

March 23, 2010

VIA HAND DELIVERY

Riverside County Board of Supervisors
Riverside County Administrative Center
4080 Lemon Street
Riverside, CA 92502

Re: CUP 03464 (The "Project")
Status Update Regarding the Appeal filed by Friends of N. San Jacinto

Dear Honorable Members of the Board:

Our office represents the Ramona Duck Club with regard to the above-referenced Project, and the appeal filed by the Friends of North San Jacinto. At your direction, the Appeal was continued from February 22nd to March 23rd, to allow Ramona Duck Club representatives to meet with the Appellants to discuss the Appeal. The meeting occurred on March 17th, and included Malcolm Smith and Dan Kugler on behalf of the Ramona Duck Club, Adam Rush on behalf of the Planning Department, and Sue Nash, Tom Paulek, George Hague, and Ann McKibben on behalf of the Appellants.

The issues discussed were: (i) whether Ramona Duck Club is blocking access to public lands located to the south of the Project site, and (ii) whether the Club would agree to prohibit lead shot on their entire property (the 2-acre Project site and the remaining 89-acres).

Regarding the Blocked Access: After a thorough review of the maps and documents compiled by both sides, Ramona Duck Club offered to move the gate and open access to the public land within 2 months of final approval of the CUP, and immediately remove the padlock until the gate can be moved. The Friends accepted this offer.

Regarding the Use of Lead Shot: Malcolm Smith reported that the Members had met on February 27, 2010, and voted unanimously to prohibit the use of lead shot on the Project site and on the remaining 89-acre property. In taking this step, Ramona Duck Club is the first duck club in the San Jacinto Wildlife area to prohibit the use of lead-



Submitted by Alicen Wong
3-23-10 (date) Item 16.2

March 23, 2010

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shot on their property¹. I am enclosing the Minutes from the February 27th Board Meeting, and the revised Shooting Regulations reflecting the new lead shot prohibition. This prohibition is currently in effect on the Project site.

These concessions were intended to resolve the issues raised by the Appellants. However, after the meeting, Appellants sent Adam Rush an e-mail raising a new issue, and I understand Tom Paulek submitted additional correspondence for the hearing today. To allow Ramona Duck Club time to respond to this correspondence, we ask that this hearing be continued to April 27, 2010.

Very truly yours,



Alicen Clark Wong, for
GRESHAM SAVAGE
NOLAN & TILDEN,
A Professional Corporation

ACW:djd

cc: Malcom Smith
Dan Kuegler

¹For your information, the State of California does not prohibit the use of lead shot on the 10,000 acre San Jacinto Wildlife Area.

NEW BUSINESS

Page 2

1. New Board Positions. Malcolm Smith discussed the need for two new positions to be appointed to the Board of Directors of the Club. The need for 1 board member and a Secretary separate from the current

Treasurer/Secretary the Club currently is using to be in line with the current Bylaws of the club. Malcolm has appointed George McGuire to the board, and Duane Schelbauer to the position of Secretary. This would allow the current Secretary/Treasurer Mike Wirz to remain as the Treasurer.

A motion was made by Dan Kugler to accept the new appointments to the board; the motion was seconded by Elvis Luther. Vote 15-yes 0-no **Motion Passed**

2. Treasurers Report: Mike Wirz read the treasurers report and provided each member present with a copy. (See attached copy of report) A motion was made by George McGuire to accept the treasurer's report. The motion was seconded by Dan Kugler.

Vote 15-yes 0-no **Motion Passed**

3. Bylaws: Malcolm Smith brought up the proposed Amendments to the Bylaws which have been reviewed by Dan Kugler and Elvis Luther. Previously, proposed Amendments were sent to each Member to review. Since that time, some additional changes have been proposed. Malcolm directed that a complete package of proposed Amendments to the Bylaws be sent to each member for review and discussion at the next General Membership Meeting. A complete list of the proposed Amendments will be forwarded to Mike Wirz for mailing with the Minutes from this meeting. The records will then be given to the newly appointed Secretary to be scheduled on the Agenda for a Vote at the next General Membership Meeting.

Malcolm had no further issues. A motion was made by Dan Kugler to end the General Membership Meeting. The motion was seconded by Elmer Lackey.

Vote 15-yes 0-no **Motion Passed**

The meeting ended at 9:35 AM.

Attachments,

- 1. Treasurers Report**
- 2. Non-Toxic Club By-Law**

Ramona Duck Club
Shooting Regulations

The Ramona Duck Club was formed to provide its members with the best possible waterfowl hunting. In order to assure the attainment of this objective and to promote the safety, enjoyment, and well being of its members and their guests, the Board of Directors of the Club has adopted the Regulations which appear below. Any member not complying with these Regulations may be subject to forfeiture of his membership as provided in the Club's By-laws, and any guest of a member not complying with the Regulations may be subject to forfeiture of the privilege of returning as a guest of any member of the Club.

1. Each member is entitled to the use of a double blind.

2. A member may deploy decoys in the immediate vicinity of his blind in any manner and number he desires, unless the members of the Club shall have determined by majority vote of a quorum that any particular layouts of decoys may have an adverse or undesirable affect. In that event, any layout determined to be undesirable shall not be utilized by any member.

3. The choice of blinds by the members will be effected by a drawing to be conducted three times each hunting season. The first drawings will be at least two weeks prior to the opening day. The second drawing will be conducted before the second third of the season shall be under way, and the final drawing shall be conducted before the final third of the season is under way.

4. All annual assessments will be due and payable from the individual members on or before ~~January~~ 1 of each year. ^{Sept.}

5. Shooting will be allowed only on Wednesdays, Saturdays, and Sundays. Additional days may be designated for shooting by agreement of two-thirds of the members of the Club.

6. One guest if allowed per member per day. Each member is responsible for his guests and must remain with him at all times on the Club grounds. No guests will be allowed without a member.

7. All members and guests must be properly attired in drab or camouflage clothing.

Proposed Amendment to By-Laws

The following resolution amending the By-Laws of the Ramona Duck Club is hereby proposed:

RESOLVED, that a subsection 1.a shall be added to Section 1 of the by-Laws, and such subsection 1.a shall state as follows:

"Effective February 27, 2010, the Ramona Duck Club shall be a "Non-Toxic) Hunting Club. Each member including his/her guest(s) shall use only non-toxic ammunition while on Ramona Duck Club property.

8. Shooters will walk into blinds no later than 30 minutes prior to shooting time. Late comers will wait at cars until first pick-up time.

9. First pick up time is 1-1/2 hours after shooting time. Second pick-up time 3 hours after shooting time. Shooters will either walk out or return to the blind immediately. No dike walking or stopping to talk with other shooters is permitted.

10. After 12:00 noon walking and talking rules are relaxed, but consideration will be shown to other shooters still in their blinds. Members may, if they wish, relocate their decoys at this time.

11. No noise or talking above a whisper will be allowed.

12. No calling by unqualified callers will be allowed.

13. A third offense of ^{using} uncontrollable dogs after two warnings will result in the dogs being banned from the Club for the balance of the season. Dogs may be used to pick up birds as they are shot.

14. No littering will be allowed. Members must pick up all trash and used shells.

15. Bag limits must be strictly adhered to.

16. No shooting at birds further than 60 yards is allowed.

17. Shooters must allow birds to work as close as possible before firing. If birds are working to a specific blind, allow them to do so.

18. Shooters are not to shoot at ducks while geese are working.

19. No shooting at mudhens or other shore birds is allowed.

20. Shooters will count all birds by species, and entries will be made on the Club records as to which blind and hunter accounted for them.

**RAMONA DUCK CLUB
BLIND COMMITTEE REPORT**

At the General Membership Meeting of 10-7-01, the following shooting regulations were adopted or amended:

Regulation #8 Amended to Read

Shooters must be in their blinds no later than 30 minutes prior to shooting time. Latecomers will wait at the parking lot until first pick-up time. No vehicular traffic will be allowed on or near the ponds or fields on shooting days prior to 12:00 noon.

New Regulation #21

It is the intent of the Ramona Duck Club that the membership stockholder be the hunter of the club. Any other arrangements must be approved by the general membership at the yearly General Membership Meeting held just prior to the season opener. The shooter at the opening of duck season shall remain the shooter for at least one full year. No other changes will be made until the next regularly scheduled yearly General Membership Meeting.

Anyone being named as a designated shooter for a member must be nominated by two members in good standing, and can be denied by any one member in good standing. Any named shooter shall be bound by all current rules and regulations. Voting rights shall remain in the name of the stockholder.

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



16.3

1:30 p.m. being the time set for public hearing on the recommendation from the Planning Department regarding Appeal of Approval of Conditional Use Permit No. 3464 – Ramona Duck Club – Overton Kuhn – Reche Canyon/Badlands Area Plan – 5th District to deny the appeal and adopt mitigated negative declaration for Environmental Assessment No. 40284; approval of Conditional Use Permit No. 3464 to extend the life of existing operation of a hunting club, comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property (“the project”). The proposed improvements that will occur only on the southerly two acres include 8 additional RV parking spaces, two 10 foot by 40 foot storage containers, 20 automobile parking spaces, two 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period, the Chairman called the matter for hearing.

Adam Rush, Principal Planner, requested a continuance.

The following individuals spoke on the matter:

Tom Paulek
Jason Rhine

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on February 23, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: February 23, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: Karen Ogata Deputy

AGENDA NO.
16.3

xc: Planning, COB

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA




On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is continued to Tuesday, March 23, 2010 at 1:30 p.m.

Roll Call:

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on February 23, 2010 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors
Dated: February 23, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
16.3

xc: Planning, COB

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

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

FROM: Riverside County Planning Department
 4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, California 92211

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

Conditional Use Permit No. 3464

Project Title/Case Numbers

Jeffery Childers

County Contact Person

951-955-3626

Phone Number

N/A

State Clearinghouse Number (if submitted to the State Clearinghouse)

Ramona Duck Club

Project Applicant

P.O. Box 106 Riverside, CA 92504

Address

In the Hemet/San Jacinto area more specifically, the site is located northerly of Marvin Road, southwesterly of Central Avenue, and easterly of Main Street.

Project Location

The Conditional Use Permit proposes to permit an existing operation of a hunting club. The existing development is comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property. The proposed improvements that will occur only on the southerly 2 acres includes 8 additional RV parking spaces, two (2) 10 foot by 40 foot cargo containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period.

Project Description

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

1. The project WILL NOT have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act. (\$1,993.00 plus \$64.00)
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the Mitigated Negative Declaration, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.

Signature

Title

Date

Date Received for Filing and Posting at OPR: _____

Y:\Planning Master Forms\CEQA Forms\NOD Form.doc Revised 01/15/08

Please charge deposit fee case#: ZEA

ZCFG

FOR COUNTY CLERK'S USE ONLY

NOTICE OF COMPLETION & ENVIRONMENTAL TRANSMITTAL FORM

SCH#: _____

Project Title: Conditional Use Permit No. 3464
Lead Agency: County of Riverside Planning Dept. **Contact Person:** Jeffery Childers
Mailing Address: 4080 Lemon Street, 9th Floor PO Box 1409 **Phone:** 951-955-3626
City: Riverside **Zip:** 92502-1409 **County:** Riverside

Project Location

County: Riverside **City/Community:** Nuevo
Cross Streets: Northeasterly of Main Street, southwesterly of Contour Road **Zip Code:** 92567
Assessor's Parcel No(s): 425-050-025, 423-040-017, and 423-050-008 **Section:** 27 **Twp:** 3 south **Range:** 2 west **Base:** San Bernardino
Latitude/Longitude: 33° 52' 15" North/ 117° 6' 16" West **Total Acres:** 91.49
Within 2 miles: **State Hwy#:** 60 **Waterways:** San Jacinto River
Airports: N/A **Railways:** N/A **Schools:** N/A

Document Type:

CEQA: NOP Draft EIR Early Cons Supplemental EIR Neg Dec Subsequent EIR Mit Neg Dec Other _____
NEPA: NOI EA Draft EIS FONSI
Other: Joint Document Final Document Other _____

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other _____

Development Type:

Residential: Units _____ Acres _____ Transportation: Type _____
 Office: Sq.Ft _____ Acres _____ Employees _____ Mining: Mineral _____
 Commercial: Sq.Ft _____ Acres _____ Employees _____ Power: Type _____ Watts _____
 Industrial: Sq.Ft _____ Acres _____ Employees _____ Waste Management: Type _____
 Educational: _____ Hazardous Waste: Type _____
 Recreational: Hunt Club Other: _____
 Water Facilities: Type _____ MGD _____

Project Issues That May Have A Significant or Potentially Significant Impact

Aesthetic/Visual Flood Plain/Flooding Schools/Universities Water Quality
 Agricultural Land Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Air Quality Geologic/Seismic Sewer Capacity Wetland/Riparian
 Archaeology/Historical Minerals Soil Erosion/Compaction/Grading Growth Inducing
 Biological Resources Noise Solid Waste Land Use
 Coastal Zone Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Drainage/Absorption Public Services/Facilities Traffic/Circulation Other: _____
 Economic/Jobs Recreation/Parks Vegetation
 Fiscal

Present Land Use/Zoning/General Plan Designation: Open Space-Conservation (OS-C)/ Heavy Agriculture (A-2-10) and Rural Residential (R-R)

Project Description (use separate sheet if necessary):

Conditional Use Permit No. 3464 proposes to permit an existing operation of a hunting club. The existing development is comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property. The proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period

Reviewing Agencies Checklist

(Recommend Clearinghouse distribution by checking appropriate boxes)

- Air Resources Board
- Boating/Waterways, Dept. of Calif. Highway Patrol
- Caltrans District # 8
- Caltrans Division of Aeronautics
- Caltrans Planning
- Coachella Valley Mountains Conservancy
- Coastal Conservancy
- Colorado River Board Commission
- Conservation, Department of
- Corrections, Department of
- Delta Protection Commission
- Education, Dept. of Office of Public School Construction
- Energy Commission
- Fish & Game Region #6
- Food & Agriculture, Department of
- Forestry & Fire Protection
- General Services, Department of
- Office of Historic Preservation
- Health Services, Department of
- Housing and Community Development
- Integrated Waste Management Board
- Native American Heritage Commission

- Office of Emergency Services
- Office of Historic Preservation
- Parks & Recreation
- Pesticide Regulation, Department of
- Public Utilities Commission
- Reclamation Board
- Regional WQCB # *SELECT ONE*
- Resources Agency
- S.F. Bay Conservation & Development Commission
- San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy
- San Joaquin River Conservancy
- Santa Monica Mountains Conservancy
- State Lands Commission
- SWRCB: Clean Water Grants
- SWRCB: Water Quality
- SWRCB: Water Rights
- Tahoe Regional Planning Agency
- Toxic Substances Control, Department of
- Water Resources, Department of
- Other: _____
- Other: _____

Public Review Period (to be filled in by lead agency)

Starting Date: September 4, 2009

Ending Date: October 5, 2009

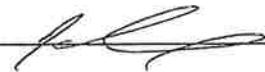
Lead Agency: Riverside County Planning Department

Consulting Firm _____
 Address: 4080 Lemon Street
 City/State/Zip: Riverside CA 9502
 Contact: Matt Straite
 Phone: 951-955-0545

Applicant Ramona Duck Club

Address: 11750 Sterling Ave. Suite E
 City/State/Zip: Riverside, CA 92503
 Phone: 951-955-3626

Signature of the Lead Agency Representative



Date:

9-2-09

Envelopes to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044

Certified or Fed Ex packages to: State Clearinghouse, 1400 Tenth Street, Suite 222, Sacramento, CA 95814

Revised: 6/12/07

Y:\Planning Case Files-Riverside office\CUP03464\DH-PC-BOS Hearings\PC 9-30-09\SCH\NOC and Environmental Transmittal Form.doc

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
George A. Johnson · Agency Director
Planning Department
Ron Goldman · Planning Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: CUP03464_____

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

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

COMPLETED/REVIEWED BY:

By: Jeffery Childers_____ Title: Project Planner_____ Date: August 11, 2009_____

Applicant/Project Sponsor: Ramona Duck Club_____ Date Submitted: September 12, 2005_____

ADOPTED BY: Planning Commission

Person Verifying Adoption: _____ Date: _____

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

Riverside County Planning Department 4080 Lemon Street, 9th Floor, Riverside, CA 92501

For additional information, please contact Jeffery Childers at 951-955-3626.

Revised: 10/16/07
Y:\Planning Master Forms\CEQA Forms\Mitigated Negative Declaration.doc

Please charge deposit fee case#: ZEA

ZCFG

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * T0512686

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

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

Received from: RAMONA DUCK CLUB \$64.00
paid by: CK 777
paid towards: CFG03740 CALIF FISH & GAME: DOC FEE
CALIF FISH & GAME FEE FOR EA40284
at parcel #: 78 BRIDGE ST LVIE
appl type: CFG3

By _____ Sep 12, 2005 10:45
SBROSTRO posting date Sep 12, 2005

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

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

Additional info at www.rctlma.org

February 23, 2010

Riverside County Board of Supervisors
1st Floor – County Administrative Center

**RE: BOARD OF SUPERVISORS MEETING FEBRUARY 23, 2010 – AGENDA ITEM 16.3
APPEAL CONDITIONAL USE PERMIT (CUP) NO. 3464 – RAMONA DUCK CLUB**

The Friends of the Northern San Jacinto Valley gave testimony and provided multiple exhibits at the Board of Supervisors January 12, 2010 public hearing on our Appeal of CUP – 3464.

We indicated the CEQA review for CUP – 3464 failed to adequately analyze the impact of lead shot deposition the projects' proposed shooting facility would incur. Most importantly, the testimony at the public hearing established the project CEQA document did not adequately consider or provide the necessary mitigation measures for the deposition of lead shot in the Mystic lake floodplain.

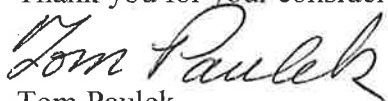
The Friends also provided documentation the project applicant, the Ramona Duck Club, has erected an iron gate posted with a **NO TRESPASSING** sign on the public lands of the San Jacinto Wildlife Area. The Ramona Duck Club entrance gate is not only located on public lands but also wrongly prevents public access to hundreds of acres of public land comprising the San Jacinto Wildlife Area. This significant impact was brought to the attention of the Riverside County Planning Department and the Planning Commission; both chose not to address this issue in the CEQA review of this project.

Since the January 12th Appeal hearing the Ramona Duck Club has made no attempt to resolve these significant CEQA issues with the Friends Group.

The Friends are therefore requesting the Board of Supervisors vacate the October 28, 2009 Planning Commission Approval of CUP – 3464. We are asking the Board of Supervisors to send CUP – 3464 back to the Planning Department and the Planning Commission with direction the appropriate CEQA document be prepared and made available for public review prior to further consideration of CUP – 3464.

Because the Riverside County Planning Department and the Planning Commission Approval of CUP – 3464 was clearly deficient and the CEQA issues brought to the Board of Supervisors are of substantial public interest, the Friends are requesting a refund of the cost of this Appeal (Appeal Fee \$ 983.28 and Notice labels/maps \$ 70.00 : Total Cost \$ 1053.28).

Thank you for your consideration.



Tom Paulek
Friends of the Northern San Jacinto Valley

Submitted by Tom Paulek
2/23/10 Item 16.3
(date)

16.3

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Jason Rhinc

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: 916-643-4607

Date: 2/23/10 **Agenda #** 16.3

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
 Support _____ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Tom Pawlek

Address: Friends Northwest San Jacinto Valley
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: Feb 23, 2010 **Agenda #** 16.3

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ Support _____ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



16.2

1:30 p.m. being the time set for public hearing on the recommendation from the Planning Department regarding Appeal of Approval of Conditional Use Permit No. 3464 – Ramona Duck Club – Overton Kuhn – Reche Canyon/Badlands Area Plan – 5th District to deny the appeal and adopt mitigated negative declaration for Environmental Assessment No. 40284; approval of Conditional Use Permit No. 3464 to extend the life of existing operation of a hunting club, comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property (“the project”). The proposed improvements that will occur only on the southerly two acres include 8 additional RV parking spaces, two 10 foot by 40 foot storage containers, 20 automobile parking spaces, two 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period, the Chairman called the matter for hearing.

Adam Rush, Principal Planner, presented the matter.

The following individuals spoke on the matter:

Tom Paulek
George Hague
Alicen Wong

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, February 23, 2010 at 1:30 p.m.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on _____ January 12, 2010 _____ of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors
Dated: January 12, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By: _____ Deputy

AGENDA NO.
16.2

xc: Planning, COB

January 12, 2010

VIA HAND DELIVERY

County of Riverside
Board of Supervisors
4080 Lemon Street, 4th Floor
Riverside, CA 92502

Re: Appeal of Conditional Use Permit No. 3464; Environmental Assessment No. 40284 (the "Project")

Dear Board of Supervisors:

This office represents Ramona Duck Club ("Applicant" or the "Club") in the above-referenced matter. On December 21, 2009, the Friends of the Northern San Jacinto Valley ("Appellant") filed an appeal of the Planning Commissions' October 28, 2009 decision to approve this project, and on December 22nd the Project was received and filed by the Board of Supervisors.

Below are the issues raised by Appellant, followed by Applicant's response to each issue:

1. That the project site is located within the lands comprising the San Jacinto Wildlife Area, a principal reserve in the Riverside County Multiple Species Habitat Conservation Plan.

RESPONSE: By "within" the Appellant means "surrounded by" not "included in" the San Jacinto Wildlife Area ("SJWA").

The Project site consists of the southerly 2-acres of a 100-acre parcel owned by Applicant Ramona Duck Club (the "Property"). The SJWA includes 10,000 acres comprised of a number of properties owned by the State of California (public lands) that surround the Property. The map attached as Exhibit "A" identifies the duck club property, an island of private property, surrounded on four sides by the SJWA. This island of private property consists of three duck clubs (including the Ramona Duck Club), and a Pheasant Club, almost 700 acres of private property identified by "polka dots" ~~Submitted by~~ "A". The

1-12-10
Item
(date)
Alicen Wong



Property including the small Project site, is highlighted in yellow. The Property is gated to restrict access to Ramona Duck Club members. The gate is discussed below. Its purpose is to protect the duck club Property from access by the public.

2. That the Project site is located in the lakebed of Mystic Lake and is within the 100 year floodplain of the San Jacinto River.

RESPONSE: *The Project is located in the San Jacinto River floodplain and floodway. (See Condition of Approval ("COA") no. 10 Flood RI 001.)*

3. That the floodplain location of the project exposes people to hazardous conditions and raises potential water quality and pollution issues of concern.

RESPONSE: *Because of the floodplain location, the Project is subject to Riverside County Ordinance, which prohibits the construction of permanent structures on the site. COA 10 Flood RI 005 states that grading and building permits are prohibited on the Project site, and implements this prohibition. The Project consists of 19-trailer parking spaces located on natural soil, each with one 8' x 11' 9" cement "patio", an electrical hookup, and a parking space for the towing vehicle.*

Permanent trailers, structures and grading are prohibited on the Project site due to the floodzone and floodplane conditions. The trailers may not remain on the Property for more than 180 days per year, and must comply with the requirements in Ordinance 458 (single chassis, 400 sq. ft. in size or less, designed to be self propelled or permanently towable by a light duty truck, and designed for temporary use). (COA 10 Flood RI 001).

