Option A is implemented to move fill dirt from south of Ramona Expressway to north, all construction management, staging and equipment parking areas shall be maintained in a location north of Ramona Expressway to avoid construction traffic driving through existing neighborhoods to get to existing signals, or causing traffic hazards by crossing at unsignalized locations.</p>	Significant Impact	Prior to the issuance of the Grading permit	Transportation Department Building and Safety Department	Approval of a Traffic Control Plan Issuance of a Grading permit	Less than Significant with mitigation

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		MM Trans 120: If Option B is implemented, at least one lane of Ramona Expressway must remain open at all times during the construction of the over/under crossing. Traffic control plans shall be approved by the County prior to the issuance of encroachment permits for work within the right-of-way.	Significant Impact	Prior to the issuance of the Grading permit	Transportation Department Building and Safety Department	Approval of a Traffic Control Plan Issuance of a Grading permit	Less than Significant with mitigation
		MM Trans 121: If the overcrossing (bridge) approach to Option B is implemented, bridge plans and specifications must include solid railings or other design features that would eliminate the risk of falling dirt and debris.	Significant Impact	Prior to approval of overcrossing plans	Transportation Department	Approval of a Traffic Control Plan and a Bridge Plan	Less than Significant with mitigation
	D: Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	MM Trans 122: Sight distance at the project entrance roadways shall be reviewed with respect to standard County of Riverside sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.	Significant Impact	Prior to the issuance of grading permits	Transportation Department	Approval of Street Improvement and grading Plans	Less than Significant with mitigation
		MM Trans 123: Signing/stripping plans shall be provided to the County for review and approval in conjunction with detailed construction plans for the project on-site roads.	Significant Impact	Prior to the issuance of approval of street improvement plans	Transportation Department	Approval of Signing and Striping Plan	Less than Significant with mitigation
UTILITIES	A: Require construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects B: Have insufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed	Required regulation (General Plan policies: LU 5.2) No mitigation required Required regulations (SB 610, SB 721, General Plan policies (OS 1.1, OS 2.1, OS 2.3, OS 2.4, OS 4.5, LU 5.3)) MM Utl 1: To mitigate potential significant impacts to disruption of water supply due to lack of access by Metropolitan Water District's (MWD) and/or Eastern Municipal Water District's (EMWD) to existing facilities and rights-of-way within and immediately adjacent to the boundaries of the project, EMWD and MWD shall be allowed to maintain facilities, rights-of-way and access to their existing facilities at all times in order to repair and maintain these facilities. To avoid potential conflicts, preliminary engineering design drawings or improvement plans for any project activity, including but not limited to recreational facilities and storm drain plans, in an area which would impact one or more of these facilities or rights-of-way shall be submitted to EMWD or MWD, as appropriate, for approval to proceed. All submittals shall clearly delineate the respective water facility and rights-of-way.	Less than significant Significant impact	Not Applicable Prior to the approval of any implementing project	Not Applicable EMWD and/or MWD	Not Applicable Water and Sewer Plans shall show EMWD and MWD easements and right-of-way.	Less than significant without mitigation Less than significant with regulatory compliance and mitigation