The members of Ramona Duck Club occupy the trailers during the duck hunting season. A COA requires the Club to keep all drainages clear of toxins, and ensure that the quality of runoff is not adversely altered from existing conditions. (COA 10 EPD 001).

In addition, Federal law prohibits duck hunters from shooting lead shot. For this reason, Club members do not shoot lead shot on the Project site. The use of lead shot for skeet and trap shooting is not prohibited by law, unless the residual lead shot poses an environmental danger to water quality. In this case, because the Project is located in a floodplain and floodway, the Club has voluntarily agreed (and COA 20 Planning 008 requires) the Club to prohibit the use of lead shot at the skeet and trap facility. This prohibition will be added to the Ramona Duck Club Bylaws, each Club member will be required

to agree not to shoot lead in the skeet and trap facility, prohibition, and the prohibitory language will be submitted to the Planning Department for review and approval, before skeet and trap shooting may occur on the Project site. (COA 20 Planning 008). The adequacy of this lead shot prohibition is discussed below.

4. That the Project site is located in the Alkali Playa plant community and likely provides habitat suitable for one or more of the three federally listed plant species restricted largely to the Mystic Lake location.

RESPONSE: *The Habitat Assessment found the 3-acre Project site devoid of vegetation or suitable habitat for any listed species, including those identified by the Appellant.* The project site is located in cell "z" of the Multi Species Habitat Conservation Area, and the County Geographical Information System lists the site as containing "alkali playa" vegetation. However, the site has been mowed, disked and leveled; and has been found to be devoid of vegetation. (Assessment at 3.4.1 on p. 3. Hereafter, all page references are to the Assessment unless otherwise noted.)

The Habitat Assessment was conducted on the southerly 5.7-acres of the Property in March 2008. The 5.7-acre area where the Assessment was conducted contains the Project area. (See the map attached as Exhibit "B", which depicts the location of the Project within the 5.7-acre Assessment area.) San Jacinto crowscale is a federally-listed endangered species, is not listed by the State, but is designated by the California Native Plant Society (the "CNPS") as seriously endangered in California. The species has been reported within 2 miles of the Project site (Figure 9), but was not observed on the Project site. The Project site also does not contain suitable habitat for the species, and the species "is not likely to occur" there. (P. 11.)

Spreading navarretia is a federally-listed threatened species, is not listed by the State, but is designated by the CNPS as "seriously endangered" in California. If suitable habitat for the species is found to be present on a site, focused surveys for the species must be conducted. (P. 9.) Spreading navarretia is generally associated with vernal pools, and has been found in undisturbed to moderately disturbed vernal pools, and within larger vernal floodplains dominated by annual alkali grassland or playa. The species has been found at the base of several hills and near the canal to the south of the Project site, but was not present on the Project site. (Figure 6.) The Project site does not contain suitable habitat for the species, and the species "is not likely to occur there". (P. 9.)

The thread-leaved brodiaea is federally-listed as threatened and state-listed as endangered. The CNPS lists the species as seriously endangered in California. Focused surveys for the species must be conducted if suitable habitat is determined to be present, and the species must be conserved if it is determined to be present on a site (P. 13). Twelve populations of the species are known to be present in western Riverside County, primarily clustered along the San Jacinto River near Perris and Lakeview, and in the Santa Rosa Plateau in southwest Riverside County. The species has been recorded within 4 miles of the project site. Soils on the site show evidence of accumulated alkaline salts, but the site does not constitute a vernal plain, playa, contain annual grassland, or vernal pool habitat. Therefore, suitable habitat for the species is not present on the project site. The species was not observed on the project and according to the Assessment, "is not likely to occur there". (Id.)

5. That the deposition of lead shot in the Mystic Lakebed from the project's proposed shooting facilities will be contrary to Water Quality criteria (Federal Clean Water Act); and that the amendment of Applicant's corporate by-laws to prohibit the use of lead shot is not an adequate mitigation measure.

RESPONSE: *As discussed above, no lead will be deposited into the Mystic Lakebed from the Project's proposed shooting facilities. Applicant has agreed to prohibit the use of lead shot on its trap and skeet facility, in order to avoid accidental discharge of lead into the floodplain.*

Should Applicant fail to abide by its amended corporate by-laws and allow the use of lead shot within its trap and skeet facility, Applicant would face serious liability and penalties under state law, in addition to the Resource Conservation and Recovery Act (RCRA) and/or the Comprehensive Environmental, Response, Compensation and Liability Act (CERCLA) under federal law. Accordingly, this mitigation measure is fully enforceable by the appropriate regulatory agencies, and constitutes adequate mitigation.

Under *Laurel Heights Improvement Assn. v. Regents of University of California*¹, a commitment to undertake periodic air quality monitoring (a self-enforced commitment to mitigate) was found to be adequate mitigation under the California Environmental Quality Act ("CEQA"). Although in that case the Petitioner argued that a firm commitment to take specific action based on the results of the monitoring, the Court disagreed and upheld the commitment. In so holding, the Court stated:

¹ (1988) 47 Cal. 3d 376, 412 (*Laurel Heights I*).

“The Regents’ commitment is but one item of evidence offered in mitigation. Even if the commitment is less than overwhelming, it is entitled to consideration as part of the record *as a whole*. An agency’s commitment to monitor the effects of its activities may be considered as evidence of mitigation. [Citation]. We also reject the argument that the commitment is not specific enough. We think it unreasonable to demand a commitment to take specific action based on unknown and as yet unknowable test results.” (Emphasis in original).

Taken as a whole, Applicant’s commitment to prohibit the use of lead shot, combined with the fact that discharge of lead is heavily regulated by state and federal authorities, is adequate to ensure that no lead from the trap and skeet facility will be deposited on the Project site, on the Property, or into the Mystic Lakebed.

6. That Applicant is blocking access to public lands comprising the San Jacinto Wildlife Area.

RESPONSE: As discussed above, Appellant considers the Property to be “within” the SJWA and objects to the locked gate that prohibits vehicular access to the SJWA area to the south. The access road is a private utility easement located on the Property and on the Project site (the “Easement”). Use of the Easement is restricted to utility companies, the County Fire Department, the Applicant and adjacent duck club members. Appellant is a member of the public; and as such, is not legally authorized to use the easement. For this reason, he does not have a key to access the SJWA through the Easement.

Appellant’s objection focuses on the gate located at the northwest corner of the Property. The gate restricts public access to the Easement, which runs on the Property along the westerly boundary. The Easement was granted to the Southern Sierras Power Company, in the 1930s, for the installation of electric poles. See the Easement document, attached as Exhibit “C”. Eastern Municipal Water Company is the holder in due course of the Easement. See the aerial map of the Easement and the surrounding area, including the Project site and the SJWA parcels to the south, and an assessor’s parcel map identifying the SJWA properties to which Appellant claims access has been cut off (425-050-025, 423-040-019, 015, and 004).

The Easement has been gated for years. Recently, the Applicant replaced the old gate with a new one. Like the old gate, the new one is equipped with keys for the legally-authorized parties. These include: the Eastern Municipal Water District, the Edison Company, the Riverside County Fire Department, the

SJWA, and the Applicant. Keys have also been provided to two duck hunting clubs located adjacent to the Property.

According to Scott Sewell of the SJWA, although the SJWA is public property, about 80% of the SJWA property is closed to vehicular access. In an e-mail, attached as Exhibit "D", he has advised that SJWA property closed to vehicular access remains accessible to the public for pedestrian access.

For the reasons discussed above, the Appellant does not have access to the Easement because it is located on private property, and the SJWA does not have legal access across the Easement to provide access to the SJWA to members of the public.

Very truly yours,

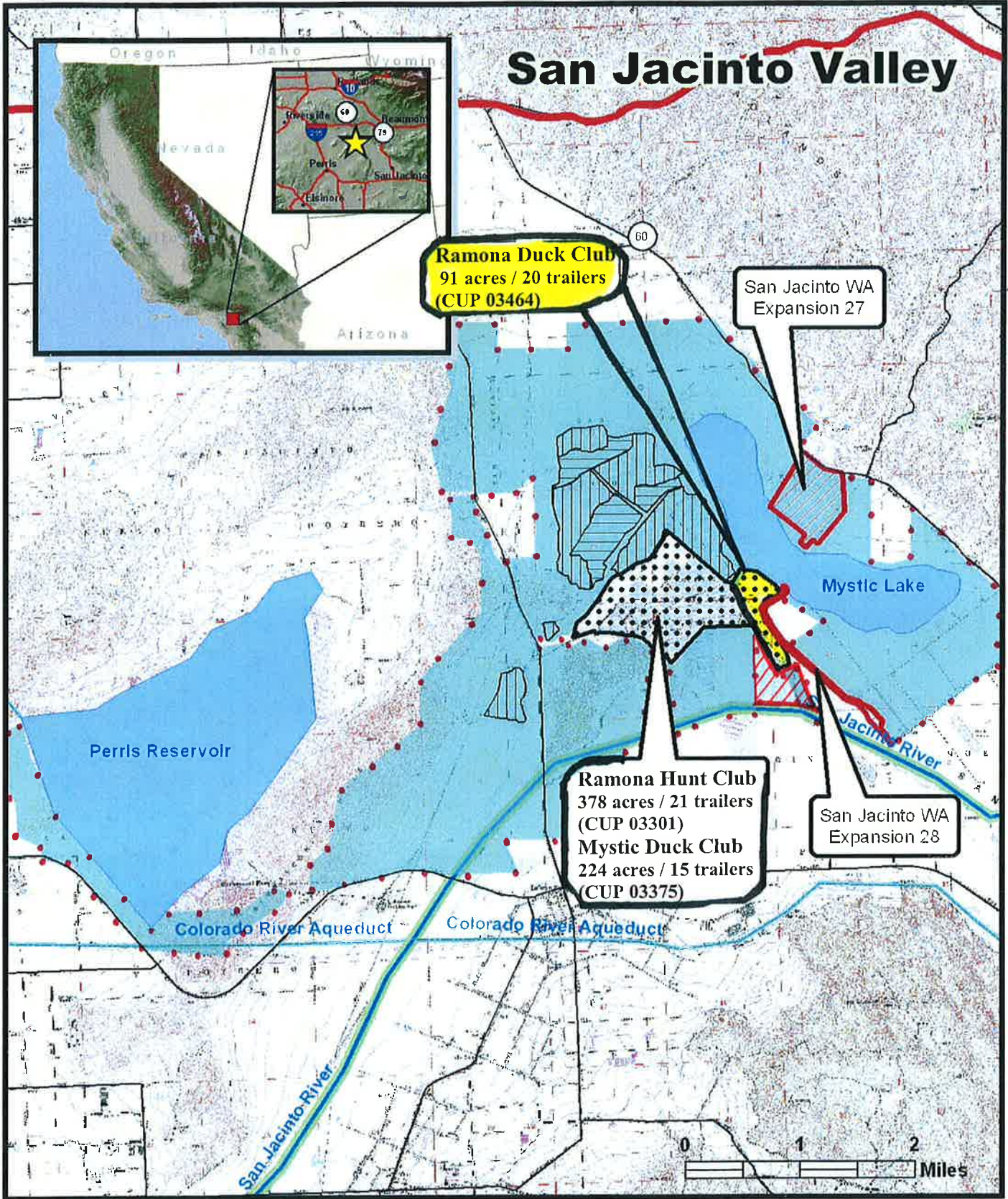


Alicen Clark Wong, for
GRESHAM SAVAGE
NOLAN & TILDEN,
A Professional Corporation

ACW:db

Enclosures

cc: Malcolm Smith, Ramona Duck Club
Scott Sewell, California Department of Fish and Game




Southern California Coastal and Inland Wetland Project

DFG Projects

-  Enhancement
-  Restoration

 Match Projects

 Private Restoration

 10,000-acre San Jacinto Wildlife Area Boundary (as of May 2008)


 Ramona Duck Club 91 acres / 20 trailers (CUP 03464)



Exhibit "B"

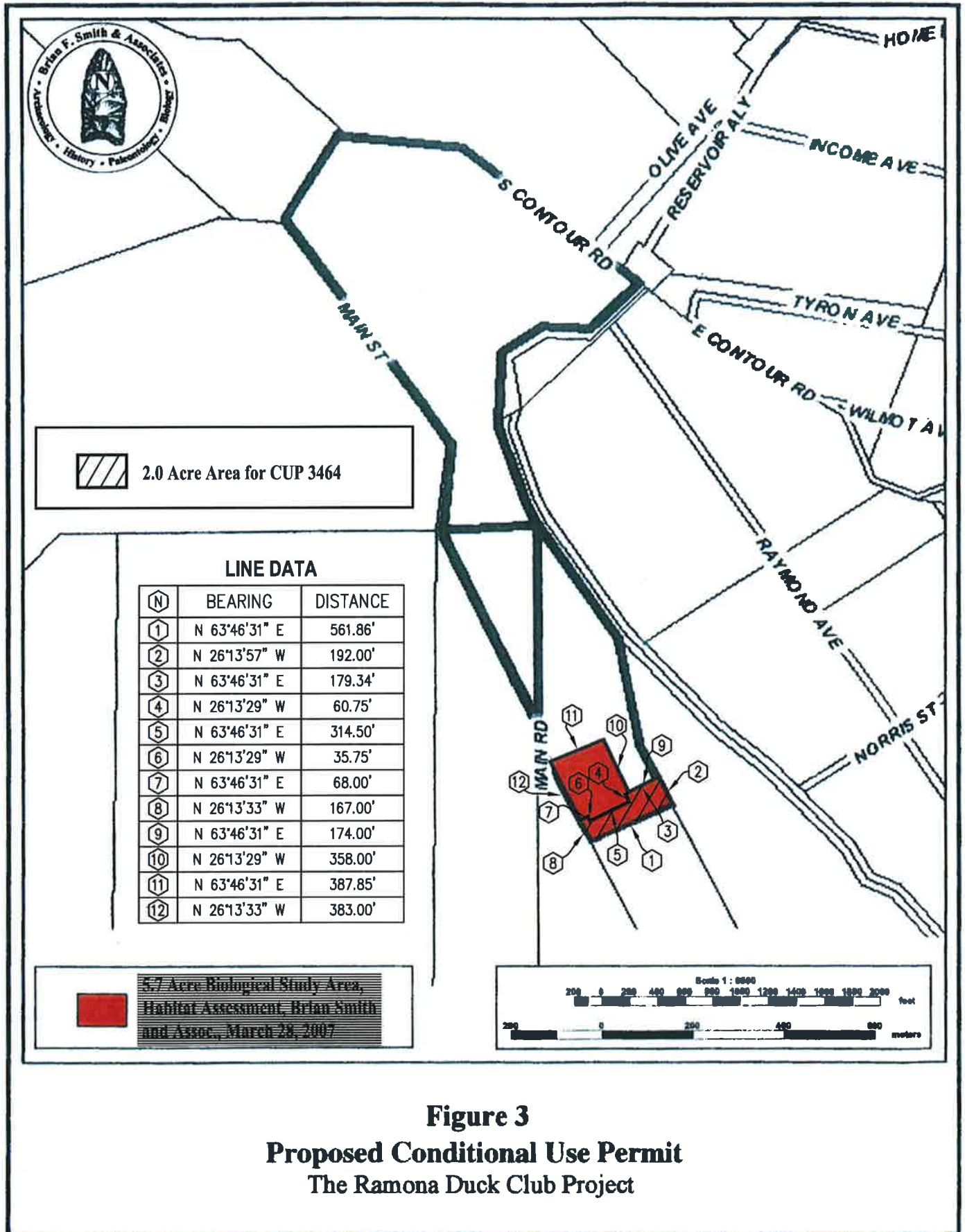


Figure 3
Proposed Conditional Use Permit
The Ramona Duck Club Project

LAYNE & BOWLER CORPORATION)

Exhibit "C"

TO)

RIGHT OF WAY

THE SOUTHERN SIERRAS POWER COMPANY)

Los Angeles, California, May 6, 1930

For and in consideration of the sum of One Dollar, (\$1.00) receipt whereof is hereby acknowledged, a right of way easement is hereby granted by the undersigned, to THE SOUTHERN SIERRAS POWER COMPANY, its successors and assigns with the right to erect and maintain poles or other supports, with wires and fixtures thereon necessary for the purposes of said Power Company, and to clear, grade, and keep same free from brush and wood growth to such a width as may be necessary for protection from fire, across that certain property belonging to LAYNE & BOWLER CORPORATION a corporation, situated in the County of Riverside, State of California, said property being described as follows:

Block A of the Consolidated Reservoir and Power Company subdivision of the San Jacinto Lake Tract, as shown on a map thereof recorded in Map Book 6, page 83 records of Riverside County, California, less the Southerly Twenty (20) feet used for the County road and a portion in the drainage ditch.

The center line of said right of way is described as follows:

Beginning on the Southwesterly line of said Block A at a point Thirty-one (31) feet West of the center line of the County Road running Northerly through said Block A and running thence North 1° 46' East parallel to and Thirty-One (31) feet West of said County Road a distance of Six Hundred Ninety (690) feet more or less to a point on the Northeasterly line of said Block A.

It is agreed that the agents and employees of said Power Company with their vehicles, property and equipment, shall, whenever necessary, have the right of entry, transportation and travel upon, over and across the property of the grantor for all purposes in connection with the construction, repair, renewals, inspection, etc., of the properties of the Power Company on said right of way; Provided, however, that the said rights shall be reasonably exercised, and that the Power Company shall be responsible for any damage which may negligently be done by it to the property above described.

LAYNE & BOWLER CORPORATION

(CORPORATE SEAL)

By W.M. Mason, Its Vice President.

Attest: E.C. Wagner, Its Secretary.

C.R. 4848-342

STATE OF CALIFORNIA)

County of Los Angeles)

ss.

On this 6 day of May, in the year One Thousand Nine Hundred and thirty, before me, Pearl Milligan, a Notary Public in and for said County and State, personally appeared W.M. Mason, known to me to be the Vice President and E.C. Wagner, known to me to be the Secretary of the corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal, the day and year in this certificate first above written.

Pearl Milligan

(NOTARIAL SEAL)

Notary Public in and for the County of Los Angeles, State of California.

My commission expires Aug. 9, 1931.

Description checked P.V.H. approved E.J.W. Engineer Approved as to legal features H.M.H. Attorney

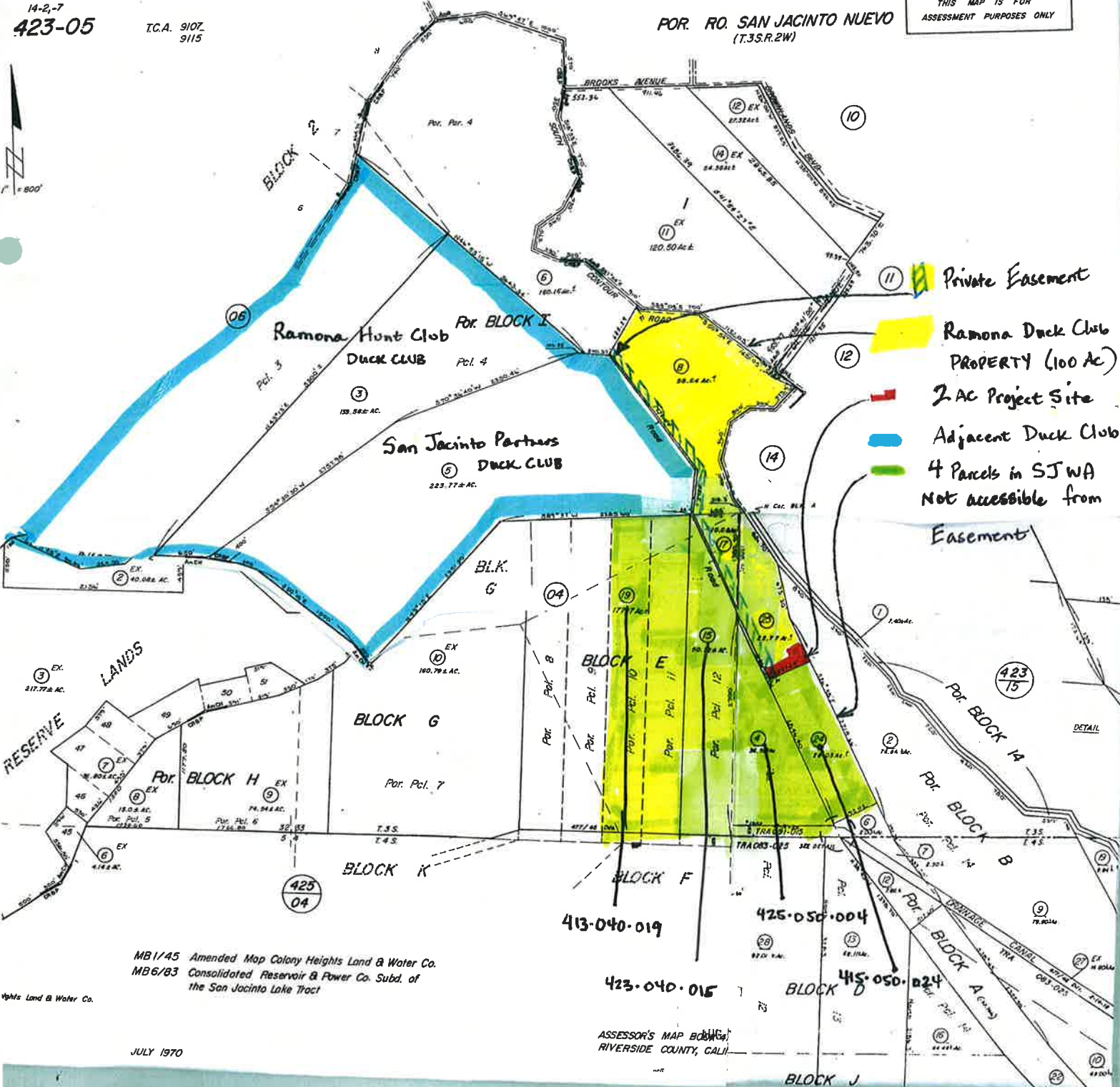
Exhibit "C"

14-2-7
423-05

T.C.A. 9107
9115

POR. RO. SAN JACINTO NUEVO
(T.35.R.2W)

THIS MAP IS FOR
ASSESSMENT PURPOSES ONLY



- Private Easement
- Ramona Duck Club PROPERTY (100 Ac)
- 2 AC Project Site
- Adjacent Duck Clubs
- 4 Parcels in SJWA Not accessible from Easement

MB1/45 Amended Map Colony Heights Land & Water Co.
MB6/83 Consolidated Reservoir & Power Co. Subd. of
The San Jacinto Lake Tract

Rights Land & Water Co.

JULY 1970

ASSESSOR'S MAP BOOK NO. 11
RIVERSIDE COUNTY, CALIF.

BLOCK J

Exhibit "C"

M-2
425-05

T.C.A. 8312
9115

FOR. RD. SAN JACINTO NUEVO
(T.35R.4S, R.2W.)

THIS MAP IS FOR
ASSESSMENT PURPOSES ONLY

1" = 600'

RAMONA
DUCK CLUB

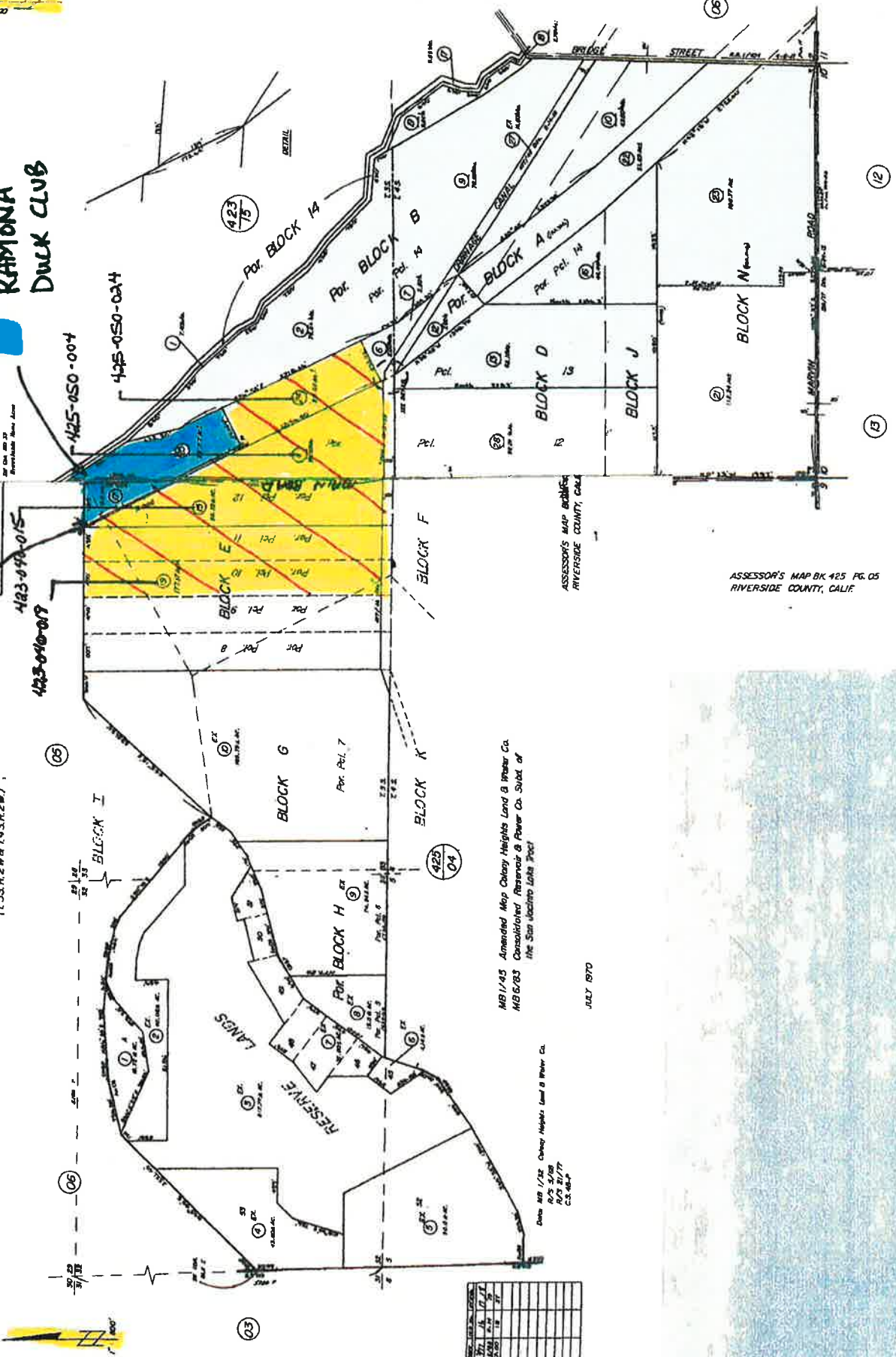
Private Utility
EASEMENT

FOR. RD. SAN JACINTO NUEVO
(T.35R.2W.4S.R.2W.)

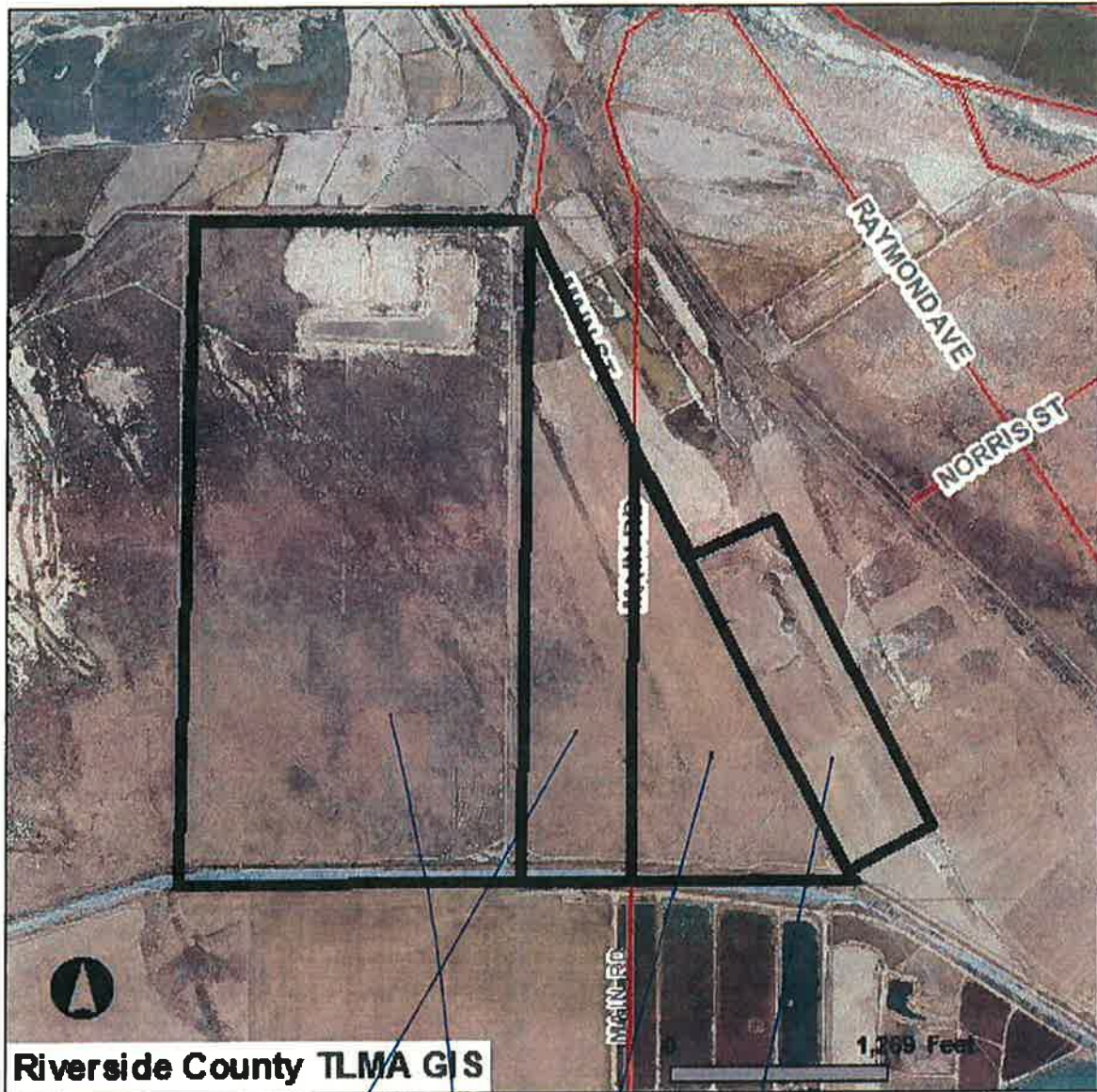
T.C.A. 8312
9115

M-2-D
423-04

1" = 600'



425-050-024 et al.



2007 Aerial

Selected parcel(s):
 423-040-015 423-040-019 425-050-004 425-050-024

IMPORTANT

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

REPORT PRINTED ON...Mon Jan 11 14:54:49 2010

Exhibit "D"

Marlene Ramirez

From: Alicen Wong
Sent: Tuesday, January 12, 2010 8:04 AM
To: Marlene Ramirez
Subject: FW: Tom Paulek's Appeal of Ramona Duck Club CUP 3464

-----Original Message-----

From: Scott Sewell [mailto:ssewell@dfg.ca.gov]
Sent: Wednesday, January 06, 2010 11:14 AM
To: Alicen Wong
Cc: mtsdrywall@aol.com
Subject: Re: Tom Paulek's Appeal of Ramona Duck Club CUP 3464

Good afternoon,

The 2 questions you would confirmation on are;

Item 1. The properties behind the gate that are owned by the Department of Fish and Game are available to the public. The majority of the property at San Jacinto Wildlife Area has gates that restrict the access of motor vehicles but allow and encourage the public to walk around the gate and enjoy our Wildlife Area. The gates have locks on them and the Department and the proper agencies that have Departmental approved business have access and keys to the appropriate gates.

Item 2. San Jacinto Wildlife Area follows the rules and regulations that are set by the Department of Fish and Game. SJWA does have a lot of hunting activities available to the public. There is no bullet form shooting at SJWA. There is led shot hunting available on upland game species and steel shot hunting on waterfowl species. All rules and regulation for the SJWA can be found in the 2009/2010 California Regulation- Waterfowl, Upland Game, and Hunting on other public use state and federal areas regulations, page 58, section (78) San Jacinto Wildlife Area.

I hope this answers your questions, please feel free to contact me if you need further information.

Scott Sewell
Wildlife Habitat Supervisor II
San Jacinto Wildlife Area
& Imperial Wildlife Area
17050 Davis Road/P.O. Box 1254
Lakeview, CA 92567
Office-(951)928-0580
Fax-(951)928-1196

>>> "Alicen Wong" <Alicen.Wong@greshamsavage.com> 1/5/2010 5:09 PM >>>
Scott: Tom Paulek has appealed the Board of Supervisors' approval of CUP 3464 (approved on December 22nd). One of the issues he raises in the Appeal relates to land in the Wildlife Area. He states:

Ramona Duck Club is blocking access to public lands comprising the San Jacinto Wildlife Area. The newly constructed gate prevents the public from accessing

hundreds of acres of public land on the SJWA (APN 425050024, 425050004, 423040015, 423040019). The Club's blockade of public access to these existing regional conservation/recreation lands is a significant project impact.

According to Malcolm Smith, the gate referred to in the Appeal replaces a gate that operated in the same location for a significant period of time. As you know, the new gate contains various locks and each party that has the legal right to access the property "behind" the gate has a key to the gate. Malcolm said the property "behind" the gate is part of the SJWA but is not "public property". He advised that Tom Paulek, as a member of the general public, does not have the right to access the property behind the gate and therefore, does not have a key and is not entitled to one.

Could you please confirm:

(i) Whether the property "behind" the gate (the 4 parcels referred to above) is open to the public, and if not, why property within the SJWA would be off limits to members of the general public.

(ii) I also understand that hunting on the SJWA is permitted, and that lead bullets may be shot on SJWA property. Could you please advise what restrictions regarding lead shot (if any) govern the right to hunt on the SJWA?

Thank you. Alicen Wong

Alicen Wong
Attorney
Gresham Savage Nolan & Tilden, APC
Attorneys at Law
550 East Hospitality Lane, Suite 300
San Bernardino, CA 92408-4205
Office (909) 890-4499 Ext.1811
Fax: (909) 890-2511
Cell: (909) 215-8112
www.GreshamSavage.com

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SAN GORGONIO CHAPTER

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*Regional Groups Serving Riverside and San Bernardino Counties:
Big Bear, Los Serranos, Mojave, Moreno Valley, Mountains, Tahquitz.*

January 11, 2010

Riverside County Board of Supervisors

Re: Appeal of Conditional Use Permit (CUP) No. 3464 - Agenda Item No. 16.2

The Ramona Duck Club could probably sit down and resolve the main issues related to this appeal by meeting with environmental groups. We said this before the Planning Commission and afterwards to their attorney. The Sierra Club is still willing to meet with them.

The mitigated negative declaration is insufficient for the following reasons:

1. Without changes in the conditions of approval, the public will be denied access to a portion of the San Jacinto Wildlife Area on which millions of taxpayer dollars were spent. These lands lie east of the project, and the right-of-way purchased by the State is blocked by the Ramona Duck Club. The site plan shows this roadway.
2. The Conditions of Approval (COA) are not adequate for the restrictions of lead in the bed of Mystic Lake. When Mystic Lake has water, it usually makes its way into the water used by downstream cities. In an effort to protect the public (especially children), our federal government and the State of California have placed restriction on lead in materials such as toys, food, plumbing, gasoline, and paint. Simply telling the club to change its bylaws will be far less effective than requiring no handheld cell phones while driving – we all know how ineffective that is. Even though there are more than five approved non-toxic types of shot other than steel, skeet shooters prefer lead. They state that non-toxic substitutes cost much more than lead, and steel shot can damage older guns, takes more powder to shoot, and is not as effective. It is because of this that we believe some members and, especially, non-members will still at times use lead shot.

The “San Francisco Public Utilities Commission Water Commission water customers paid \$25,000,000 to clean up the now-closed Peninsula Club” (page 1). Where is the condition of approval that requires the clean up of existing lead shot? The Petaluma Trap and Skeet Club “is required to hire a company to test the soil every other year” (page 3). The Ramona Duck Club should be required to do the same by selecting someone the County approves of with the initial report going to the County. The Petaluma Trap and Skeet Club “also pays for a lead clean-up at least every five years” (page 2). The Ramona Duck Clubs CUP should be reviewed every two years and approved only with a clean test result of the soil and, if necessary, a lead clean-up. It is very important that the

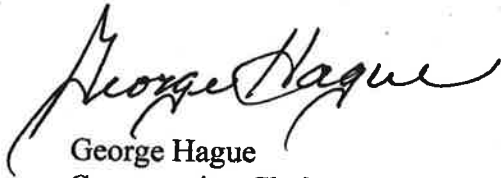
1-12-10
(date) George Rogues
Item 16.2

COA limit the use of the trap and skeet range to the Ramona Duck Club full members and their immediate families. They should not allow public use, nor should they be allowed to commercialize the club by selling the right to use the trap and skeet range, which would probably increase the use of lead.

The San Jacinto Wildlife Area is a Core Reserve that needs to protect many species. Lead shot in the bed of Mystic Lake and/or in the 100-year flood plain could jeopardize several of them. The SJWA should be enjoyed by all, and no single group should restrict the movement of the public therein.

The Sierra Club hopes that you support the appeal filed by the Friends of the Northern San Jacinto Valley and make significant additions to the conditions of approval. The Ramona Duck Club should have been meeting with the environmental community from the beginning, thus spending less money on attorney fees.

Please keep us informed of all future meetings and documents by using the address below.
Sincerely,

A handwritten signature in cursive script that reads "George Hague". The signature is written in dark ink and is positioned above the typed name and title.

George Hague
Conservation Chair
Moreno Valley Group of the Sierra Club
26711 Ironwood Avenue
Moreno Valley, California 92555-1906
Phone: 951-924-0816
Fax: 951-924-4185

RELATED KEYWORDS

- Sonoma County
- Lead

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Warning on lead fallout at gun clubs

Coast Guard claims 7 tons pile up in a year at skeet range

September 29, 2008 | By Jane Kay, Chronicle Environment Writer



A group of men (no names given) shoot at the Petaluma Trap and Skeet Club on September 14, 2008 which has used lead shot on their range.

Credit: Fredenc Larson

For 40 years on clear mornings, avid shooters have turned out at the Petaluma Trap and Skeet Club for the sport of popping away at clay pigeons hurled into the air.

The western Sonoma County range looks idyllic with hawks and golden eagles diving over grazing sheep. But in a year's time, the rural outdoor range is

strewn with seven tons of lead, according to the U.S. Coast Guard, which owns the land.

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Health officials worry about even trace amounts of lead in gasoline, paint, plumbing, food and consumer products, which is why conservationists and regulators are warning about letting thousands of tons of lead accumulate at shooting ranges statewide.

Despite some cleanups and spotty county inspections, dozens of ranges in California remain under the radar of regulation.

Lead litter endangers wildlife and waterways, scientists say. Lead is so toxic that if consumed, it stunts the growth of animals and plants, and causes the loss of biological diversity, according to scientists at the U.S. Environmental Protection Agency.

Runoff from ranges can be rich in lead, said Tom Mumley, assistant executive officer of the San Francisco Bay Regional Water Quality Control Board, which halted the use of lead shot at shooting ranges near water in the mid-1990s.

"We think there are solutions that don't require lead shot."

But gun clubs, like the Petaluma Trap and Skeet Club, disagree.

"Lead's not a contaminant. It doesn't run with the water," said Jerry Cossey, club president of the Petaluma club who has been a member for all of its 40 years.

But costly cleanups show otherwise.

San Francisco Public Utilities Commission water customers paid \$25 million to clean up the now-closed Peninsula Gun Club near San Francisco Bay in Menlo Park. At Lake Merced, the city told the Pacific Rod and Gun Club to begin a lead study at the club's expense.

"There could well be more than 1,000 tons of lead remaining at the lake from skeet shooting over the years," said Tony Winnicker, commission spokesman. "That, of course, is a serious concern."

Wildlife at risk

Environmentalists and hunters are still at odds after a state law passed last year banned lead bullets in 14 counties. The law is intended to protect California condors from poisoning because the birds' food, dead birds and mammals, becomes contaminated when the animals consume lead ammunition or are shot with lead.

RELATED KEYWORDS

- Sonoma County
- Lead

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Warning on lead fallout at gun clubs

Coast Guard claims 7 tons pile up in a year at skeet range

September 29, 2008 | By Jane Kay, Chronicle Environment Writer

(Page 2 of 3)

The condor preservation fight highlighted the issue of lead exposure and its effect on the environment, according to a recent report by the American Ornithological Society for Audubon California. Lead shot has also been banned for use at national wildlife refuges and some state parks. And the U.S. Fish and Wildlife Service told duck and geese hunters to stop using lead ammunition by 1991 as a way of protecting wetlands and water.

"There's no good reason to be putting lead in the environment ... it's clear it's toxic," said Graham Chisholm, Audubon California's conservation director.

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Diane Hichwa, conservation chair of the local Madrone Audubon Society, agreed. "Lead as an environmental contaminant could be quite detrimental in the area west of Petaluma, which is a wintering area for raptors as they move along the Pacific Flyway."

The Petaluma shooting range, scattered with spent shot and broken clay, could attract golden eagles, hawks, peregrine falcons, American kestrels and merlins, said Melissa Pitkin, education director of PRBO Conservation Science.

Betty Burridge, famed editor of "Sonoma County Breeding Bird Atlas," singled out birds that would "eat off the ground" - California quails, mourning doves, rock pigeons and wild turkeys. Barn owls, which nest in the area, eat rats and mice that could pick up lead from the ground.

Coast Guard monitoring

Most ranges aren't required to report the release of lead. The amount of lead left behind by the Petaluma Trap and Skeet Club - which can serve as an indicator for other ranges - came to light only because the Coast Guard must submit an annual report to the EPA.

For the first time in 2006 and 2007, the Coast Guard reported that 300,000 shots fired at the club resulted in an annual 14,000 pounds of lead.

Patrick Nelligan, environmental protection specialist at the Coast Guard Training Center at Petaluma, said the Coast Guard adheres to the EPA's "best management" practices on outdoor shooting ranges, which outline how lead should be recovered, recycled and kept from moving outside of the range.

Nelligan said the club pays for a lead cleanup at least every five years. The top 2 inches of soil are removed and the shot is separated on the 1,000-foot by 225-foot fall zone. The grass seed planted by the club and alfalfa grown by Sonoma County farmers help to inhibit lead runoff from the range, he said.

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Warning on lead fallout at gun clubs

Coast Guard claims 7 tons pile up in a year at skeet range

September 29, 2008 | By Jane Kay, Chronicle Environment Writer

(Page 3 of 3)

The club is required to hire a company to test the soil every other year.

The most recent soil monitoring reported the highest lead concentration of 17,000 parts per million and the average of nine samples taken in the fall zone at 2,165 ppm, said Nelligan, who reviews the results. The lead isn't considered hazardous waste by the EPA because it's on a shooting range - and eventually will be recycled. If it were a hazardous waste site, the ratio would have to be cleaned up to 1,000 ppm.

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The sampling of soil is limited to the shooting range, Nelligan said. The Coast Guard assumes that the topography and vegetation limit migration offsite of lead, he said.

Resistance to change

Shooters bristle at the idea that their sport is harmful to the environment and resist changing the shot they use.

There appear to be 80 gun clubs in California, according to Clay Targets Online. Lead is the cheapest, most popular shot. If the lead peppered on the range west of Petaluma is any indication of what small outdoor ranges accumulate in a year, lead litter statewide could reach 500 tons a year.

Representatives of the Pacific International Trapshooting Association and the California State Trapshooting Association refused to respond to queries about membership and any movement toward replacing lead shot.

Skeet aficionados prefer lead shot, saying non-toxic substitutes cost much more. Steel, one alternative, can damage older guns, takes more powder to shoot and is not as effective, they say.

Jeff Miller, conservation advocate for the Center for Biological Diversity, said there are at least 10 approved nontoxic types of shot other than lead and steel and some were designed to approximate the density and weight of lead.

"As regulations and interest in using non-lead shot increase, the price is going to come down," Miller said. "Lead's been a useful metal. But from what we know... there's no reason to keep using it."

E-mail Jane Kay at jkay@sfchronicle.com.
(C) San Francisco Chronicle 2008

Sponsored Links

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January 11, 2010

Riverside County Board of Supervisors
County Administrative Center
4080 Lemon Street - 5th Floor
Riverside, CA 92501

Board of Supervisors:

RE: Board of Supervisors Meeting January 12, 2010 - AGENDA Item 16.2: APPEAL of Approval CONDITIONAL USE PERMIT NO. 3464 – Ramona Duck Club.

The following printed material **Attachments** are being submitted to the Riverside County Board of Supervisor for their review and consideration for Agenda Item No. 16.2 – Appeal of Approval Conditional Use Permit No. 3464. Please note, I plan to use the materials in my presentation to the Board of Supervisors. Also be advised I will need to use the overhead “Elmo” projector to present this material to the Board at the January 12, 2010 public hearing.


Attachment

Printed Materials

- #1 San Jacinto Wildlife Area Boundary Map (10,000 acres) and the Ramona Duck Club CUP 3464 project location (90 acres).
- #2 Photograph showing the Ramona Duck Club CUP 3464 project location within The Mystic Lake floodplain (San Jacinto River).
- #3 Lead in Ammunition and Fishing Tackle: Final Position Statement, The Wildlife Society, Bethesda, MD, July 2009.
- #4 Photographs (2) taken of the Ramona Hunt Club CUP 3464 Entrance Gate, September 2009.
- #5 Information sheet for the Walker Acquisition January 2001 by the State of California Wildlife Conservation Board.
- #6 Ramona Duck Club gate location on Parcel Map indicating the Walker Acquisition public lands and the Ramona Duck Club property
- #7 Excerpt from County of Riverside Initial Study: Environmental Assessment (EA) No. 40284 – CUP 3464.