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	<p>C: Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects</p> <p>D: Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has inadequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments</p> <p>E: Requires or results in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects</p>	<p>Required regulations (General Plan polices (LU 17.2, LU 5.2) and Design Considerations (designed per EMWD standards and Riverside County Health Department)</p> <p>No mitigation required</p> <p>Required regulations (General Plan polices (LU 17.2, LU 5.2) and Design Considerations (designed per EMWD standards and Riverside County Health Department)</p> <p>No mitigation required.</p> <p>Required regulation (General Plan polices (S 4.10, OS 2.2, LU 5.2)) and Design Considerations (in accordance with RCFCWCD, SWPPP, WQMP)</p> <p>MM Util 2: To mitigate for potential traffic impacts along Ramona Expressway boring and tunneling techniques shall be used, if feasible, to construct the main storm drain channel which crosses under Ramona Expressway and is located west of Town Center Boulevard. If this construction method is found to be infeasible, MM Util 2a shall be implemented.</p> <p>MM Util 2a: Should crossing or open trenching through the Ramona Expressway be required as a part of the construction of the storm drain channel identified in MM Util 2, temporary traffic control measures including but not limited to, flagmen, temporary median barriers, or realigned roadway segments shall be used to maintain two-way traffic at all times. A traffic control plan shall be submitted for approval to RCFCWCD and County Transportation Department with the construction documents for the channel.</p> <p>MM Util 3: To avoid potential significant flooding or water quality impacts which would result if the necessary phased storm drain system facilities were not in place, interim/temporary and/or final/permanent facilities shall be constructed to alleviate flooding and water quality impacts associated with each proposed phase of development. At the time of tract map approval, the storm drain system requirements must be identified and submitted to RCFCWCD and the County Planning Department for approval.</p>	<p>Less than significant</p> <p>Less than significant</p> <p>Significant impact</p> <p>Significant impact</p> <p>Significant impact</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Prior to the issuance of a Grading permit for the channel</p> <p>Prior to the issuance of a Grading permit</p> <p>Prior to the approval of tentative tract map for each implementing project</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Transportation Department &/or Riverside County Flood Control District</p> <p>Transportation Department &/or Riverside County Flood Control District</p> <p>Riverside Flood Control District Planning Department</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Approval of Storm Drain Plan specifying boring/tunneling under Ramona Expressway</p> <p>Approval of Traffic Control Plan</p> <p>The Storm Drain Plan shall be submitted to Riverside Flood Control District & Planning Department for approval</p>	<p>Less than significant with regulatory compliance and design consideration</p> <p>Less than significant without mitigation</p> <p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p> <p>Less than significant with mitigation</p>

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	E: Requires or results in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	MM Util 3a: In the event the applicant widens Ramona Expressway, storm flows discharged from culverts on the north side of Ramona Expressway east of Towne Center Parkway will be spread out by mitigation structures constructed in accordance with Riverside County Flood Control and Water Conservation District standards in an effort to duplicate the existing drainage pattern.	Significant impact	Prior to widening of Ramona Expressway	Riverside Flood Control District Planning Department	The Storm Drain Plan shall be submitted to Riverside Flood Control District & Planning Department for approval	Less than significant with mitigation
	F: Would the project impact electricity requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects	Required regulations (Title 24, SB 1305, General Plan policies (LU 5.2, 5.4), SCE's policy and extension rules) MM Util 4: Prior to recordation of a final map by the County, the current or subsequent project applicant shall construct, or enter into an agreement and post security, in a form and amount acceptable to the Building and Safety Department, guaranteeing the undergrounding of proposed utility distribution lines in conformance with applicable County standards and the County's Capital Improvement Policy. MM Util 5: Tentative Tract maps shall be conditioned to require that all electrical service lines (excluding transmission lines) serving development within the project will be installed underground. This includes existing service facilities that may have to be relocated temporarily during grading. MM Util 6: The contractor shall temporarily relocate existing overhead facilities, as necessary to maintain service, while grading and installing the new underground system is underway.	Significant impact	Prior to the approval of Final Map	Building & Safety Department	Posting of Bonds	Less than significant with mitigation
	G: Would the project impact natural gas requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects	Required regulations (General Plan policies(LU 5.2), SCGC's policy and extension rules) MM Util 7: Gas service shall remain available to all existing customers during construction of new and replacement gas lines within the project site. MM Util 8: To assure that SCGC facilities are secure, access is maintained, and grading does not become a hazardous situation, a chain link fence (or as approved by the Planning Department) shall be installed around the existing pressure control facility located on Davis Road. Truck access shall be provided by the developer to the 36-inch line and the pressure control facility to the satisfaction of SCGC. Any grading done within the transmission easement shall require a "permission to grade"	Significant impact	Prior to the approval of tentative tract map for each implementing project	Planning Department	Approval of Tentative Tract Map and/or Utility Plan	Less than significant with mitigation
			Significant impact	Prior to the issuance of a Grading Permit	Building & Safety Department	The Grading plans shall indicate existing and temporary overhead lines necessary to maintain service	Less than significant with mitigation
			Significant impact	Prior to the issuance of a Grading Permit	Building & Safety Department	Grading plans shall indicate existing gas lines that will assure service is maintained to existing customers	Less than significant with mitigation
			Significant impact	Prior to County acceptance to vacate Davis Road or grading permits in that area, which ever occurs first	The Project Proponent, Transportation Department and Building & Safety	Developer to provide to County "permission to grade" letter from SCGC indicating that all requirements of this mitigation measure are satisfied	Less than significant with mitigation