Thank you for your consideration.

Sincerely,



Tom Paulek

Friends of the Northern San Jacinto Valley

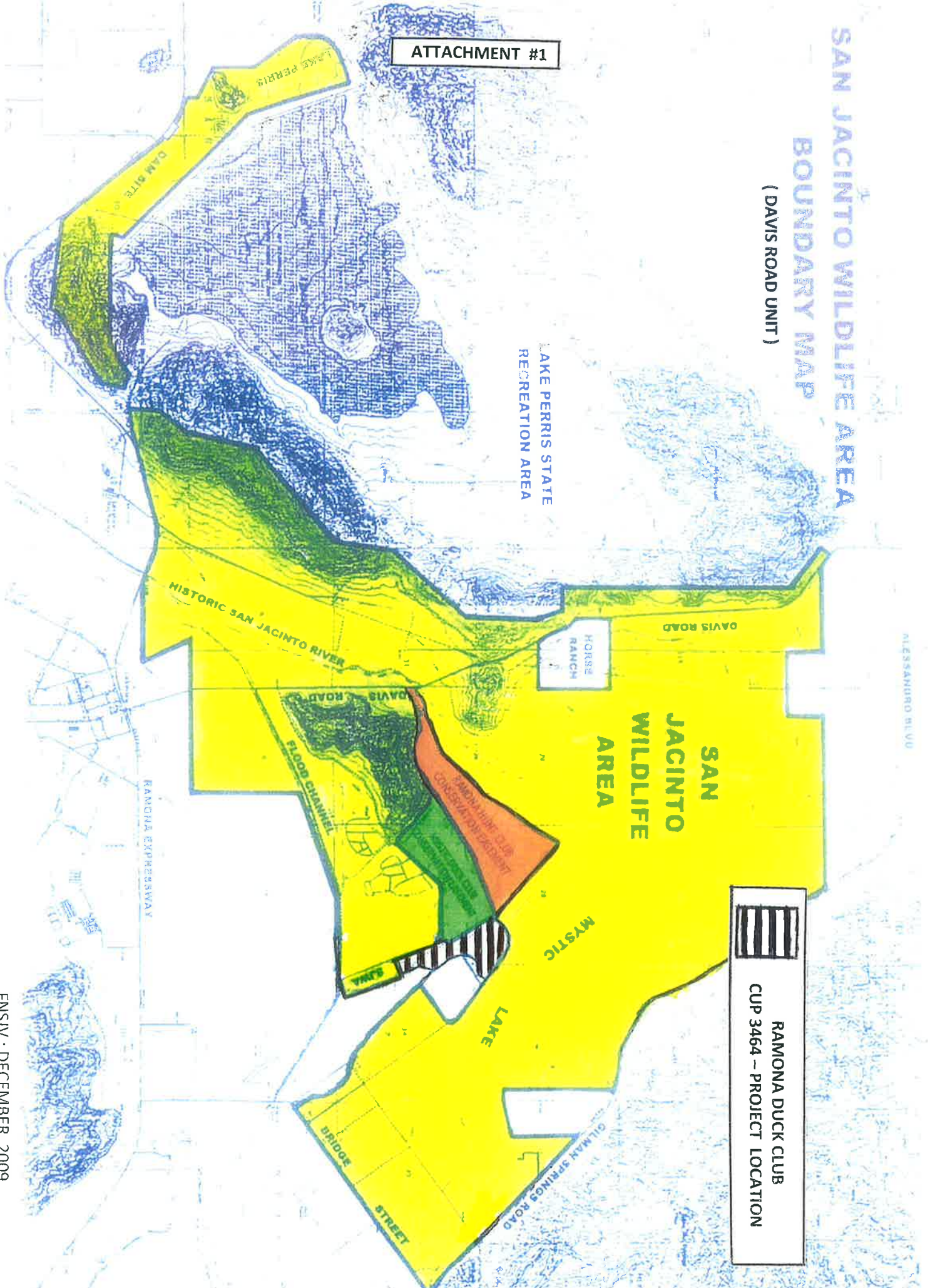
1-13-10
16.2

2010-01-097989

SAN JACINTO WILDLIFE AREA BOUNDARY MAP

(DAVIS ROAD UNIT)

ATTACHMENT #1



ATTACHMENT #2

RAMONA DUCK CLUB CUP 3464 PROJECT LOCATION WITHIN MYSTIC LAKE FLOODPLAIN.





THE WILDLIFE SOCIETY

5410 Grosvenor Lane • Bethesda, MD 20814-2144
Tel: (301) 897-9770 • Fax: (301) 530-2471
E-mail: tws@wildlife.org

Final Position Statement

Lead in Ammunition and Fishing Tackle

Lead has been used in ammunition and fishing tackle for centuries. It is an effective and inexpensive element for the manufacture of projectiles and weights. Although it is a naturally occurring element in the environment, lead has no functional or beneficial role in biological systems, and at very low levels of exposure it can be toxic, depending on the species and the health and age of an individual. At toxic levels lead damages the nervous system, causing paralysis and eventual death; at lower levels it is known to cause a variety of sublethal effects such as neurological damage, tissue and organ damage, and reproductive impairment.

Realization of the hazards of lead ammunition to waterfowl and some upland game birds can be traced to the late 1870s, while the hazards of lead fishing sinkers to waterfowl became apparent in the 1970s, when lead was found to poison swans in the United Kingdom (UK). In the 1970s and 1980s, the UK and some jurisdictions within the United States and Canada began placing restrictions on the use of lead ammunition and fishing tackle. Today lead from ammunition and fishing tackle provides a small fraction of total environmental releases, but it exists in a form that can be readily ingested by some species of wildlife.

Metallic lead can remain relatively stable and intact for decades, even centuries. However, under certain environmental conditions (e.g., acidic or basic water or soil) lead from shot or tackle can be readily released and taken up by plants or animals, causing a range of biochemical, physiological, and behavioral effects in some species of invertebrates, fish, amphibians, reptiles, birds, and mammals. Lead that is adsorbed or incorporated into food items through the soil, as well as lead fragments in carcasses or deposited at shooting sites, is known to be consumed by some birds and small mammals, resulting in elevated lead concentrations. Ingestion by reptiles, birds, and mammals of spent ammunition and lost fishing tackle has also been documented and can cause a range of negative effects in individuals, potentially leading to population-level consequences in some species (e.g., waterfowl, eagles, condors, mourning doves, and loons).

From a public health perspective, lead potentially can lead to a variety of human health problems, such as neurological effects and stunted growth, particularly in children. Although the extent is still unclear, recent research indicates that consumption of game taken with lead ammunition may increase blood-lead levels in humans. When lead that is imbedded in game meat becomes exposed to acid in the human stomach, lead may be absorbed into the system. Even if a lead pellet or bullet completely passes through an animal, a small amount of lead may be left in the tissue and may be absorbed by a person consuming the meat.

Lead poisoning related to spent ammunition and lost fishing tackle has been extensively studied in birds, and at least two studies indicate that the ban on the use of lead ammunition for hunting

waterfowl and coots in North America has successfully reduced lead exposure in waterfowl. Nonetheless, other species such as upland game birds (e.g., doves and quail) and scavengers (e.g., vultures and eagles) have been documented to be exposed to lead, and the California condor population may be at risk. Despite the prohibition on lead shot for waterfowl hunting, current data for raptors and avian scavengers indicate increases in lead exposure in these species, especially during hunting season. Accordingly, 24 states (as of 2008) have instituted restrictions on the use of lead ammunition to minimize effects to upland game birds, eagles, and other species. The hazard of ingested lead sinkers and fishing tackle is well-documented in swans and loons, and restrictions on the sale or use of lead weights have been instituted in parts of the UK, Canada, several other countries, and five states in the U.S. (as of 2008) in order to minimize effects on these and other potentially vulnerable species. There are only limited data on the adverse effects of lead ingestion at shooting ranges, and reproductive and mortality rates at these sites have not been adequately investigated.

There has been an extensive effort in the development, efficacy testing, and regulation of alternatives to lead-based ammunition for hunting waterfowl and waterbirds. Several effective nontoxic alternatives have been approved and currently are available in North America and elsewhere. Several manufacturers have developed nontoxic ammunition that can be used safely in all gauges of modern shotguns, as well as nontoxic rifle bullets for hunting large game. However, the widespread manufacture of this shotgun and rifle ammunition depends on assured markets provided by regulation and enforcement. Nontoxic shot may be used in all clay target sports and currently is required by some shooting facilities. Dozens of substitutes for lead fishing tackle have entered the marketplace in recent years. A few, but not all, alternative metals in fishing tackle have been deemed safe if ingested by waterfowl and some other birds and mammals.

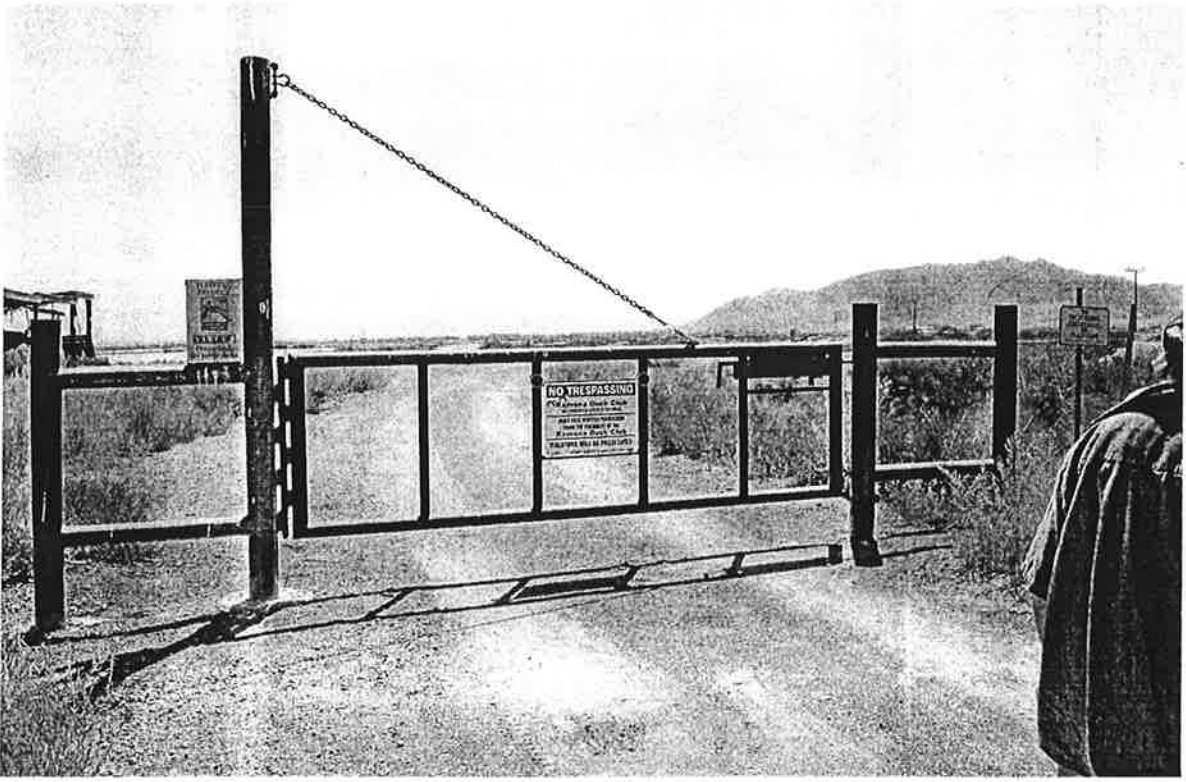
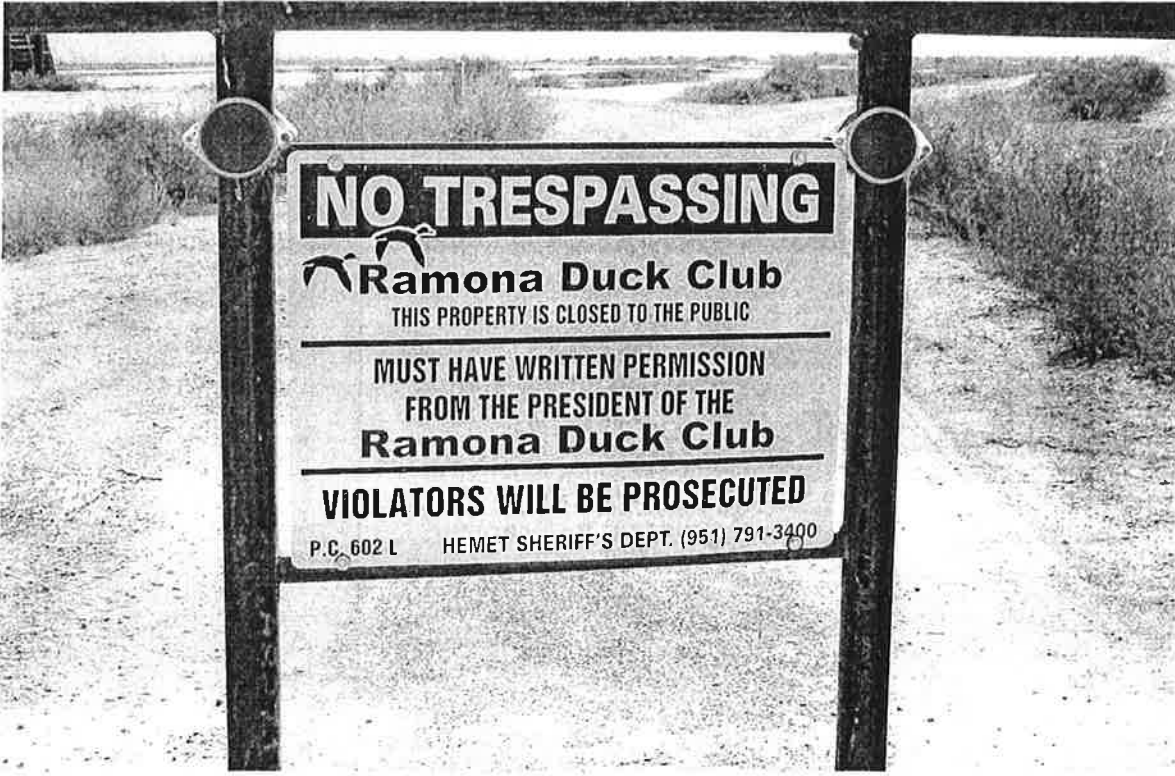
The policy of The Wildlife Society in regard to lead in ammunition and fishing tackle is to:

1. Recognize that lead has been known for centuries to be a broad-spectrum toxicant to humans and wildlife.
2. Advocate the replacement of lead-based ammunition and fishing tackle with nontoxic products, while recognizing that complete replacement may not be possible in specific circumstances.
3. Recognize that the removal of lead for hunting, fishing, and shooting will require collaboration among affected stakeholders (including wildlife professionals, ammunition and tackle manufacturers, sportsmen, policymakers, and the public). It may require a phased-in approach, and will require explicit and targeted educational strategies at both the national and international levels, thereby acknowledging and supporting the crucial role that hunters and anglers play in wildlife management and conservation.
4. Encourage studies on reducing barriers to the development of nontoxic ammunition and fishing tackle, additional research that generates toxicological and environmental chemistry data, monitoring and modeling of exposure effects, and studies predicting consequences of exposure and long-term population-level effects. The need for additional

information, however, should not delay the educational efforts and the phasing-in of nontoxic ammunition and tackle where practicable.


5. Support educational efforts to promote greater public awareness and understanding of the consequences of lead exposure to wildlife populations, and emphasize the potential gains for wildlife and environmental quality from use of nontoxic ammunition and fishing tackle.

Approved by Council July 2009. Expires July 2014.



ATTACHMENT #5


**WALKER ACQUISITION – JANUARY 2001
STATE OF CALIFORNIA
WILDLIFE CONSERVATION BOARD**

 Assessor's Parcel #: 423-040-018
423-050-006, 009
425-050-024

Thomas Brothers Map: 749-D2 through E3 & F5/6

Zoning: R-R (Rural Residential) / A-2-10 (Agricultural)


Entitlements @ Sale: None

 Lot Size: 190.71 acres


Topography: Level

Flood Zone: Zone "A"


Utilities: In area

 Sales Price: \$1,401,700

Terms of Sale: Cash

 Close of Escrow: January 23, 2001

Recording Number: # 27986

 Buyer: State of California Wildlife Conservation Board

Seller: Walker

Comments:

This is another of the recent purchases by the State of California's Wildlife Conservation Board. This was purchased from the Walker family and consisted of four parcels. The data on this was provided by agent involved in the transaction who reported the sale to have been approved in November of 2000 and closed in January of 2001. This is situated in the flood zone and has accessibility similar to that of the subject. The purchase price included a well on the property.

ATTACHMENT #6

**STATE OF CALIFORNIA
WALKER ACQUISITION**

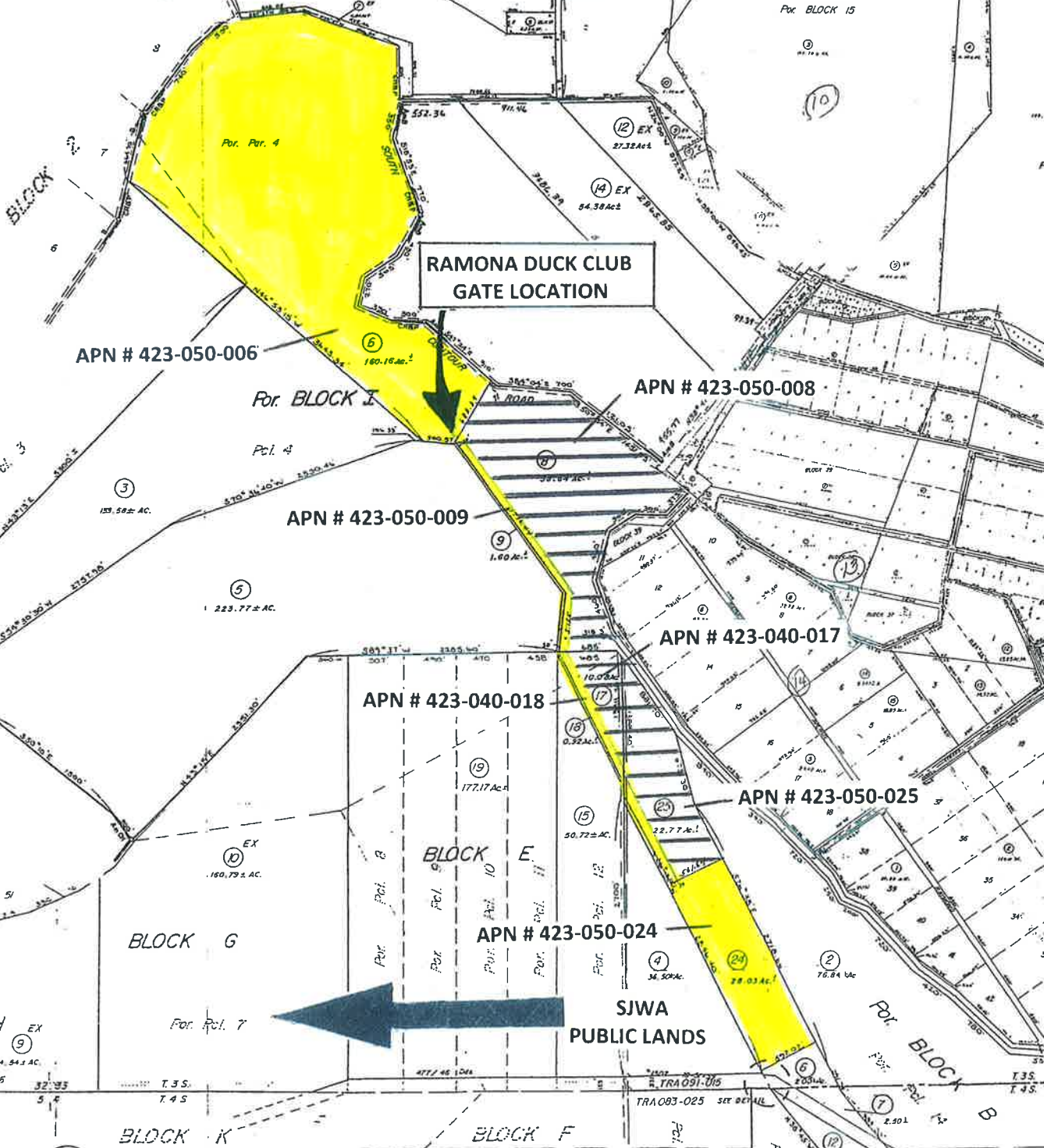
APN # 423-050-006
 APN # 423-050-009
 APN # 423-040-018
 APN # 423-050-024

RAMONA DUCK CLUB-CUP 3464

APN # 423-050-008
 APN # 423-050-025
 APN # 423-040-017

T.C.A. 9107...
9115

For BLOCK 15



RAMONA DUCK CLUB
GATE LOCATION

APN # 423-050-006

APN # 423-050-008

APN # 423-050-009

APN # 423-040-017

APN # 423-040-018

APN # 423-050-025

APN # 423-050-024

SJWA
PUBLIC LANDS

MB 1/45 Amended Map Colony
Heights Land & Water Co.
MB 9/15 Brownlands
R/S 5/66 (Reference Map)

JULY 1970

For. BLOCK H EX
13.0 ± AC.
74.54 ± AC.

BLOCK G

BLOCK E

BLOCK K

BLOCK F

For. BLOCK B
2.50 ± AC.

TRA 091-015
TRA 093-025 SEE DETAIL

**Riverside County Board of Supervisors
Request to Speak**

6.29 min

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Tom Paulek

Address: Friends of Northern San Bern Co Valley
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 1/12/10 **Agenda #** 16.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

*** Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Lee Nash

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 1/12/10 **Agenda #** 16.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

X Support _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: Tom Paulek

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Ann McKisben

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 1-12-10 **Agenda #** 16.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support _____ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support _____ Oppose _____ Neutral

I give my 3 minutes to: Tom Pauler

Riverside County Board of Supervisors
Request to Speak

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: George Hegue

Address: 2471 Ironwood Ave
(only if follow-up mail response requested)

City: M.V **Zip:** 92555

Phone #: _____

Date: 1-12-10 **Agenda #** 16.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ Support _____ Oppose _____ Neutral

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support _____ Oppose _____ Neutral

I give my 3 minutes to: _____

6 MINUTES

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: haurie Tabor

Address: 14679 Descorso Dr
(only if follow-up mail response requested)

City: _____ **Zip:** 92570

Phone #: _____

Date: 01/12/10 **Agenda #:** 16.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: George Hague (Comis)

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Aileen Wong

Address: 550 E. Hospitality # 300
(only if follow-up mail response requested)

City: San Bernardino **Zip:** 91108

Phone #: 909-223-1811

Date: 1/13/10 **Agenda #:** 16.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

April 19, 2010

PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

E-MAIL: legals@pe.com
VIA FAX: (951) 368-9018

RE: NOTICE OF PUBLIC HEARING: APPEAL OF CUP 3464

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **one (1) time on Wednesday, April 21, 2010.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Schlemmer, Sandi A.
Sent: Monday, April 19, 2010 10:32 AM
To: Gil, Cecilia
Subject: FW: Please publish the Notice of Public Hearing for Appeal of CUP 3464
Attachments: image005.emz

FYI

Sandi Schlemmer
Clerk of the Board of Supervisors

Effective August 14, 2009 the County Administrative Center will be closed every Friday until further notice. Business hours for the Clerk of the Board Office will be Monday through Thursday, 7:00 a.m. to 5:00 p.m.



Please consider your responsibility to the environment before printing this email.

From: PE Legals [mailto:legals@pe.com]
Sent: Monday, April 19, 2010 10:26 AM
To: Schlemmer, Sandi A.
Subject: RE: Please publish the Notice of Public Hearing for Appeal of CUP 3464

Received for publication on April 21

Thank You! ~Maria G. Tinajero • The Press Enterprise Legal Adv. • 1.800.880.0345 (Phone) • 951.368.9018 (fax) • Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.

From: Schlemmer, Sandi A. [mailto:SASCHLEMMER@rcbos.org]
Sent: Monday, April 19, 2010 10:12 AM
To: PE Legals
Cc: Gil, Cecilia
Subject: Please publish the Notice of Public Hearing for Appeal of CUP 3464
Importance: High

Please publish the attached Notice of Public Hearing for the Appeal of CUP 3464 as indicated in the attached cover letter. Please acknowledge receipt of this e-mail and its attachment. Thank you for your time and expertise.

Sandi Schlemmer, Deputy Clerk



Riverside County Clerk of the Board of Supervisors
951-955-1062 - telephone
951-955-1071 - facsimile
saschlemmer@rcbos.org - e-mail

WARNING: This email is confidential and intended solely for the use of the individual(s) to whom it is addressed.

Effective August 14, 2009 the County Administrative Center will be closed every Friday until further notice by order of the Board of Supervisors. Business hours for the Clerk of the Board Office will be Monday through Thursday, 7:00 a.m. to 5:00 p.m.



Please consider your responsibility to the environment before printing this email.

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF THE PLANNING COMMISSION DECISION TO APPROVE A CONDITIONAL USE PERMIT IN THE RECHE CANYON / BADLANDS AREA PLAN, FIFTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that a public hearing, at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, May 4, 2010, at 1:30 P.M.** to consider the appeal filed by Tom Paulek on the Planning Commission decision to approve the application of Ramona Duck Club – Overton Kuhn on **Conditional Use Permit No. 3464**, which proposes to permit the operation of a trap and skeet facility within an existing hunting club, comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property (“the project”). The proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period. The public hearing was initially set on January 12, 2010, which was continued to March 23, 2010, and again continued to May 4, 2010. The project is located northeasterly of Main Street, southwesterly of Contour Road, and easterly of Main Street in the Reche Canyon / Badlands Area Plan, Fifth Supervisorial District.

The Planning Commission approved the project, found that the project will not have a significant effect on the environment and recommended the adoption of a Mitigated Negative Declaration for **Environmental Assessment No. 40284**.

The proposed project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RAY JUAREZ, PROJECT PLANNER, AT (951) 955-9541 or e-mail at RJUAREZ@rctlma.org.

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

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

Please send all written correspondence to:

Clerk of the Board
4080 Lemon Street, 1st Floor
Post Office Box 1147
Riverside, CA 92502-1147

Dated: April 19, 2010

Kecia Harper-Ihem
Clerk of the Board

Gil, Cecilia

From: Marshall, Tammie [tmarshal@asrclkrec.com]
Sent: Tuesday, April 20, 2010 10:42 AM
To: Gil, Cecilia; Meyer, Mary Ann
Subject: RE: APPEAL CUP 3464

Rec'd and posted.

Thank you

Tammie

From: Gil, Cecilia
Sent: Tuesday, April 20, 2010 10:31 AM
To: Meyer, Mary Ann
Cc: Marshall, Tammie
Subject: APPEAL CUP 3464

Can you please Post and confirm? THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.

CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cecilia Gil, Board Assistant, for the County of Riverside, do hereby certify
(NAME and TITLE)

that I am not a party to the within action or proceeding; that on April 19, 2010, I
mailed a copy of the following document:

Notice of Public Hearing for: Appeal on CUP 3464

to the parties listed in the attached labels, by depositing said copy with postage thereon fully
prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

Board Agenda Date: May 4, 2010 @ 1:30 PM

SIGNATURE: Mcgil DATE: April 19, 2010
Cecilia Gil

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 3/24/2010,

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

APN (s) or case numbers CUPO3464 For

Company or Individual's Name Planning Department,

Distance buffered ~~600'~~ 2400'.

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

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

NAME: Vinnie Nguyen

TITLE GIS Analyst

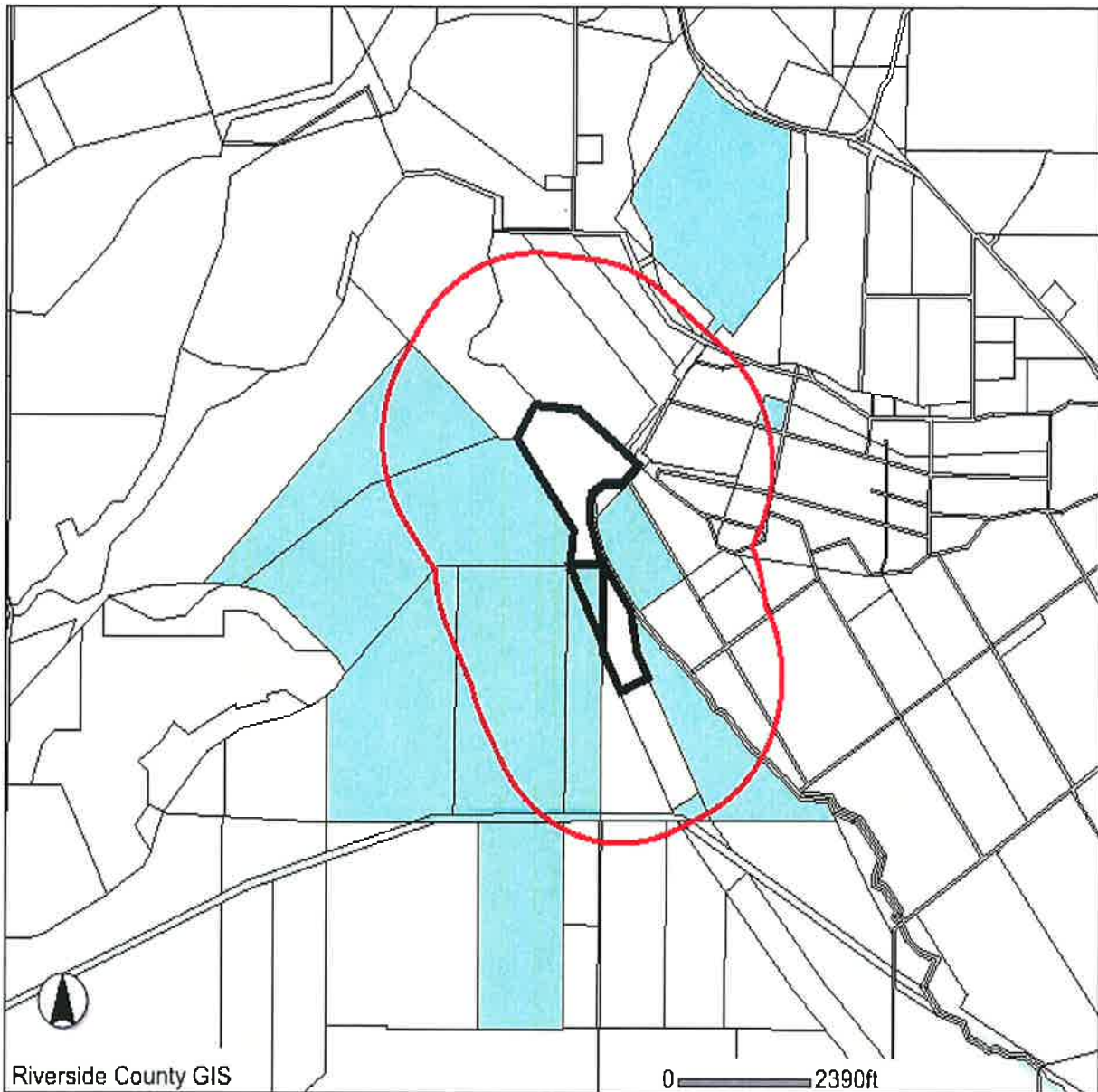
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

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

✓ 3/24/2010 CP
EXPIRES: 9/24/2010

2400 feet buffer

**Selected parcel(s):**

423-040-010 423-040-015 423-040-017 423-040-019 423-050-003 423-050-005 423-100-020
423-110-004 423-140-001 423-140-006 425-040-015 425-040-017 425-050-002 425-050-006

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

MAP PRINTED ON...03/24/2010

September 2, 2009

RE: Legal Notice
PLANNING COMMISSION HEARING

ATTN: Legals Department

Attached, please find a notice of public hearing to appear one time only on Friday, September 4, 2009, in order to comply with County ordinance.

Please compose this legal advertisement without any indentations, and the composed copy should fill a complete block inch.

Kindly furnish our office with the affidavits of publication in duplicate and your bill in triplicate. Should you have any questions, please contact Chantell M. Griffin at (951) 955-3251.

Regards,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Ron Goldman, Planning Director

Chantell M. Griffin, Planning Commission Secretary
cgriffin@rctlma.org.

Attached: Legal ad(s)

APN: 423040010 ASMT: 423040010
STATE OF CALIF
1416 9TH ST NO 120622
SACRAMENTO CA 95814

APN: 423040015 ASMT: 423040015
STATE OF CALIF DEPT FISH & GAME
C/O BILL GALLUP
1807 13TH ST STE 103
SACRAMENTO CA 95811

APN: 423040017 ASMT: 423040017
RAMONA DUCK CLUB
17130 VAN BUREN BLV NO 106
RIVERSIDE CA 92504

APN: 423040019 ASMT: 423040019
USA DEPT FISH & GAME WILDLIFE CONSER
C/O WILLIAM L GALLUP
1807 13TH ST STE 103
SACRAMENTO CA 95814

APN: 423050003 ASMT: 423050003
WILDON ASSOCIATES
12214 HEACOCK ST
MORENO VALLEY CA 92557

APN: 423050005 ASMT: 423050005
SAN JACINTO PARTNERS
C/O TOM OLSON
12214 HEACOCK ST
MORENO VALLEY CA 92557

APN: 423100020 ASMT: 423100020
STATE OF CALIF DEPT OF FISH & GAME
C/O WILLIAM L GALLUP
1807 13TH ST STE 103
SACRAMENTO CA 95814

APN: 423110004 ASMT: 423110004
DEPT OF FISH & GAME WILDLIFE CONSERVATION
C/O WILLIAM L GALLUP
1807 13TH ST STE 103
SACRAMENTO CA 95814

APN: 423140001 ASMT: 423140001
STATE OF CALIF FISH & GAME
C/O WILLIAM L GALLUP
1807 13TH ST STE 103
SACRAMENTO CA 95814

APN: 423140006 ASMT: 423140006
SEAVIEW WILDLIFE CONSERVANCY
1450 FRAZEE RD STE 100
SAN DIEGO CA 92108

APN: 425040015 ASMT: 425040015
COUNTY OF RIVERSIDE
DEPARTMENT OF BUILDING SERVICES
3133 7TH ST
RIVERSIDE CA 92501

APN: 425040017 ASMT: 425040017
JIM BOOTSMA
GAIL P BOOTSMA
P O BOX 429
SAN JACINTO CA 92581

APN: 425050002 ASMT: 425050002
JACOB LOGAR
BORIS PIRIH
ANGELA PIRIH
C/O BORIS PIRIH
1210 NORTH JEFFERSON NO J
ANAHEIM CA 92807

APN: 425050006 ASMT: 425050006
MARVO HOLSTEINS
C/O FRANK MORMINO
P O BOX 4439
RANCHO CUCAMONGA CA 91729

25 CUP 3464 - Re-Advertise

ATTN: Michael McCoy
Riverside Transit Agency
1825 3rd St.
P.O. Box 59968
Riverside, CA 92517-1968

ATTN: Linda Guillis, Community & Economic
Director
Planning Department,
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92553-9664

San Jacinto Unified School District
2045 S. San Jacinto Ave.
San Jacinto, CA 92583-5626

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

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

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

CALTRANS Division of Aeronautics
P.O. Box 942873
Sacramento, CA 94273-0001

ATTN: Nate Pickett
CALTRANS District #8
464 W. 4th St., 6th Floor
Mail Stop 728
San Bernardino, CA 92401-1400

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

Sierra Club – Moreno Valley Group
26711 Ironwood Avenue
Moreno Valley, CA 92555

Friends of the Northern San Jacinto Valley
P.O. Box 9097
Moreno Valley, CA 92552-9097

Ann L. Turner-McKibben, President
Friends of the Northern San Jacinto Valley
P.O. Box 9097
Moreno Valley, CA 92552-9097

Applicant:
Ramona Duck Club
Malcom Smith
11750 Sterling Ave., Ste. E
Riverside, CA 92503

Eng-Rep:
Overton Khun
1173 Catalina St.
Laguna Beach, CA 92651

Owner:
Ramona Duck Club
P.O. Box 106
Riverside, CA 92504

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

426B

DATE: March 25, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: Appeal Conditional Use Permit No. 3464

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- | | |
|---|--|
| <input type="checkbox"/> Place on Administrative Action (Receive & File; EOT) | <input checked="" type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| <input type="checkbox"/> Labels provided If Set For Hearing | <input checked="" type="checkbox"/> Publish in Newspaper: |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | (1st and 5th Dist) Press Enterprise |
| <input type="checkbox"/> Place on Consent Calendar | <input checked="" type="checkbox"/> Mitigated Negative Declaration |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC) | <input checked="" type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Section Initiation Proceeding (GPIP) | <input checked="" type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO |

Designate Newspaper used by Planning Department for Notice of Hearing:

(1st and 5th Dist) Press Enterprise

Please schedule on the May 4, 2010 BOS Agenda

Documents to be sent to County Clerk's Office for Posting:

Notice of Determination and Mit Neg Dec Forms

Fish & Game Receipt (CFG3740)

EXHIBIT
10 MAR 25 11:11:50
COUNTY OF RIVERSIDE

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

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

5125/10

16.1

2/25/10
3-25-10

Agenda Item No.:
Area Plan: Reche Canyon/Badlands
Zoning District/Area: Hemet/San Jacinto and
Lakeview
Supervisorial District: Fifth
Project Planner: Adam Rush
Board of Supervisors: May 4, 2010
Continued from: March 23, 2010

Conditional Use Permit No. 3464
E.A No. 40284
State Clearinghouse No. 2009091053
Applicant: Ramona Duck Club
Engineer/Rep.: Overton Kuhn

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

CUP 03464 proposes to permit the operation of a trap and skeet facility within an existing hunting club specifically limited to the southerly two (2) acres of APN 423-050-008, 025, and 423-040-017. The portion of the property outside the Project area is "not a part" of CUP 03464. The CUP 03464 is comprised of the existing 11 RV/Trailer parking spaces with cement patios as described below, an existing 8 foot by 12 foot tool shed, and the existing well that serves the property. The proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, attached to each parking space is an 8 foot x 12 foot cement patio, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet facility, and portable restrooms used only during the 5 month hunting period.

The project site is located northeasterly of Main Street, southwesterly of Contour Road, and easterly of Main Street.

BACKGROUND:

March 24, 2010

The Planning Commission recommended approval of the Conditional Use Permit and adoption of a Mitigated Negative Declaration on October 28, 2009. The project was scheduled for a Administrative Action and received and filed by the Board of Supervisors on December 22, 2009. An appeal was filed the same day by the Friends of the N. San Jacinto Valley and the matter was initially set for Public Hearing on January 12th. The project was continued to February 23rd and March 23rd. The appellant cited concerns regarding three (3) primary issues that have been the subject of the previous three (3) public hearings:

1. Access to Public Lands (CA Jurisdiction)
2. Lead Shot use within the project boundary and surrounding private lands
3. CEQA Mitigation Measures

The project was continued again from the March 23, 2010 Board of Supervisors Appeal hearing to the May 4, 2010 hearing. During the continuance, the Planning Department, in conjunction with County Counsel and the applicant's representative corrected the Initial Study, Staff Report, Notice of Determination, Notice of Completion, and the Conditions of approval. All revised documents were re-transmitted to the State Clearinghouse for review, which began on March 26, 2010 and ended on April 26, 2010. In addition to the recirculation of the Initial Study, Mitigated Negative Declaration, Notice of Determination, Mitigation and Monitoring Measures, and modified exhibits to the State Clearinghouse, the Planning Department, acting as the Lead Agency, republished the availability of the above-referenced documents to all interested parties in the Press Enterprise as well as issued new property owner notification labels to all property owners within 2,400 feet from the boundary of the project area.

 3/25

FURTHER PLANNING CONSIDERATIONS:

October 14, 2009

The Initial Study and Mitigated Negative Declaration for this project was submitted to the State Clearinghouse for public circulation and comment; however, the State Office of Planning and Research did not post the Initial Study and Mitigated Negative Declaration until September 14, 2009, which required the 30-day public review period to be extended past the September 30th Planning Commission date. The project was continued to the October 28th Planning Commission date to allow the required CEQA notification timeline to be completed. As of the writing of this staff report, only one comment letter from the Friends of the Northern San Jacinto Valley has been received by staff.

FURTHER PLANNING CONSIDERATIONS:

June 25, 2008

At the June 25, 2008 Planning Commission hearing and the previous hearing of May 28, 2009, it was determined that the project would require an Initial Study to be completed. In the ensuing year the project has been further studied and the project has been re-advertised. The Initial Study has been completed and a Mitigated Negative Declaration has been prepared for the project. Subsequent mitigation measures have been identified based on further analysis and those measures have been included in the Conditions of Approval.

FURTHER PLANNING CONSIDERATIONS:

May 28, 2008

At the May 28, 2008 Planning Commission hearing, concerns from the public were raised on the potential environmental impacts of the project, the adequacy of filing a Notice of Exemption for the project, and the provision of a detailed project description. Planning staff has consulted with County Counsel and Environmental Programs Department (EPD) staff and has determined that the preparation of an initial study would be appropriate to evaluate the potential environmental impacts of the project. Staff is working with the applicant and EPD staff to provide a detailed project description that clearly differentiates between existing and proposed improvements on the site and a list of the multiple accessory uses on the site as well as list any specific uses not allowed. Due to the modification of the environmental determination as well as the change to the project description, the project will be re-advertised.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Vacant, Hunting activities |
| 2. Surrounding Land Use (Ex. #1): | Vacant and Agricultural land to the north, east, south, and west |
| 3. Existing Zoning (Ex. #3): | Heavy Agriculture – 10 Acre Minimum (A-2-10) |
| 4. Surrounding Zoning (Ex. #3): | Rural Residential (R-R) to the north, west, and south, Heavy Agriculture – 10 Acre Minimum (A-2-10) to the north, east, and south |
| 5. General Plan Land Use(Ex. #5): | Open Space: Conservation (OS-C) |
| 6. Project Data: | Total Acreage:
Southerly 2.0 Acres of the property |

7. Environmental Concerns:

See attached Environmental Assessment

RECOMMENDATIONS:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40284**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **CONDITIONAL USE PERMIT NO. 3464**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Open Space: Conservation (OS-C) Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the existing Heavy Agriculture – 10 Acre Minimum (A-2-10) zoning classification of Ordinance No. 348 that is applicable to the project footprint, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the Multi-Species Habitat Conservation Plan (MSHCP).

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, and in the attached environmental assessment, which is incorporated herein by reference.

1. The project site is designated Open Space: Conservation (OS-C) on the Reche Canyon/Badlands Area Plan.
2. The proposed use, operation of a trap and skeet facility within an existing hunting club, 11 existing RV/Trailer parking spaces with cement patios as described below, an existing 8 foot by 12 foot tool shed, and the existing well that serves the property; as well as proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, attached to each parking space is an 8 foot x 12 foot cement patio, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, and portable restrooms used only during the 5 month hunting period, is a permitted use in the Open Space: Conservation (OS-C) designation.
3. The project site is surrounded by properties which are designated Open Space: Conservation (OS-C) to the west, south, and east and Open Space: Conservation Habitat (OS-CH) to the north.

4. The existing zoning for the subject site is Heavy Agriculture – 10 Acre Minimum (A-2-10).
5. The proposed use, operation of a trap and skeet facility within an existing hunting club, 11 existing RV/Trailer parking spaces with cement patios as described below, an existing 8 foot by 12 foot tool shed, and the existing well that serves the property; as well as proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, attached to each parking space is an 8 foot x 12 foot cement patio, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet facility area, and portable restrooms used only during the 5 month hunting period, is a permitted use, subject to approval of a conditional use permit in the Heavy Agriculture – 10 Acre Minimum (A-2-10) zones.
6. The proposed use, operation of a trap and skeet facility within an existing hunting club 11 existing RV/Trailer parking spaces with cement patios as described below, an existing 8 foot by 12 foot tool shed, and the existing well that serves the property; as well as proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, attached to each parking space is an 8 foot x 12 foot cement patio, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet facility area, and portable restrooms used only during the 5 month hunting period, is consistent with the development standards set forth in the Heavy Agriculture – 10 Acre Minimum (A-2-10) zones.
7. The project site is surrounded by properties which are zoned Rural Residential (R-R) to the north, west, and south and Heavy Agriculture – 10 Acre Minimum (A-2-10) to the north, east, and south.
8. This project is located within a Criteria Area of the Multi-Species Habitat Conservation Plan.
9. The project is located partially within WRCMSHCP cell 1974. The project has been processed through HANS (HANS 1533). HANS 1533 has determined in a letter addressed to the project proponent on October 16, 2006 that 100% conservation is described for this criteria cell. The project as described herein shall be subject to the conservation determination by HANS 1533 and the RCA letter dated October 4, 2006.
10. Environmental Assessment No. 40657 identified the following potentially significant impacts:
 - a. Biological Resources
 - b. Hydrology/Water Quality
 - c. Geological Resources
 - d. Hazardous Materials

These listed impacts will be fully mitigated by the measures indicated in the environmental assessment, conditions of approval, and attached letters. No other significant impacts were identified.