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	<p>H: Is served by a landfill without sufficient capacity to accommodate the project's solid waste needs.</p>	<p>letter from SGGC after review of final grading plans and prior to County issuance of a grading permit.</p> <p>Required regulations (AB 939, AB 1327, General Plan polices (OS 13.1, AQ 5.1))</p> <p>MM Utl 9: The project proponent shall make every effort feasible to recycle, reuse, and/or reduce the amount of construction and demolition materials (i.e., concrete, asphalt, wood, etc.) generated by development of the project that would otherwise be taken to a landfill. This diversion of waste must exceed a 50 percent reduction by weight. The project shall complete the Riverside County Waste Management Department Construction and Demolition Waste Diversion Program – Form B and Form C process as evidence to ensure compliance. Form B – Recycling Plan must be submitted and approved by the Riverside County Waste Management Department and provided to the Department of Building and Safety prior to the issuance of building permits. Form C- Reporting Form must be approved by the Riverside County Waste Management Department and submitted to the Department of Building and Safety prior to the issuance of certificate of occupancy/final inspection. This evidence shall be presented by the developer to the Planning/Recycling Division of the Riverside County Waste Management Department in order to clear the project.</p> <p>MM Utl 10: The Homeowners Association established for the proposed development shall establish green waste recycling through its yard maintenance or waste hauling contracts. Green waste recycling includes such things as grass recycling (where lawn clippings from a mulching-type mower are left on the lawn) and on- or off-site composting. This measure shall be implemented to reduce green waste going to landfills. If such services are not available through the yard maintenance or waste haulers in the area, the HOA shall provide individual homeowners with information about ways to recycle green waste individually and collectively. Homeowners shall be notified of such in the CC & Bs.</p>	<p>Significant impact</p>	<p>Form B prior to Building Permit Issuance Form C prior to the issuance of Final Inspection</p>	<p>Planning Department/ Recycling Division</p>	<p>Verification of programs shall be submitted</p>	<p>Less than significant with mitigation</p>
			<p>Significant impact</p>	<p>Prior to recordation of Final Map</p>	<p>Home Owners Association County Council</p>	<p>Verification of programs shall be submitted to County Planning</p>	<p>Less than significant with mitigation</p>

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		<p>MM Udl 11: To assure compliance with the California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials, prior to issuance of Building Permits for any multi-unit residential, commercial or industrial facilities, clearance from the Riverside County Waste management Department is needed to verify compliance with AB 1327 in terms of installation of recycling access areas at these facilities.</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>Riverside County Waste Management Department</p>	<p>Verification of installation of recycling areas</p>	<p>Less than significant with mitigation</p>



CENTER for BIOLOGICAL DIVERSITY

March 22, 2010

Via Electronic and Federal Express (w/ attachments)

Riverside County Board of Supervisors
c/o Riverside County Clerk of the Board
County Administration Center
4080 Lemon Street, 1st Floor
Riverside, CA 92501
cob@rcbos.org
Phone: 951-955-1060

Re: Villages of Lakeview, Additional Comments on Final EIR, SCH No. 2006071095

Honorable Chairman and Board of Supervisors:

The Center for Biological Diversity ("Center") submits these additional comments on the proposed Villages of Lakeview development ("the Project") for inclusion in the administrative record for this action.¹

I. THE EIR FAILS TO ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Center has repeatedly raised concerns that the EIR's greenhouse gas analysis violates CEQA as a matter of law because it evaluates significance based on a comparison against a hypothetical business as usual project. Since the Center last submitted comments on the Project, the California Supreme Court has affirmed existing caselaw that "[a]n approach using hypothetical allowable conditions as the baseline results in 'illusory' comparisons that 'can only mislead the public as to the reality of the impacts and subverts full consideration of the actual environmental impact,' a result at direct odds with CEQA's intent." *Communities for a Better Env't v. South Coast Air Quality Management Dist.*, (March 15, 2010, S161190) at 12, ___ Cal. 4th ___.

¹ The Villages of Lakeview Project was only tentatively approved at the February 23, 2010 Board meeting. The public hearing for final approval, followed by issuance of a Notice of Determination on the Project, has yet to occur. Accordingly, these comments are properly part of the administrative record for this action. See *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal.App.4th 1109, 1121 (1997) ("any alleged grounds for noncompliance with CEQA provisions may be raised by any person prior to the close of the public hearing on the project before the issuance of the notice of determination.").