INFORMATIONAL ITEMS:

1. The project area is not located within:
 - a. A high fire area; or
 - b. An agricultural preserve.

2. The project area is located within:
 - a. One legal parcel, know as 423-040-017, 423-050-008, 425-050-025
 - b. The boundaries of the San Jacinto Unified School District;
 - c. .Moreno Valley sphere of influence;
 - d. Zone B of Mt. Palomar lighting area;
 - e. A 100-year flood plain;
 - f. A fault zone; and
 - g. The San Jacinto Valley Watershed;
 - h. WCMSHCP Criteria Cell No. 1974

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
George A. Johnson · Agency Director
Planning Department
Ron Goldman · Planning Director

BEGINNING OF APPEAL FILED ON DECEMBER 22, 2010
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Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

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

1/6/09

Y:\Planning Master Forms\Templates\Letterhead Memo 2009-Freeform.doc

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

APPLICATION FOR APPEAL

DATE SUBMITTED: December 21, 2009

Appeal of application case No(s): Conditional Use Permit - 3464
List all concurrent applications

Name of Advisory Agency: Planning Commission

Date of the decision or action: October 28, 2009

Appellant's Name: Tom Paulk E-Mail: ctpaul44@earthlink.net

Mailing Address: P.O. Box 4036
Indio City CA State 92549 ZIP

Daytime Phone No: (951) 368-4525 Fax No: () NA

ADVISORY AGENCY WHOSE ACTION IS BEING APPEALED	HEARING BODY TO WHICH APPEAL IS BEING MADE	APPEAL TO BE FILED WITH
Planning Director	<ul style="list-style-type: none"> Board of Supervisors for: Temporary Outdoor Events, Substantial Conformance Determination for WECS, Variances, and Fast Track Plot Plans. Planning Commission for: all other decisions. 	<ul style="list-style-type: none"> Clerk of The Board for: Appeals before the Board of Supervisors. Planning Department for: Appeals before the Planning Commission.
Planning Commission	Board of Supervisors	Clerk of the Board of Supervisors

TYPE OF CASES BEING APPEALED	FILING DEADLINE
<ul style="list-style-type: none"> Change of Zone denied by the Planning Commission Commercial WECS Permit Conditional Use Permit Hazardous Waste Facility Siting Permit Public Use Permit Variance Specific Plan denied by the Planning Commission Substantial Conformance Determination for WECS Surface Mining and Reclamation Permit 	Within 10 days after the notice of decision appears on the Board of Supervisors Agenda RIVERSIDE COUNTY CLERK OF THE BOARD OF SUPERVISORS PAID DATE: <u>Dec. 21, 2009</u> AMOUNT: <u>983.28</u> REC'D BY: <u>WML</u>

APPLICATION FOR APPEAL

<ul style="list-style-type: none"> • Land Division (Tentative Tract Map or Tentative Parcel Map) • Revised Tentative Map • Minor Change to Tentative Map • Extension of Time for Land Division (not vesting map) 	<p>Within 10 days after the notice of decision appears on the Board of Supervisor's Agenda.</p>
<ul style="list-style-type: none"> • Extension of Time for Vesting Tentative Map 	<p>Within 15 days after the notice of decision appears on the Board of Supervisor's agenda.</p>
<ul style="list-style-type: none"> • General Plan or Specific Plan Consistency Determination • Temporary Outdoor Event 	<p>Within 10 days after date of mailing or hand delivery of decision of the Planning Director.</p>
<ul style="list-style-type: none"> • Environmental Impact Report 	<p>Within 10 days of receipt of project sponsor or Planning Director determination, or within 7 days after notice of decision by Planning Commission appears on the Board's agenda.</p>
<ul style="list-style-type: none"> • Plot Plan • Second Unit Permit • Temporary Use Permits • Accessory WECS 	<p>Within 10 calendar days after the date of mailing of the decision.</p>
<ul style="list-style-type: none"> • Letter of Substantial Conformance for Specific Plan 	<p>Within 7 days after the notice of decision appears on the Board of Supervisor's agenda.</p>
<ul style="list-style-type: none"> • Revised Permit 	<p>Same appeal deadline as for original permit.</p>
<ul style="list-style-type: none"> • Certificate of Compliance • Tree Removal Permit 	<p>Within 10 days after the date of the decision by the Planning Director.</p>
<ul style="list-style-type: none"> • Revocation of Variances and Permits 	<p>Within 10 days following the mailing of the notice of revocation by the Director of Building and Safety, or within 10-days after the notice of decision of the Planning Commission appears on the Board of Supervisor's agenda.</p>

PLEASE STATE THE REASONS FOR APPEAL.

Please state the basis for the appeal and include any supporting evidence if applicable. If appealing one or more specific conditions of approval, indicate the number of the specific condition(s) being protested. In addition, please include all actions on related cases, which might be affected if the appeal is granted. This will allow all changes to be advertised and modified at the same time. AN APPEAL OF ONE OR MORE CONDITIONS OF APPROVAL SHALL BE DEEMED AS AN APPEAL OF THE ACTION AS A WHOLE, AND THE APPEAL BODY MAY APPROVE OR DENY THE ENTIRE MATTER, AND CHANGE ANY OR ALL OF THE CONDITIONS OF APPROVAL.

APPLICATION FOR APPEAL

SEE ATTACHED:

Appeal to Riverside County Board of Supervisors
October 29, 2009 Planning Commission Approval CUP 3436

Use additional sheets if necessary.

Tom Paulek

PRINTED NAME OF APPELLANT



SIGNATURE OF APPELLANT

December 14, 2009

DATE

THE APPEAL FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. One completed and signed application form.
2. Public Hearing Notice Label Requirements mailing address labels for notification of the appeal hearing.
3. All appropriate filing fees (the base fee, plus other fees specifically for the Department of Building and Safety, Fire Department, Flood Control District and/or Transportation Department conditions, if applicable).

PLEASE NOTE: Obtain surrounding property owners label package/instructions (Form 295-1051) from a County Public Information Services Center or download it from the Planning Department web page.

Appeal to Riverside County Board of Supervisors

October 28, 2009 Planning Commission Approval CUP 3464

The Friends of the Northern San Jacinto Valley first objected to CUP 3464 in May 2008 when the Riverside County Planning Department recommended approval of this project pursuant to a Categorical Exemption under the California Environmental Quality Act (CEQA). We have attached copies of our letters to the Riverside County Planning Department (May 14, 2008) and the County Planning Commission (May 27, 2008) objecting to the use of the CEQA Exemption. Potential project impacts of concern identified by the Friends included the following:

- The project site is located within the lands comprising the San Jacinto Wildlife Area, a principal reserve in the Riverside County Multiple Species Habitat Conservation Plan (Land Use Compatibility/Cumulative impact analysis/ General Plan Consistency).
- The Project site is located in the lakebed of Mystic Lake and is within the 100 year floodplain of the San Jacinto River (Water Quality Degradation/TMDL requirements).
- The floodplain location of the project exposes people to hazardous conditions and raises potential water quality and pollution issues of concern.
- The project site is located in the Alkali Playa Plant Community and likely provides habitat suitable for one or more of the three federally listed plant species restricted largely to the Mystic Lake location (San Jacinto Crownscale, Spreading Navarretia, and Thread-leaf Brodiaea).
- The deposition of lead shot in the Mystic Lakebed from the project proposed shooting facilities will be contrary to Water Quality criteria (Federal Clean Water Act) and detrimental to the diversity of wildlife the MSHCP seeks to conserve.

CUP 3464 next appeared on the Planning Commission Agenda in September, 2009. At that time the County Planning Department recommended the project be approved based on a CEQA Mitigated Negative Declaration (MND). At that public hearing County Counsel advised the Planning Commission they could not approve CUP 3464 unless they had an adequate CEQA document before them (subject to public and SCH review). The Planning Commission conceded this point of law and continued the public hearing until October 28, 2009.

The Friends submitted our September 29, 2009 comment letter to the Planning Commission at the September 30, 2009 public hearing for this project. The September 29, 2009 comments were also incorporated by reference into our October 13, 2009 comment letter on the proposed Mitigated Negative Declaration (MND) for CUP 3464 prior to the close of the CEQA public comment period.

Our September 29, 2009 letter restated the Friends impacts of concern and provided the Planning Commission additional evidence substantiating our concerns that the deposition of lead shot in the Mystic Lakebed would be detrimental to Water Quality and the diversity of wildlife species

the MSHCP seeks to conserve (Wildlife Society Position Statement-Lead in Ammunition and Fishing Tackle).

The Planning Department Initial Study / purported MND indicates the Ramona Duck Club (Project Applicant) will amend the Club corporate by-laws to restrain the use of lead shot on the proposed shooting range. The Friends indicated such a mitigation measure would not be effective or enforceable by the County and would not be commensurate with the serious nature of the discharge of lead at this sensitive location. We indicated the Planning Commission also needed to consider the effect of lead pollution on downstream users of the San Jacinto River (Canyon Lake and Lake Elsinore). We also expressed our frustration with the Planning Departments' cursory project description which serves only to mask the full; extent of the project impacts. We also objected to the Planning Departments failure to provide project maps illustrating the project proximity to the 10,000 acre Davis Road Unit of the San Jacinto Wildlife Area.

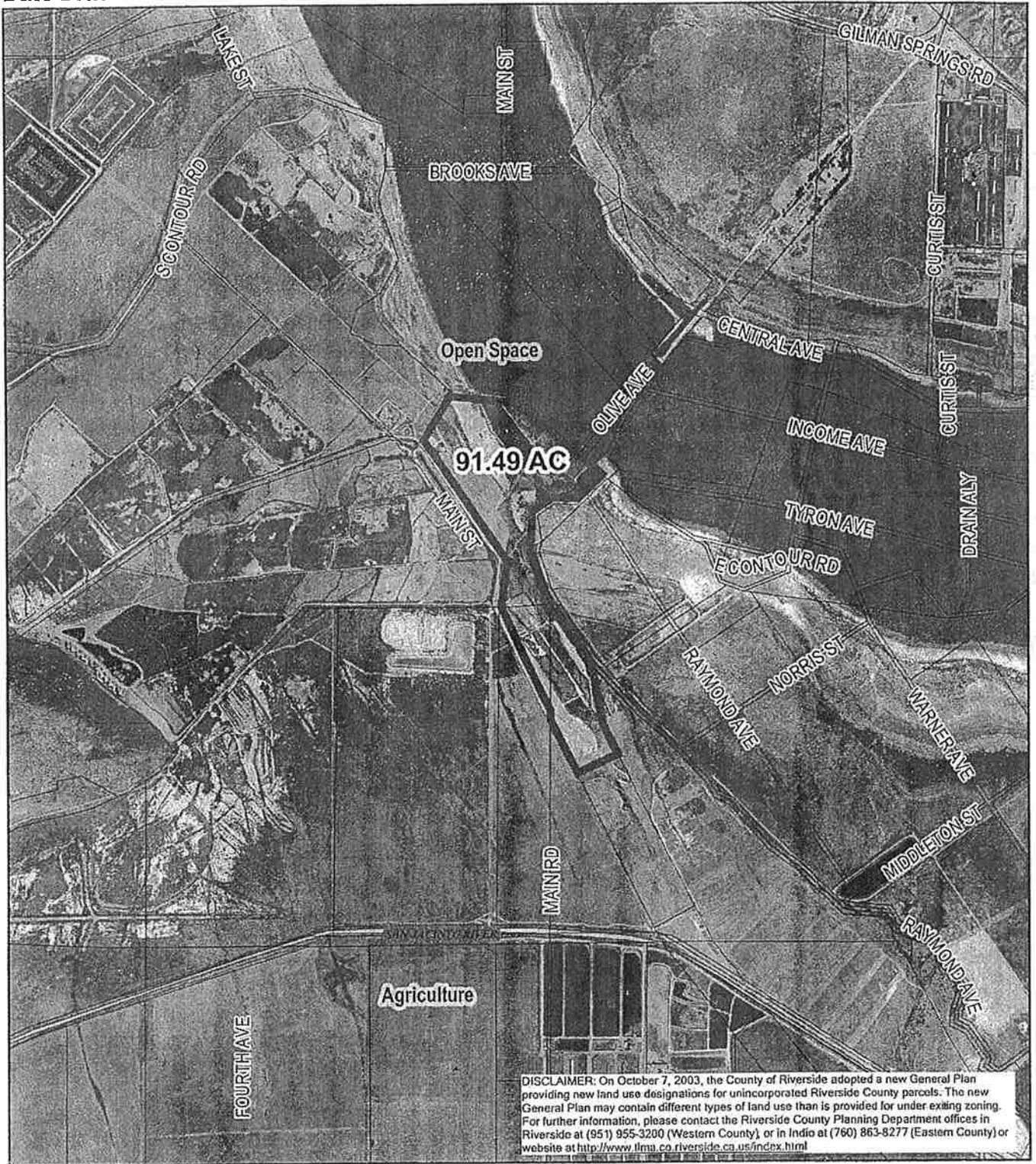
The Friends comment letter of September 29, 2009 also advised the planning Commission the project applicant (Ramona Duck Club) is blocking access to public lands comprising the San Jacinto Wildlife Area. The Friends letter provided recent photographs, included herein, of the applicants' newly constructed iron-gate (THIS PROPERTY IS CLOSED TO THE PUBLIC) preventing the public from accessing hundreds of acres of public land on the SJWA (APN 425050024, 425050004, 423040015, 423040019). The project applicants' blockade of public access to these existing regional conservation/recreation lands is a significant project impact warranting resolution in the project CEQA document. The Friends' expressed the concern that if the project proponent is allowed to prevent public access to these public lands it will constitute a gift of these lands to the project applicant.

At the October 28, 2009 public hearing for CUP 3464 the Planning Commission briefly opened the Public hearing and provided cursory discussion of the issues of concern raised by the Friends (Friends Comment Letter of October 26, 2009 attached). The Planning Commission then summarily gave their Approval to CUP 3464.

Subsequent to the October 28, 2009 Planning Commission Approval of CUP 3464 the Friends requested the State Clearinghouse provide a copy of the purported Mitigated Negative Declaration transmitted by the County Planning Department for review by State Agencies. The State Clearinghouse mailed the requested copy on 11/02/2009 and the CEQA document received (SCH# 2009091053) is included as an attachment to this appeal.

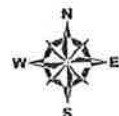
The Friends are requesting the Board of Supervisors vacate the planning Commission October 28, 2009 Approval of CUP 3464. We are requesting the project be sent back to the County Planning Department and the Planning Commission pending preparation of an adequate CEQA document.

Thank you for your consideration.



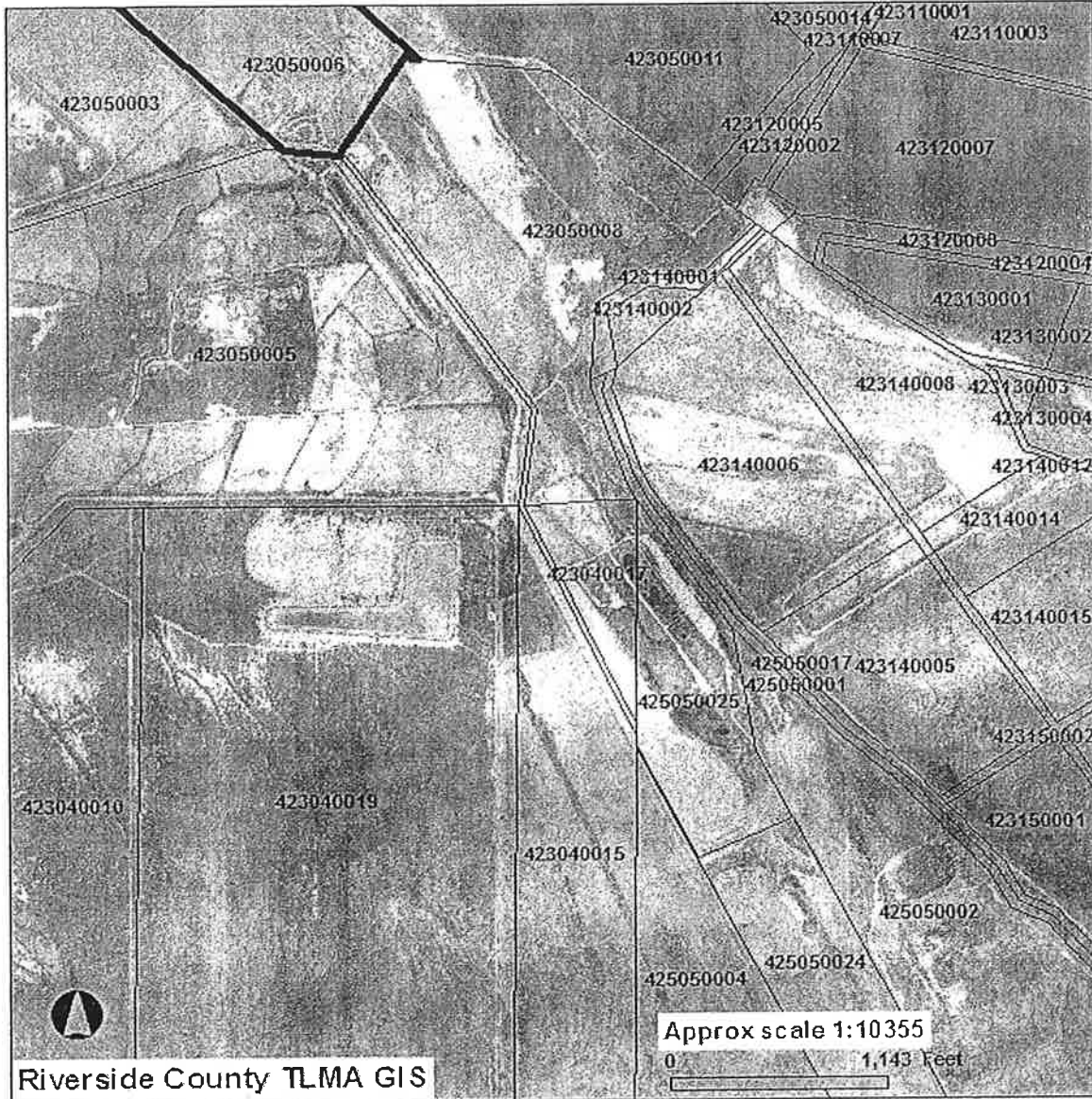
RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Lakeview
 Township/Range: T3SR2W
 Section: 27, 28, 33 & 34



Assessors
 Bk. Pg. 423-05
 Thomas
 Bros. Pg. 749 E4

RIVERSIDE COUNTY GIS



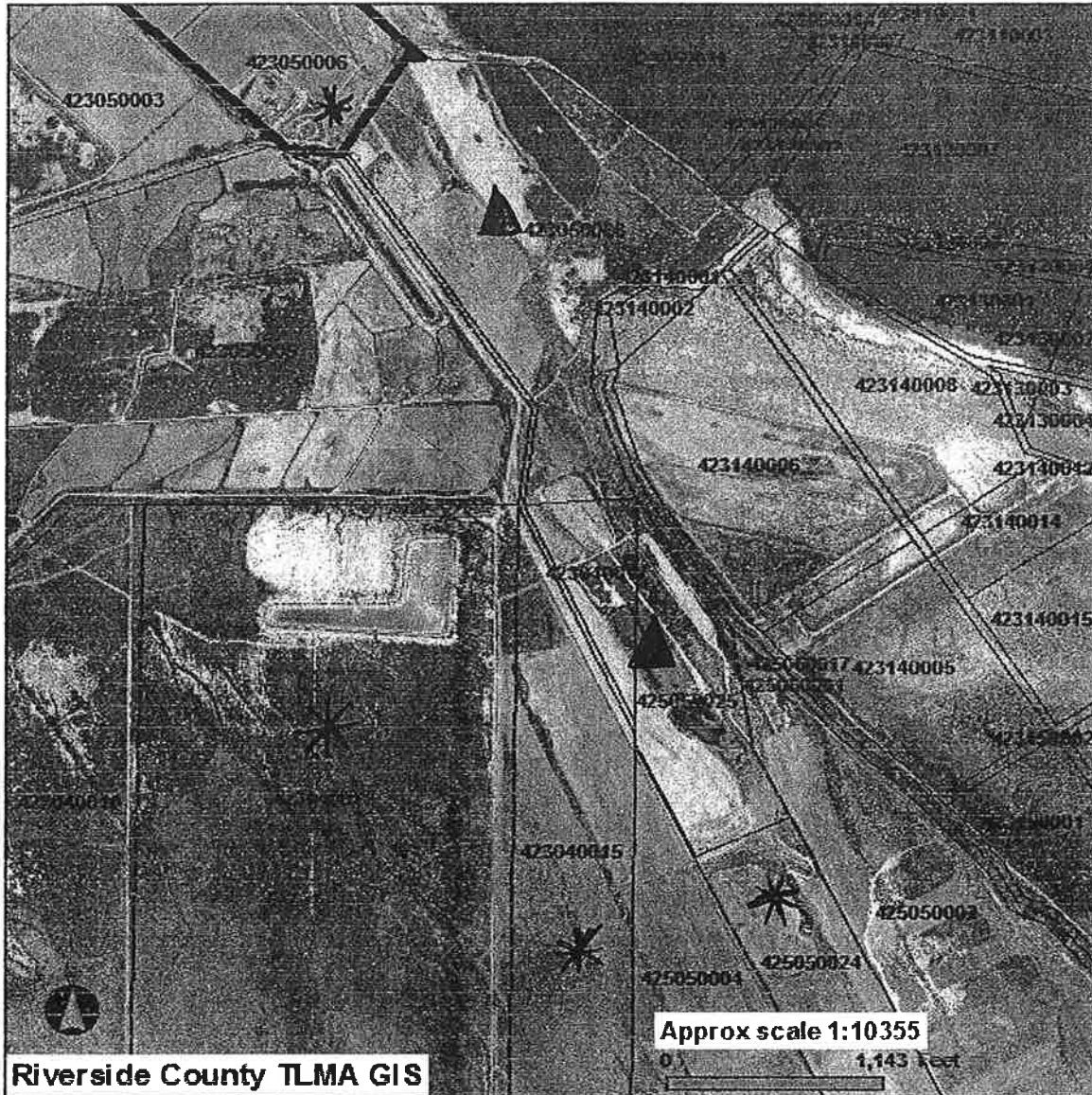
Selected parcel(s):
423-050-006

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Wed Sep 23 17:35:45 2009

RIVERSIDE COUNTY GIS



Selected parcel(s):
423-050-006

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Wed Sep 23 17:35:45 2009

- ▲ RAMONA DUCK CLUB PARCELS
- * State of California - San Jacinto Wildlife Area Parcel

Attachment # 2

#1

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097

14 May 2008

Via e-mail & FAX

Mr. Russell Brady, Contract Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
Riverside, CA 92502-1409

Dear Mr. Brady:

**Re: Hunt Club CUP 03464 – California Environmental Quality Act (CEQA) Section 15301,
Categorical Exemption for Existing Facilities**

Thank you for providing the Project Description and Site Maps for Hunt Club CUP 03464. This project proposes to develop a recreational trailer park facility (18 sites), establish a private water system and sanitary facilities to serve the trailer sites, a Clubhouse facility, Club office and a 30'x70' storage shed. The Conditional Use Permit (CUP) also seeks to approve the operation of a skeet, target, and clay-sport shooting facility and a dog kennel on the 92-acre site located in the lakebed of Mystic Lake. We assume the shooting facility will be available for use by the general public while the new trailer sites will be available only to the common ownership and/or be leased to members of the public.