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Accordingly, because the EIR does not evaluate the significance of project greenhouse gas impacts based on a comparison with existing environmental conditions, the EIR violates CEQA. *Id.* at 20 (“the comparison must be between existing physical conditions without the [project] and the conditions expected to be produced by the project. Without such a comparison, the EIR will not inform decision makers and the public of the project’s significant environmental impacts, as CEQA mandates.”).

As previously discussed, the EIR also grossly understates the Project’s mobile source emissions. In response to comments, the FEIR replaced the default assumptions on trip length used in the DEIR with site-specific trip lengths that more accurately reflect the Project site’s remote location and distance from employment centers. Yet the EIR failed to apply this more accurate and informative project-specific data in analyzing project impacts to air quality, greenhouse gases and traffic. The EIR’s use of URBEMIS default rates is further flawed because the default rates used to estimate trip rate and length were “urban” rather than “rural” despite the project’s remote, rural location.² Using the urban trip length results in shorter trip length and less reported VMT. It further fails to describe and calculate the true nature of the Project’s impacts by improperly describing the nature of the Project in its rural setting and omitting important emissions impacts from the analysis. The improper use of urban rates therefore functioned to further mislead the public on the extent of Project impacts. (FEIR at 2.0/28-85.)

The EIR’s failure to include any transportation-related greenhouse gas emissions resulting from the Project’s commercial development is also improper. (DEIR at 5.3-76). Rather than completely ignore emissions generated by trips from commercial uses, the URBEMIS model used in the EIR has specific provisions for discounting trip rates due to mixed use development, local serving retail, pass-by trips and an additional feature that avoids double counting internal trips between residential and nonresidential land uses. (URBEMIS Manual at 36-38). The EIR’s failure to include any transportation-related emissions in its greenhouse gas analysis is thus contrary to well-accepted methodologies for quantifying emissions from mixed-use projects. Indeed, the EIR offers no alternative modeling to supports its deviation from well-accepted modeling protocol. Moreover, despite completely discounting mobile source emissions from nonresidential uses, the EIR also takes additional credit for emission reductions due to local serving retail and a mix of uses - reductions that assume mobile source emissions from nonresidential uses are part of a mobile source analysis. The EIR’s refusal to adhere to URBEMIS methodology and simultaneously take credit for emission reductions that assume trips from nonresidential uses are included in a mobile source analysis results in an unsupported and misleading description of project impacts. It further fails to disclose the air quality impacts associated with those emissions that will contribute to the significant impacts associated with the project.

² See URBEMIS, Software User’s Guide URBEMIS 2007 for Windows, Version 9.2 at 34 (Nov. 2007) (specifically addressing both urban and rural trip length).

The EIR also overstates the VMT reductions resulting from Project density.³ When isolated from other variables that tend to correlate with density, such as the availability of public transit, density is relatively inelastic. (URBEMIS Manual Appendix D-14.) Thus, increases in density have a limited impact on trip reduction in cases like the instant project, where the remote location and lack of available transit service limit the benefits that can be legitimately be associated with an increase in density. The EIR's inconsistent and curtailed description of the Project and its air quality impacts fails to provide the public with the type of stable project description required by CEQA and further fails to disclose the significant air quality impacts associated with the Project.

II. THE EIR FAILS TO ADEQUATELY ANALYZE AND MITIGATE IMPACTS TO WATER RESOURCES AND SENSITIVE HABITAT

As referenced in earlier comments the EIR fails to adequately analyze, disclose, and mitigate the direct and indirect impacts to hydrology, water quality, and sensitive habitat. Unfortunately, the EIR fails to adequately analyze, disclose, and mitigate the impacts to jurisdictional waters, riparian areas, and wetlands. The EIR's analysis of these impacts fails to adequately disclose the ecological importance of those areas, analyze those effects, or incorporate specific mitigations for many of those impacts.

Ecological Value of Riparian Areas and Wetlands

Riparian areas support a disproportionate share of the State's biodiversity and preservation of these vegetation communities is critical to the survival of rare, sensitive, threatened and endangered plants and wildlife. CDFG 2003.