We believe the presently proposed use of a CEQA Categorical Exemption for Existing Facilities is incorrect because CUP 03464 is developing new facilities or seeking to validate previous unapproved activities on the project site. In addition this project is located within a particularly sensitive environment, the San Jacinto Wildlife Area, a principal reserve in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The project site is wholly located within the lakebed of Mystic Lake and is well within the 100 year floodplain of the San Jacinto River. This raises flood control (exposure of people to hazardous conditions) and water quality (pollution/TMDL requirements San Jacinto River) issues of concern. The project proponent acknowledges the lakebed site includes the Alkali playa plant community which quite likely provides habitat for one or more of the three federally listed plant species largely restricted to the Mystic Lake location (San Jacinto Crownscale, Spreading Navarretia, and Thread-leaf Brodiaea).

We are also concerned the deposition of lead shot in the Mystic Lake lakebed from the proposed shooting facilities will be contrary to water quality criteria (Federal Clean Water Act) and detrimental to the diversity of wildlife the MSHCP seeks to conserve. The project's night lighting is a concern as well because it will disrupt and deter wildlife use of the surrounding MSHCP conservation area. Also, the cumulative impacts of this type of development/activities within the Mystic Lake General Plan land use designation of Open Space-Conservation requires careful consideration in an appropriate CEQA document.

We are therefore requesting the Planning Department reconsider the use of a CEQA Categorical Exemption for this project. In addition we are requesting the Planning Department conduct an Initial Study (CEQA Section 15063) to determine the appropriate CEQA document for CUP 03464.

Thank you for the opportunity to comment on this project. Should the Riverside County Planning Commission elect to adopt the proposed Categorical Exemption for CUP 03464, please provide the Friends with a copy of the Notice of Exemption at the earliest possible date. Our mailing address is listed in our letterhead and our e-mail address is listed below.

Sincerely,

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097

27 May 2008

Riverside County Planning Commission
4080 Lemon Street, 1st Floor, Board Chamber
Riverside, California 92501

Dear Members of the Riverside County Planning Commission:

Re: May 28, 2008 - Riverside County Planning Commission Agenda Item 4.2 - Conditional Use Permit (CUP) 03464 - Ramona Duck Club

The Friends of the Northern San Jacinto Valley are forwarding their May 14, 2008 comment letter to Mr. Russell Brady, the Contract Planner for the Riverside County Planning Department, regarding Agenda Item 4.2 Conditional Use Permit 03464 - Ramona Duck Club. The Friends' letter states our objections to the Riverside County Planning Department use of a California Environmental Quality Act (CEQA) Categorical Exemption for this project.

The Friends' are requesting that the Riverside County Planning Commission reject the Planning Department's proposed use of a CEQA Categorical Exemption for this project. In addition, we are requesting the Planning Commission direct the Planning Department to conduct an Initial Study (CEQA Section 15063) to determine the appropriate CEQA document for CUP 03464.

Thank you for considering our concerns regarding this project.

Sincerely,

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

Attachment:

May 14, 2008, Friends of the Northern San Jacinto Valley comment letter regarding CUP 03464, Ramona Duck Club

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

29 September 2009

Via e-mail: CGRIFFIN@RCTLMA.ORG

Riverside County Planning Commission
Riverside County Administrative Center
4080 Lemon Street
Riverside, CA 92502

Dear Riverside County Planning Commission Members:

Re: Ramona Duck Club Conditional Use Permit 3464, September 30, 2009 Agenda Item

In May 2008 the Friends of the Northern San Jacinto Valley objected to the approval of Conditional Use Permit 3464 (CUP 3464) under a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA). We are once again protesting the continuing faulty implementation of California Environmental Quality Act by the Riverside County Planning Commission.

The Planning Department is now proposing that the project be approved by the Planning Commission based on a CEQA Mitigated Negative Declaration (MND). The Friends became aware of the Planning Department's ongoing faulty review of this project upon reviewing the entire file for CUP 3464. The Planning Commission should recognize that the MND recommended for this project has not been prepared nor does it exist. More importantly the MND, identified only in the CEQA Initial Study, has not been subject to public or State Clearinghouse (SCH) review. Consequently, the Planning Commission is now considering the approval of CUP 3464 without the required CEQA document and the necessary public and SCH review. The Planning Commission consideration of the project is therefore contrary to the requirements of the law (CEQA Guideline 15004; RiverWatch, 170 Cal App.4th pp.1205-1206).

As part of your review of CUP 3464, it should be pointed out that none of the maps in the Planning Department staff presentation outline the adjacent San Jacinto Wildlife Area public lands. The San Jacinto Wildlife Area (SJWA) is 19,000 acres of wildlife habitat managed by the state Department of Fish and Game. The lands are partial mitigation for the loss of wildlife habitat when the State Water Project was built. It is a Stephens' kangaroo rat reserve for the Riverside County Habitat Conservation Agency. It is a cornerstone reserve in the Riverside County Multi-Species Habitat Conservation Plan (MSHCP). The wildlife area needs to be delineated on all maps used in this presentation and within any environmental documents related to this CUP.

The Friends are concerned that the project description remains cursory in order to avoid an examination of the full extent of the project impacts. The proposal continues to propose a trap and skeet range. It is not clear whether or not the trap and skeet range will be open for use by the general public (there is a provision for 20 automobile parking spaces). The Initial Study prepared by the Planning Department staff indicates that the Hunt Club will provide by-laws to restrain the use of lead shot on the shooting range. The Friends believe this proposed mitigation measure is merely a concession to the project proponent. It will not be effective or enforceable by the county and is not commensurate with the seriousness of the discharge of lead at this sensitive location. The Planning Commission also needs to consider the effect of lead pollution on the downstream users (Canyon Lake and Lake Elsinore) of the San Jacinto River. We have attached a copy of The Wildlife Society

position statement on the use of lead ammunition for consideration by the Planning Commission and request it be included in the administrative record for CUP 3464.

The Friends also believe it imperative that the CEQA document for this project examine whether or not a trap and skeet range with its high intensity noise will be a detriment to wildlife use of the MSHCP lands surrounding the project site. It makes little sense for the State of California and the County of Riverside to spend millions of public dollars acquiring wildlife conservation lands and then approve conflicting uses within those conservation lands.

Since our testimony in May 2008, the Friends have become aware that the project applicant (Ramona Duck Club) is inappropriately blocking the access to public lands which comprise the San Jacinto Wildlife Area. Attached are recent photographs of the project proponent's newly constructed iron-gate which is preventing the public from accessing hundreds of acres of public lands on the SJWA (APN: 425050024, 425050004, 423040015, 423040019). The project applicant's blockade of public access to these existing regional conservation/recreational lands is a significant project impact, and it warrants resolution in the CEQA document. The Friends are concerned that if the project proponent is allowed to prevent public access to these public lands it will constitute a gift of these lands to the project applicant.

The Friends are requesting that the Planning Commission defer the approval of CUP 3464 pending the preparation and public review of the appropriate CEQA document for this project.

Thank you for considering our comments. Please notify us of all documents, meetings, and other materials pertinent to this project.

Sincerely,

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

Attachments:

Lead in Ammunition and Fishing Tackle: Final Position Statement, The Wildlife Society,
Bethesda, MD, July 2009.
Photographs (2), Ramona Hunt Club Entrance Gate, September 2009.



THE WILDLIFE SOCIETY

5410 Grosvenor Lane • Bethesda, MD 20814-2144
 Tel: (301) 897-9770 • Fax: (301) 530-2471
 E-mail: tws@wildlife.org

Final Position Statement

Lead in Ammunition and Fishing Tackle

Lead has been used in ammunition and fishing tackle for centuries. It is an effective and inexpensive element for the manufacture of projectiles and weights. Although it is a naturally occurring element in the environment, lead has no functional or beneficial role in biological systems, and at very low levels of exposure it can be toxic, depending on the species and the health and age of an individual. At toxic levels lead damages the nervous system, causing paralysis and eventual death; at lower levels it is known to cause a variety of sublethal effects such as neurological damage, tissue and organ damage, and reproductive impairment.

Realization of the hazards of lead ammunition to waterfowl and some upland game birds can be traced to the late 1870s, while the hazards of lead fishing sinkers to waterfowl became apparent in the 1970s, when lead was found to poison swans in the United Kingdom (UK). In the 1970s and 1980s, the UK and some jurisdictions within the United States and Canada began placing restrictions on the use of lead ammunition and fishing tackle. Today lead from ammunition and fishing tackle provides a small fraction of total environmental releases, but it exists in a form that can be readily ingested by some species of wildlife.

Metallic lead can remain relatively stable and intact for decades, even centuries. However, under certain environmental conditions (e.g., acidic or basic water or soil) lead from shot or tackle can be readily released and taken up by plants or animals, causing a range of biochemical, physiological, and behavioral effects in some species of invertebrates, fish, amphibians, reptiles, birds, and mammals. Lead that is adsorbed or incorporated into food items through the soil, as well as lead fragments in carcasses or deposited at shooting sites, is known to be consumed by some birds and small mammals, resulting in elevated lead concentrations. Ingestion by reptiles, birds, and mammals of spent ammunition and lost fishing tackle has also been documented and can cause a range of negative effects in individuals, potentially leading to population-level consequences in some species (e.g., waterfowl, eagles, condors, mourning doves, and loons).

From a public health perspective, lead potentially can lead to a variety of human health problems, such as neurological effects and stunted growth, particularly in children. Although the extent is still unclear, recent research indicates that consumption of game taken with lead ammunition may increase blood-lead levels in humans. When lead that is imbedded in game meat becomes exposed to acid in the human stomach, lead may be absorbed into the system. Even if a lead pellet or bullet completely passes through an animal, a small amount of lead may be left in the tissue and may be absorbed by a person consuming the meat.

Lead poisoning related to spent ammunition and lost fishing tackle has been extensively studied in birds, and at least two studies indicate that the ban on the use of lead ammunition for hunting

waterfowl and coots in North America has successfully reduced lead exposure in waterfowl. Nonetheless, other species such as upland game birds (e.g., doves and quail) and scavengers (e.g., vultures and eagles) have been documented to be exposed to lead, and the California condor population may be at risk. Despite the prohibition on lead shot for waterfowl hunting, current data for raptors and avian scavengers indicate increases in lead exposure in these species, especially during hunting season. Accordingly, 24 states (as of 2008) have instituted restrictions on the use of lead ammunition to minimize effects to upland game birds, eagles, and other species. The hazard of ingested lead sinkers and fishing tackle is well-documented in swans and loons, and restrictions on the sale or use of lead weights have been instituted in parts of the UK, Canada, several other countries, and five states in the U.S. (as of 2008) in order to minimize effects on these and other potentially vulnerable species. There are only limited data on the adverse effects of lead ingestion at shooting ranges, and reproductive and mortality rates at these sites have not been adequately investigated.

There has been an extensive effort in the development, efficacy testing, and regulation of alternatives to lead-based ammunition for hunting waterfowl and waterbirds. Several effective nontoxic alternatives have been approved and currently are available in North America and elsewhere. Several manufacturers have developed nontoxic ammunition that can be used safely in all gauges of modern shotguns, as well as nontoxic rifle bullets for hunting large game. However, the widespread manufacture of this shotgun and rifle ammunition depends on assured markets provided by regulation and enforcement. Nontoxic shot may be used in all clay target sports and currently is required by some shooting facilities. Dozens of substitutes for lead fishing tackle have entered the marketplace in recent years. A few, but not all, alternative metals in fishing tackle have been deemed safe if ingested by waterfowl and some other birds and mammals.

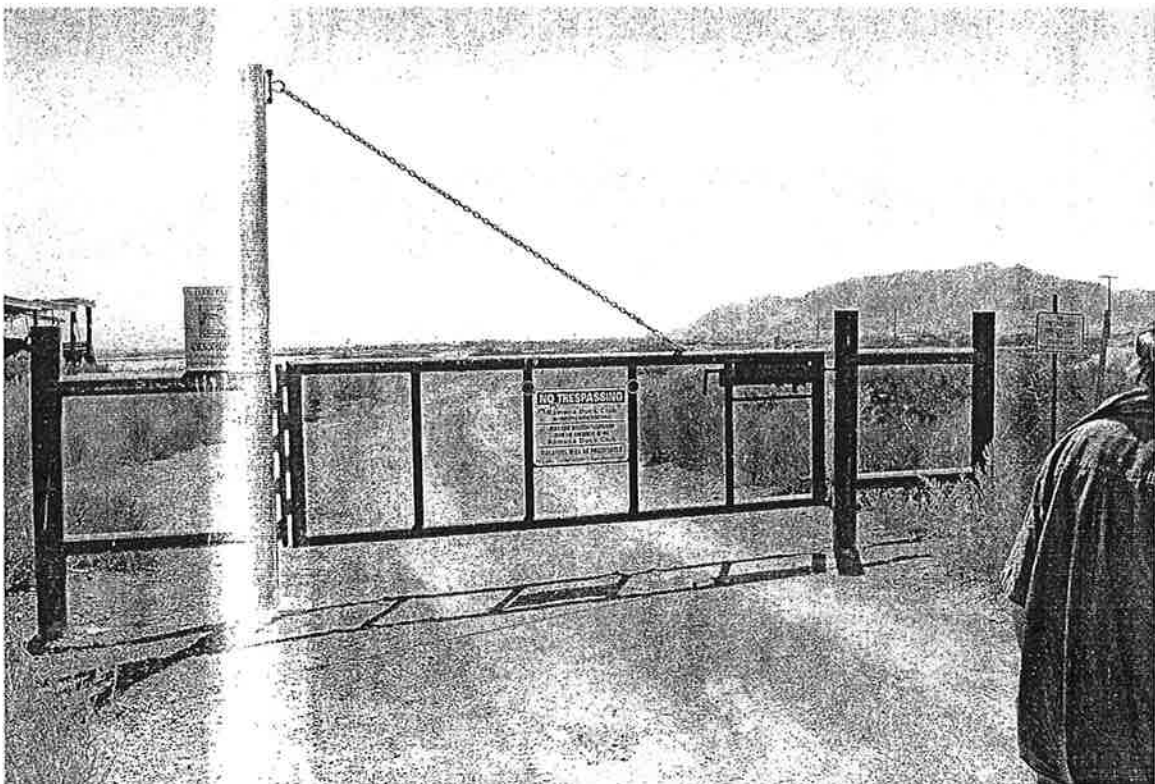
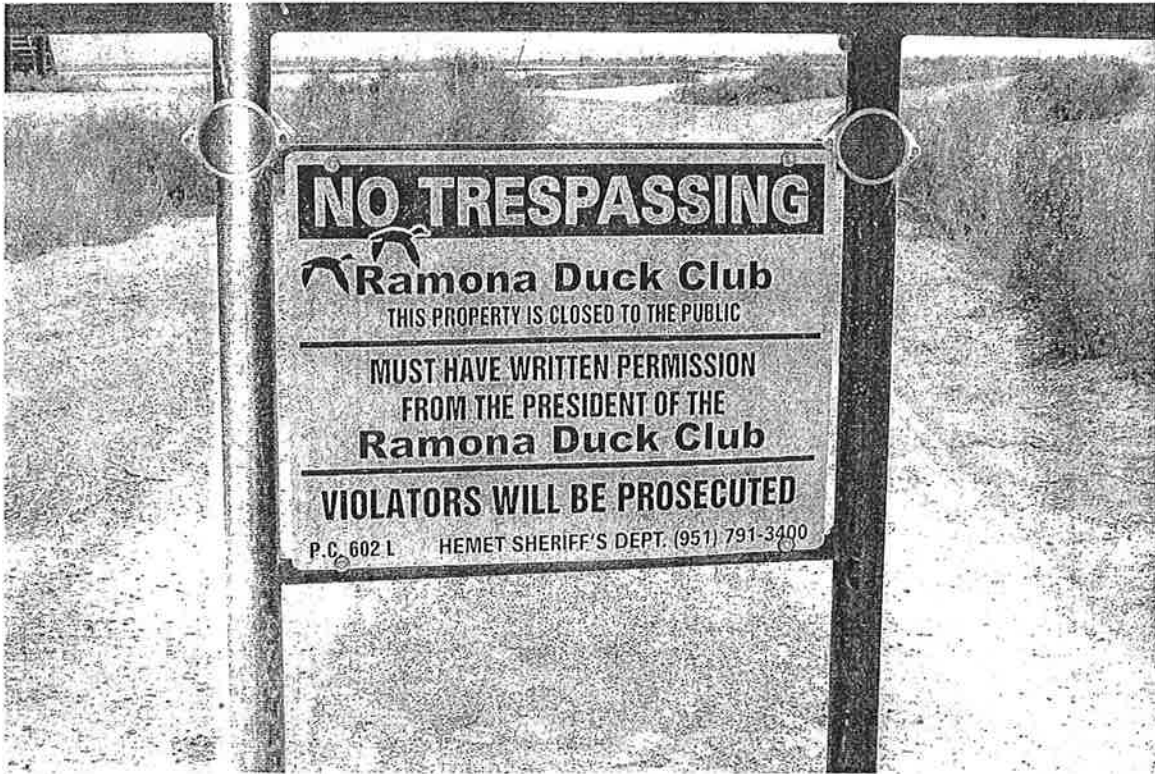
The policy of The Wildlife Society in regard to lead in ammunition and fishing tackle is to:

1. Recognize that lead has been known for centuries to be a broad-spectrum toxicant to humans and wildlife.
2. Advocate the replacement of lead-based ammunition and fishing tackle with nontoxic products, while recognizing that complete replacement may not be possible in specific circumstances.
3. Recognize that the removal of lead for hunting, fishing, and shooting will require collaboration among affected stakeholders (including wildlife professionals, ammunition and tackle manufacturers, sportsmen, policymakers, and the public). It may require a phased-in approach, and will require explicit and targeted educational strategies at both the national and international levels, thereby acknowledging and supporting the crucial role that hunters and anglers play in wildlife management and conservation.
4. Encourage studies on reducing barriers to the development of nontoxic ammunition and fishing tackle, additional research that generates toxicological and environmental chemistry data, monitoring and modeling of exposure effects, and studies predicting consequences of exposure and long-term population-level effects. The need for additional

information, however, should not delay the educational efforts and the phasing-in of nontoxic ammunition and tackle where practicable.

5. Support educational efforts to promote greater public awareness and understanding of the consequences of lead exposure to wildlife populations, and emphasize the potential gains for wildlife and environmental quality from use of nontoxic ammunition and fishing tackle.

Approved by Council July 2009. Expires July 2014.



FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

13 October 2009

Via e-mail (JCHILDER@rctlma.org) and FAX (951) 955-3157

Mr. Jeffery Childers, Planner IV
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P.O. Box 1409
Riverside, CA 92502-1409

Dear Mr. Childers:

RE: Proposed Mitigated Negative Declaration (MND) for the Ramona Duck Club Conditional Use Permit (CUP) 3464

The Friends of the Northern San Jacinto Valley (Friends) sought to review and comment on the Mitigated Negative Declaration (MND) for CUP 3464, but we were not able to locate an actual MND document. After making several inquiries to the Riverside County Planning Department, we were advised the project MND was a compilation of the California Environmental Quality Act (CEQA) Initial Study and the project conditions of approval being recommended by the Riverside County Planning Department. The Friends believe that such an implementation of CEQA by Riverside County is faulty and contrary to the requirements of the law.

The Friends are concerned that Riverside County is improperly implementing CEQA to discourage participation and hinder the review of environmental documents by the public. The Friends are also disturbed that Riverside County appears to be sending faulty or inadequate CEQA documents to the State Clearing House to be reviewed by State Trustee and Responsible agencies.

The Friends request that our comment letter dated September 29, 2009 and presented at the September 30, 2009 Riverside County Planning Commission public hearing on CUP 3464 be incorporated by reference into the subject letter. We have attached a copy of the letter. The Friends are also requesting the Riverside County Planning Commission defer approval of this project until an adequate CEQA document (Mitigated Negative Declaration or Draft EIR) has been presented to the public for review and comment.

Sincerely,

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

Attached:

Friends of the Northern San Jacinto Valley, September 29, 2009 Comment Letter on the Ramona Duck Club Conditional Use Permit (CUP) 3464

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY

P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

26 October 2009

Via e-mail to: Adam Rush, ARUSH@rctlma.org and FAX: (951) 955-3157

Mr. Adam Rush, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P.O. Box 1409
Riverside, CA 92502-1409

Dear Mr. Rush:

**RE: Proposed Mitigated Negative Declaration (MND) for the Ramona Duck Club
Conditional Use Permit (CUP) 3464**

The Friends obtained the documents listed below on the Riverside County Planning Commission agenda web site for the October 28, 2009 meeting.

When we clicked "The Links Below to View Items Related to Agenda Item 7.4" we downloaded the following:

- [Staff Report \(34KB / PDF\)* - Item 7.4](#) (Staff Report)
- [Notice of Determination \(22KB / PDF\)* - Item 7.4](#) (Notice of Determination)
- [Mitigated Negative Declaration \(15KB / PDF\)* - Item 7.4](#) (Site map)
- [Site Plan \(416KB / PDF\)* - Item 7.4](#) (Staff Report)
- [Conditions of Approval - Conditional Use Permit No. 3464](#) (Conditions of Approval)
- [Public Hearing Presentation \(PDF\)* - Item 7.4](#) (not available)

The Notice of Determination states:

- ✓ The Project WILL NOT have a significant effect on the environment.
- ✓ A Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act. (\$1,993.00 plus \$64.00)
- ✓ Mitigation measures WERE made a condition of the approval of the project.
- ✓ A Mitigation Monitoring and Reporting Plan WAS adopted.
- ✓ A statement of Overriding Considerations WAS NOT adopted for the project.

The NOD states on its face that the MND and the conditions of approval for the project are separate documents. There are conditions of approval, but the Friends could not locate any

documents titled “Mitigated Negative Declaration”, “Mitigation Measures”, or “Mitigation Monitoring and Reporting Plan”.

The Guidelines for Implementation of the California Environmental Quality Act section 15000 (Authority) states:

The regulations contained in this chapter are prescribed by the Secretary for Resources to be followed by all state and local agencies in California in the implementation of the California Environmental Quality Act. (*City of Santa Ana v. City of Garden Grove* 1979) 100 Cal. App. 3d 521)

The first step in the CEQA process is to prepare an initial study to determine if the project will have a significant impact on the environment. (Guidelines 15063). The staff report indicates that Environmental Assessment No. 40657 identified the following potentially significant impacts:

- a. Biological Resources
- b. Hydrology/Water Quality
- c. Geological Resources
- d. Hazardous Materials

However, the Environmental Assessment was not available as part of the documents which allegedly comprise the MND for this project as required by CEQA.

Guidelines section 15071 states that a Negative Declaration or Mitigated Negative Declaration circulated for public review shall include:

- a) A brief description of the project, including a commonly used name for the project, if any;
- b) The location of the project, preferably shown on a map, and the name of the project proponent;
- c) A proposed finding that the project will not have a significant effect on the environment;
- d) An attached copy of the Initial Study documenting reasons to support the finding; and
- e) Mitigation measures, if any, included in the project to avoid potentially significant effects.