Over 225 species of birds, mammals, reptiles, and amphibians depend upon California's riparian habitats (Knopf et al. 1988, Saab et al. 1995, Dobkin et al. 1998). In addition, these beautiful examples of California's biodiversity can help reduce flood flows and flood damage, improve groundwater recharge, prevent damaging chemicals and other compounds from reaching open water, and reduce wind and erosion on adjacent lands. . .

Unfortunately, human activities have destroyed or fragmented most of this valuable habitat over the past 150 years. No one has documented how much riparian habitat existed in California before 1850. However, a 1984 study estimated that riparian vegetation in the Central Valley and desert regions represented from two to five percent of the pre-1850 amount... Because they are both biologically rich and severely degraded, riparian areas have been identified as the most critical habitat for conserving neotropical migrant birds.

CDFG 2003. (emphasis added).

³ Specific reductions claimed as a result of project density are difficult to discern and do not appear to be explicitly stated in the EIR or its supporting appendices.

Wetlands and riparian habitats are truly among the rarest and most sensitive ecosystem types in California. These areas are critical for biodiversity, harboring high concentrations of threatened, endangered, and sensitive species. Krueper (1992) estimates that wetland and riparian habitat occupies less than 1% of the total land area in the western U.S., yet is critical for up to 80% of terrestrial vertebrate species. Riparian habitats are relatively rare in the California deserts, but extensively degraded. As noted above, more than 90% of the State's riparian areas and wetlands have already been lost, but while there are fewer acres of riparian habitat than other plant communities, riparian areas sustain a disproportionately high number of aquatic and terrestrial wildlife species (Faber et al. 1989). Riparian communities in the arid areas of the State are typically surrounded by far drier environments, and the water and riparian vegetation that they provide are vitally important to many species (Krueper 1992).

Terrestrial vertebrates in the State rely heavily on riparian habitats for various life stages, as noted above, the California Department of Fish and Game estimates that over 225 species of birds, mammals, reptiles, and amphibians depend upon California's riparian habitats. A recent study found that there are approximately 173 terrestrial vertebrates in the eastern United States alone that require riparian habitats for some life history function (26 mammals, 27 birds, 50 reptiles, and 70 Amphibians) (Crawford 2007).

Direct and Indirect Impacts to Wetlands and Riparian Areas

Nonpoint source pollution from activities such as urban runoff, agriculture, and habitat modification are considered the primary source of pollutants to waters of the US (USEPA 2002). Many wetlands that persist are significantly degraded through contamination by pollution from urban and agricultural runoff (Dahl 2006).

It is important to recognize that the destruction and modification of riparian and wetland habitat can have broad indirect effects within a watershed and analyze the impacts of those impacts.

Artificial flow regulation with local or upstream dams and diversions, as well as channel alteration and containment with levees and channelization, can alter plant communities at watershed scales (Ohmart 1994, Hunter et al. 1999). Transportation departments may channelize or re-direct sheet flow to manage rainfall events, altering hydrologic input to desert wash habitats (The Nature Conservancy 2001). Vegetation, and therefore vegetation-dependent wildlife, can be dramatically affected by distant upstream water management practices (Ohmart 1994), so that restoration efforts at specific sites may depend ultimately on the cooperation of partners managing water in the wider landscape. (CalPIF, The Draft Desert Bird Conservation Plan, 2006).

Specific types of development can have broad ranging effects. Roads are responsible for a suite of indirect effects that impact species dynamics, soil characteristics, water flow regimes, and vegetation cover (Bashore et al. 1985; Reijnen et al. 1996,

Forman et al. 2003). The degree of indirect effect varies in relation to the distance from a road, extending to what is known as the “road effect zone” or the outer limit of significant ecological effect (Forman et al. 1997; Forman and Deblinger 1998, 1999). Forman and Deblinger (2000) found that the effects of all nine ecological factors studied extended more than 100 m from the road, with some extending outwards of 1 km of the road. The road-effect zone was asymmetric, had convoluted boundaries and a few long fingers and averaged approximately 600m in width.

Indirect effects often have such broad implications because the “road effect zone,” or the outer limit of a significant ecological effect, extends much further than the actual road, route or trail (Forman 2000). Forman et al. (2003) state all roads not only have a physical footprint, but also a “virtual footprint” surrounding their actual location. This virtual footprint includes the “accumulated effect over time and space of all of the activities that roads induce or allow, as well as all of the ecological effects of those activities (Forman et al. 2003).” It is estimated that 19% of the land surface in the U.S. is directly affected by roads, while in total, 22% of the U.S may be ecologically altered by the road network (Forman 2000).

Mitigation for Impacts to Wetlands and Riparian Areas

To protect stream amphibians and other wildlife dependent on riparian areas and wetlands, land managers and policy makers must consider conserving more than aquatic resources alone (Crawford 2007). Developing core terrestrial habitat estimates and buffer zone widths for wildlife populations is a critical first step in the conservation of many semiaquatic organisms and protecting biodiversity (Crawford 2007). Typically when buffer zones are determined to mitigate edge effects, they are based on criteria that protect aquatic resources alone and do not consider impacts to wildlife, semiaquatic species, and other terrestrial resources (Semlitsch & Bodie 1998; Semlitsch & Jensen 2001). For example, in Oregon, the minimum buffer strip required to protect water resources is 6.1 m, although a minimum buffer of 20 m is needed to protect certain salamander species (Vesely & McComb 2002).

Riparian forests have been found to reduce delivery of nonpoint-source pollution to streams and lakes in many types of watersheds (Vellidis et al. 2002, 2003a; Lowrance et al. 1983, 1984a, 1984b, 1985a, 1985b, 1997). Riparian forest ecosystems are excellent nutrient and herbicide sinks that reduce the pollutant discharge from surrounding agroecosystems (Peterjohn and Correll 1984). For example, studies from coastal plain agricultural watersheds reveal that riparian forest ecosystems are excellent nutrient sinks and buffer the discharge from surrounding agroecosystems (Lowrance 1984a). Riparian buffers are especially important on small streams where intense interaction between terrestrial and aquatic ecosystems occurs (Vellidis et al., 2003b), because first- and second-order streams comprise nearly three-quarters of the total stream length in the US (Leopold et al., 1964).

Unfortunately, the EIR fails to disclose, analyze, and mitigate the significant impacts to water resources and sensitive riparian and wetland habitats. It is critical that

the EIR fully disclose all water related resources within the Project area, including jurisdictional waters, to assure that there is an adequate and consistent Project description upon which to base environmental review.

CONCLUSION

Thank you for considering these comments. We hope that these comments will help assure that Riverside County properly address the Project's environmental impacts prior to final approval. If you have any questions, please contact Matt Vespa, mvespa@biologicaldiversity.org or (415) 436-9682 x309.

Sincerely,



Matthew Vespa
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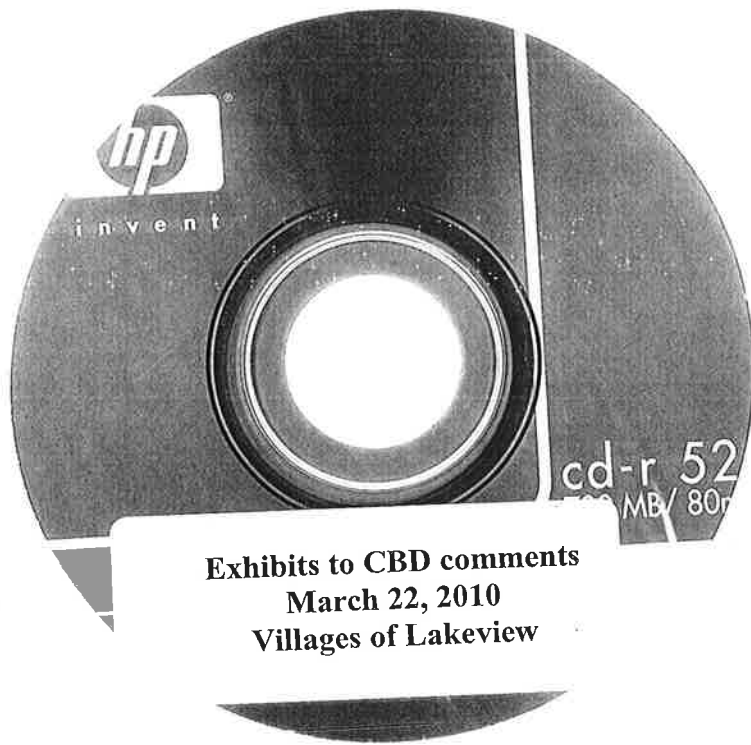
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