The contents described in section 15071 are the minimum required to meet the public participation and public disclosure policies of CEQA.

For Conditional Use Permit 3464, there is no document titled “Negative Declaration”; the name of the hunting club is not mentioned; there is no Initial Study nor is there EA No. 40657; there are no comments with the Initial Study or EA which documents reasons to support the finding of “no significant impact”; there are allegedly mitigation measures in the conditions of approval. However, the four potentially significant impacts listed above are not described at all—the public and responsible agencies have no idea what the potential significant impacts identified by the County are. Therefore, it is impossible to know which of the conditions of approval apply to

which of the unknown possible significant impacts of this project. In addition, there appear to be mitigation measures for impacts which were not identified as significant.

This is NOT a mitigated negative declaration. The Friends have never been told what documents were sent to the State Clearing House, and no Responsible Agency submitted comments on this CUP, because there was no "MND" to comment on. This process is clearly a blatant attempt by the County of Riverside to prevent the public participation and public disclosure requirements of CEQA.

The staff report indicates the project proponent has completed HANS 1533 which determined that approximately 86 acres is required for conservation dedication to the Western Riverside County Regional Conservation Authority (RCA). HANS 1533, in its entirety, must be included in the MND to document that this project will have no significant impacts.

The staff report also indicated that the project site has a conservation easement in process to be recorded with the California Department of Fish and Game which provides for conservation on the project site in addition to or in place of the conservation required by the Western Riverside County Multi-Species Habitat Conservation Plan (WRCMSHCP). Both the DFG and the WRCMHCP conservation easements must be included in the MND to document that this project will have no significant impacts.

It is impossible to determine what mitigation measures for which impacts are buried in the conditions of approval.

- (1) Grading conditions are scattered through the document and include grade 001, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014, 015, 016, 018, 020 (NPDS permit required), 001, 002, 003, 004, 007, 009, 010, 001, 001—some of these are repeats of the same number with different language and some are repeats of the same language with different numbers. None of the conditions indicate whether or not they are linked to any of the four potentially significant impacts nor do they indicate how these potential impacts might be mitigated by the conditions.
- (2) The one health condition (Health 001) is related to permanent restroom facilities. No mention is made in the conditions limiting the use of portable restrooms on the site to during the five month hunting season only.
- (3) EPD conditions are scattered throughout the document and EPD 001 deals with compliance with the MSHCP, but does not indicate which particular species on the site may be impacted or specific mitigation for these species.

EPD 001 states that a conservation easement will be placed over the entire site even though the staff report states that 86 acres is required for conservation dedication to the RCA. It is unclear if 86 acres is the entire site which MSHCP species will be protected by the conservation easement and how the site is to be managed to protect MCHCP species. CUP amended # 2 EXHIBIT dated 12/17/08 is not included in the documents online. As a phase 1 environmental assessment is to be conducted by the RCA, it is unclear if there is any biological

information at this time available to be included in the MND regarding the impacts of the site or the mitigation for those impacts.

EPD 001 is a repeat of the above conservation easement language.

A third EPD 001 is a repeat of the above conservation easement language.

- (4) Flood 001 states that NO grading or building permits shall be issued on this site. Friends are baffled by the 26 instances of Grading conditions listed above.

Flood 001 seems to state that all new RVs on site must be temporary (less than 180 days) but this condition is not clear.

Flood 002 talks about flood insurance maps and rates.

Flood 003 talks about ordinance 458 and 180 days, but it is unclear how this will be enforced and by whom.

Flood 004 again states new permanent RVs and structures are acceptable, but it is unclear why the storage containers and water tanks are not considered permanent structures.

Flood 005 again states no grading or building permits shall be issued on this site.

- (5) Planning 041 states that no geological study is required because this entitlement does not contemplate structures for human occupancy. It is not explained why the RVs on site (implies that the current RVs are permanent, but new ones will be temporary) are not for human occupancy.

Planning 041 is regarding human remains and the Native American Heritage Commission.

Planning 042 is regarding cultural resources.

Planning 043 is regarding Ordinance 348—but no explanation is given regarding ordinance 348.

Planning 044 is regarding fees.

Planning 045 is regarding lighting.

Planning 046 is regarding building materials per Exhibit B, which is not attached.

Planning 051 is a prohibition on billboards.

Planning 054 permits phased building.

Planning 061 prohibits all permanent residences except for caretakers. This is in conflict with other conditions which prohibit all permanent residences because the site is located in a floodway/floodplain.

Planning 062 requires all hunters to have hunting licenses.

Planning 063 prohibits noise levels to exceed 45 db(A), 10 minute LEQ at the boundaries.

Planning 064 requires periodic noise monitoring reports, as requested by the Department of Building and Safety.

Planning 066 outlines the permit revocation procedures.

Planning 072 requires Ordinance No. 655 to be complied with, but does not indicate whether or not the project site is within the Mt. Palomar Special Lighting Area or not.

Planning 079 states the requirement for all businesses to have a business license, but does not indicate whether this (unnamed) hunting club is such a business.

Planning 082 states that the parts of Ordinance 348 regarding RV patio covers, awnings, and current registration and roadworthiness be complied with.

Planning 083 is triggered if there is 2,500 square feet or more of landscaped area. The Site Plan is unclear on the amount of landscaped area. Also, it is not indicated whether or not the conservation easement(s) will allow any landscaping on the site.

Planning 084 is regarding the County of Riverside's California Friendly Plant List; however, it is not indicated which plants, if any, the conservation easement will allow.

Planning 001 is regarding the date by which the CUP must be begun.

Planning 003 is regarding review of hours of operation. However, no condition limiting the hours of operation could be found.

Planning 006 requires an inspection to determine whether current buildings and structures and uses comply with ordinances 348 and 457 and the CUP conditions. One would think that current buildings and structures would have to pass inspection before, not after, the CUP was issued.

Planning 007 indicated the CUP shall have no termination date.

Planning 019 requires prior to issuance of grading permits (if grading for the purpose of placing structures for human occupancy on this site) certain geological studies must be conducted. No structures for human occupation are permitted, so why is this here?

Planning 031 requires the payment of all back fees.

Planning 032 requires a paleontologist prior to grading permits. But no grading permits can be issued?

Planning 045 repeats the need for geological studies before building structures for human occupancy, but no permanent structures for human occupancy are permitted; is this report needed for the caretaker's residence?

Planning 048 indicates the elevations for buildings shall comply with exhibit B, which is not included. Is this for the storage structures and the water tanks?

Planning 050 requires that roof mounted equipment shall be shielded from ground view.

Planning 062 states that impacts to the San Jacinto School District shall be mitigated. Is this for the caretaker's children?

Planning 065 requires lighting plan approval for all parking lots and outdoor lighting.

Planning 066 repeats that all fees shall be paid in full.

Planning 068 is regarding landscape securities, but there is no indication that any landscaping will be done, or will be permitted by the conservation easements.

Planning 008 repeats that roof-mounted material shall be shielded from ground view.

Planning 011 requires that all utilities, except electrical lines rated 33 kv or greater shall be installed underground. Is this condition retroactive, or only applies to new utilities?

Planning 025 requires these conditions to be verified by Building and Safety.

Planning 028 requires compliance with fee ordinance 810.

Planning 029 requires compliance with fee ordinance 659.

The one condition which Friends were told would be applied to this project was that lead shot would be prohibited, by an amendment to the hunting club's bylaws, on the trap and skeet range

area. This condition could not be found. Our previous comment letters indicate why the trap and skeet range must be prohibited to prevent contamination of the environment, especially in an MSHCP and/or DFG Conservation Easement Area.

The map does not indicate the surrounding lands which are owned by the Department of Fish and Game and comprise the San Jacinto Wildlife Area. Access to these lands via a public road through this site is currently blocked by a locked gate. The SJWA lands surrounding this site must be identified and justification given for gating access to the SJWA lands.

There is no MITIGATED NEGATIVE DECLARATION for the Responsible Agencies and the public to review as required by CEQA. If the County attempted to turn these documents into a MND by putting a title at the top of the page, the alleged MND would not comply with CEQA. There is nothing in the conditions of approval to show that the significant environmental impacts of building this site in a MSHCP criteria area have been mitigated to a level of non-significance. There is no evidence that the proposed conservation easement(s) mitigate the significant environmental impacts, particularly from the trap and skeet range, to a level of non-significance.

Because the alleged MND has failed to identify and mitigate the significant environmental impacts of this project, an Environmental Impact Report is required.

Sincerely,

ANN L TURNER-MCKIBBEN

Ann L. Turner-McKibben, President
(951) 924-8150
e-mail: northfriends@northfriends.org

Attached:

- Friends of the Northern San Jacinto Valley Comment Letters dated:
 - May 14, 2008, Riverside County Planning Department, Russell Brady, Contract Planner
 - May 27, 2008, Riverside County Planning Commission
 - September 29, 2009, Riverside County Planning Commission
 - October 13, 2009, Riverside County Planning Commission
 - September 2009 Photos, locked gate preventing public access to San Jacinto Wildlife Area

Copy to:

- Riverside County Planning Commission Members
- Ron Goldman, Planning Director, Riverside County Planning Department

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 2-14-09,

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

APN (s) or case numbers CUPO3464 For

Company or Individual's Name Planning Department,

Distance buffered 600' 2400'.

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

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

NAME: Vinnie Nguyen

TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

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

2400 feet buffer

**Selected parcel(s):**

423-040-010 423-040-015 423-040-017 423-040-019 423-050-003 423-050-005 423-100-020
423-110-004 423-140-001 423-140-006 425-040-015 425-040-017 425-050-002 425-050-006

IMPORTANT

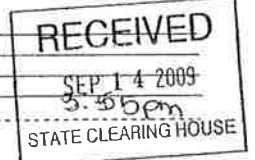
This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

MAP PRINTED ON...12/14/2009

Attachment # 6
NOTICE OF COMPLETION & ENVIRONMENTAL TRANSMITTAL FORM

SCH#: **2009001053**

Project Title: Conditional Use Permit No. 3464
 Lead Agency: County of Riverside Planning Dept. Contact Person: Jeffery Childers
 Mailing Address: 4080 Lemon Street, 9th Floor PO Box 1409 Phone: 951-955-3626
 City: Riverside Zip: 92502-1409 County: Riverside



Project Location
 County: Riverside City/Community: Nuevo Zip Code: 92567
 Cross Streets: Northeasterly of Main Street, southwesterly of Conour Road
 Assessor's Parcel No(s): 425-050-025, 423-040- Section 27 Twp: 3 south Range: 2 west Base: San Bernardino
017, and 423-050-008
 Latitude/Longitude: 33° 52' 15" North/ 117° 6' 16" West Total Acres: 91.49
 Within 2 miles: State Hwy#: 60 Waterways: San Jacinto River
 Airports: N/A Railways: N/A Schools: N/A

Document Type:
 CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplemental EIR EA Final Document
 Neg Dec Subsequent EIR Draft EIS Other _____
 Mit Neg Dec Other _____

Local Action Type:
 General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other _____

Development Type:
 Residential: Units _____ Acres _____ Transportation: Type _____
 Office: Sq.Ft _____ Acres _____ Employees _____ Mining: Mineral _____
 Commercial: Sq.Ft _____ Acres _____ Employees _____ Power: Type _____ Watts _____
 Industrial: Sq.Ft _____ Acres _____ Employees _____ Waste Management: Type _____
 Educational: _____ Hazardous Waste: Type _____
 Recreational: Hunt Club Other: _____
 Water Facilities: Type _____ MGD _____

Project Issues That May Have A Significant or Potentially Significant Impact
 Aesthetic/Visual Flood Plain/Flooding Schools/Universities Water Quality
 Agricultural Land Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Air Quality Geologic/Seismic Sewer Capacity Wetland/Riparian
 Archaeology/Historical Minerals Soil Erosion/Compaction/Grading Growth Inducing
 Biological Resources Noise Solid Waste Land Use
 Coastal Zone Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Drainage/Absorption Public Services/Facilities Traffic/Circulation Other: _____
 Economic/Jobs Recreation/Parks Vegetation
 Fiscal Recreation/Parks

Present Land Use/Zoning/General Plan Designation: Open Space-Conservation (OS-C)/ Heavy Agriculture (A-2-10) and Rural Residential (R-R)

Project Description (use separate sheet if necessary):
Conditional Use Permit No. 3464 proposes to permit an existing operation of a hunting club. The existing development is comprised of 11 RV/trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property. The proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period.

State Clearinghouse Contact: _____ (916) 445-0613 *OK*

State Review Began: 9-15-2009

SCH COMPLIANCE 10-14-2009

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: **2009001053**

Please forward late comments directly to the Lead Agency

AQMD/APCD 33
 (Resources: 9/19)

Project Sent to the following State Agencies

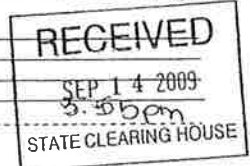
- | | |
|--|--|
| <input checked="" type="checkbox"/> Resources | State/Consumer Svcs |
| <input type="checkbox"/> Boating & Waterways | General Services |
| <input type="checkbox"/> Coastal Comm | Cal EPA |
| <input type="checkbox"/> Colorado Rvr Bd | ARB - Airport Projects |
| <input type="checkbox"/> Conservation | ARB - Transportation Projects |
| <input checked="" type="checkbox"/> Fish & Game # <u>6</u> | ARB - Major Industrial Projects |
| <input type="checkbox"/> Delta Protection Comm | Integrated Waste Mgmt Bd |
| <input type="checkbox"/> Cal Fire | SWRCB: Clean Wtr Prog |
| <input type="checkbox"/> Historic Preservation | SWRCB: Wtr Quality |
| <input checked="" type="checkbox"/> Parks & Rec | SWRCB: Wtr Rights |
| <input type="checkbox"/> Central Valley Flood Prot. | <input checked="" type="checkbox"/> Reg. WQCB # <u>9</u> |
| <input type="checkbox"/> Bay Cons & Dev Comm | <input checked="" type="checkbox"/> Toxic Sub Ctrl-CTC |
| <input checked="" type="checkbox"/> DWR | Yth/Adlt Corrections |
| <input type="checkbox"/> OES (Emergency Svcs) | Corrections |
| <input type="checkbox"/> Bus Transp Hous | Independent Comm |
| <input type="checkbox"/> Aeronautics | Energy Commission |
| <input checked="" type="checkbox"/> CHP | <input checked="" type="checkbox"/> NAHC |
| <input checked="" type="checkbox"/> Caltrans # <u>8</u> | Public Utilities Comm |
| <input type="checkbox"/> Trans Planning | State Lands Comm |
| <input type="checkbox"/> Housing & Com Dev | Tahoe Rgl Plan Agency |
| <input type="checkbox"/> Food & Agriculture | |
| <input type="checkbox"/> Health Services | Conservancy |

NOTICE OF COMPLETION & ENVIRONMENTAL TRANSMITTAL FORM

SCH#: 2009091053

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 Lead Agency: County of Riverside Planning Dept.
 Mailing Address: 4080 Lemon Street, 9th Floor PO Box 1409
 City: Riverside Zip: 92502-1409

Contact Person: Jeffery Childers
 Phone: 951-955-3626
 County: Riverside



Project Location
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State Clearinghouse Contact: (916) 445-0613 *JKD*

State Review Began: 9-15-2009

SCH COMPLIANCE 10-14-2009

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: 2009091053

Please forward late comments directly to the Lead Agency

AQMD/APCD 33

(Resources: 9/19)

Project Sent to the following State Agencies

- | | |
|--|--|
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| <input type="checkbox"/> Boating & Waterways | General Services |
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| <input checked="" type="checkbox"/> Caltrans # <u>8</u> | Public Utilities Comm |
| <input type="checkbox"/> Trans Planning | State Lands Commn |
| <input type="checkbox"/> Housing & Com Dev | Tahoe Rgl Plan Agency |
| <input type="checkbox"/> Food & Agriculture | |
| <input type="checkbox"/> Health Services | |
| | Conservancy |

Agenda Item No.:
Area Plan: Reche Canyon/Badlands
Zoning District/Area: Hemet/San Jacinto and
Lakeview
Supervisory District: Fifth
Project Planner: Jeffery Childers
Planning Commission: September 30, 2009
Continued from: June 25, 2008

Conditional Use Permit No. 3464
E.A No. 40284
Applicant: Ramona Duck Club
Engineer/Rep.: Overton Kuhn

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Conditional Use Permit No. 3464 proposes to permit an existing operation of a hunting club. The existing development is comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property. The proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period.

The project site is located northeasterly of Main Street, southwesterly of Contour Road, and easterly of Main Street.

FURTHER PLANNING CONSIDERATIONS:

June 25, 2008

At the June 25, 2008 Planning Commission hearing and the previous hearing of May 28, 2009, it was determined that the project would require an Initial Study to be completed. In the ensuing year the project has been further studied and the project has been re-advertised. The Initial Study has been completed and a Mitigated Negative Declaration has been prepared for the project. Subsequent mitigation measures have been identified based on further analysis and those measures have been included in the Conditions of Approval.

FURTHER PLANNING CONSIDERATIONS:

May 28, 2008

At the May 28, 2008 Planning Commission hearing, concerns from the public were raised on the potential environmental impacts of the project, the adequacy of filing a Notice of Exemption for the project, and the provision of a detailed project description. Planning staff has consulted with County Counsel and Environmental Programs Department (EPD) staff and has determined that the preparation of an initial study would be appropriate to evaluate the potential environmental impacts of the project. Staff is working with the applicant and EPD staff to provide a detailed project description that clearly differentiates between existing and proposed improvements on the site and a list of the multiple accessory uses on the site as well as list any specific uses not allowed. Due to the modification of the environmental determination as well as the change to the project description, the project will be re-advertised.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Vacant, Hunting Club |
| 2. Surrounding Land Use (Ex. #1): | Vacant and Agricultural land to the north, east, south, and west |
| 3. Existing Zoning (Ex. #3): | Rural Residential (R-R), Heavy Agriculture – 10 Acre Minimum (A-2-10) |
| Surrounding Zoning (Ex. #3): | Rural Residential (R-R) to the north, west, and |

- | | |
|-----------------------------------|--|
| 5. General Plan Land Use(Ex. #5): | south, Heavy Agriculture – 10 Acre Minimum (A-2-10) to the north, east, and south |
| 6. Project Data: | Open Space: Conservation (OS-C)
Total Acreage: 91.49 Gross Acres
2.0 Acres per this Permit |
| 7. Environmental Concerns: | See attached Environmental Assessment |

RECOMMENDATIONS:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40284**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **CONDITIONAL USE PERMIT NO. 3464**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

INFORMATIONAL ITEMS:

1. The project site is not located within:
 - a. A high fire area; or
 - b. An agricultural preserve.

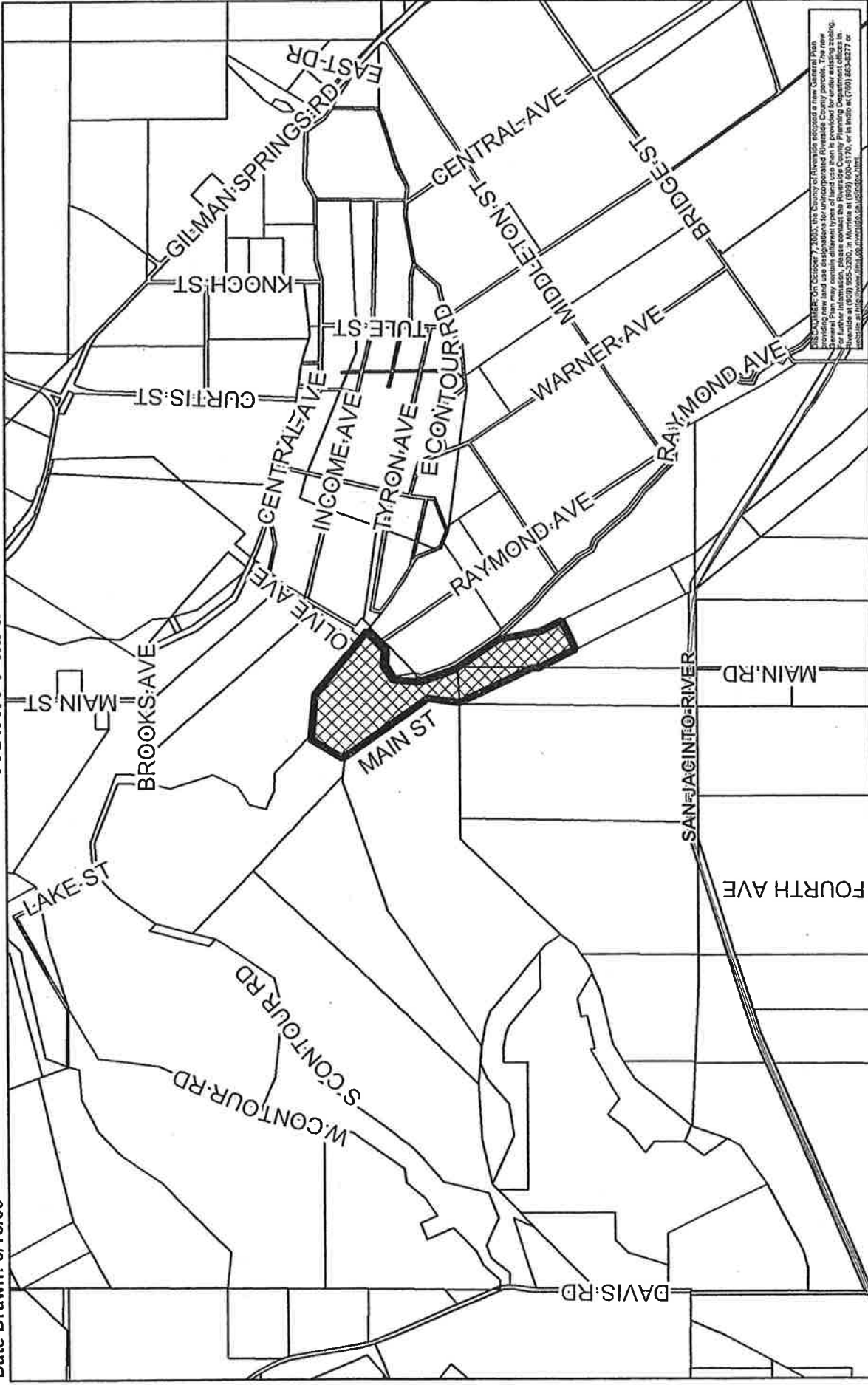
2. The project site is located within:
 - a. The boundaries of the San Jacinto Unified School District;
 - b. Moreno Valley sphere of influence;
 - c. Zone B of Mt. Palomar lighting area;
 - d. A 100-year flood plain;
 - e. A fault zone; and
 - f. The San Jacinto Valley Watershed;

The subject site is currently designated as Assessor's Parcel Number 423-040-017, 423-050-008, 425-050-025.

Planner: Jeff Childers
 Date: 6/24/09
 VICINITY MAP

CUP03464
 VICINITY MAP

Supervisor Ashley
 District 5
 Date Drawn: 6/18/09



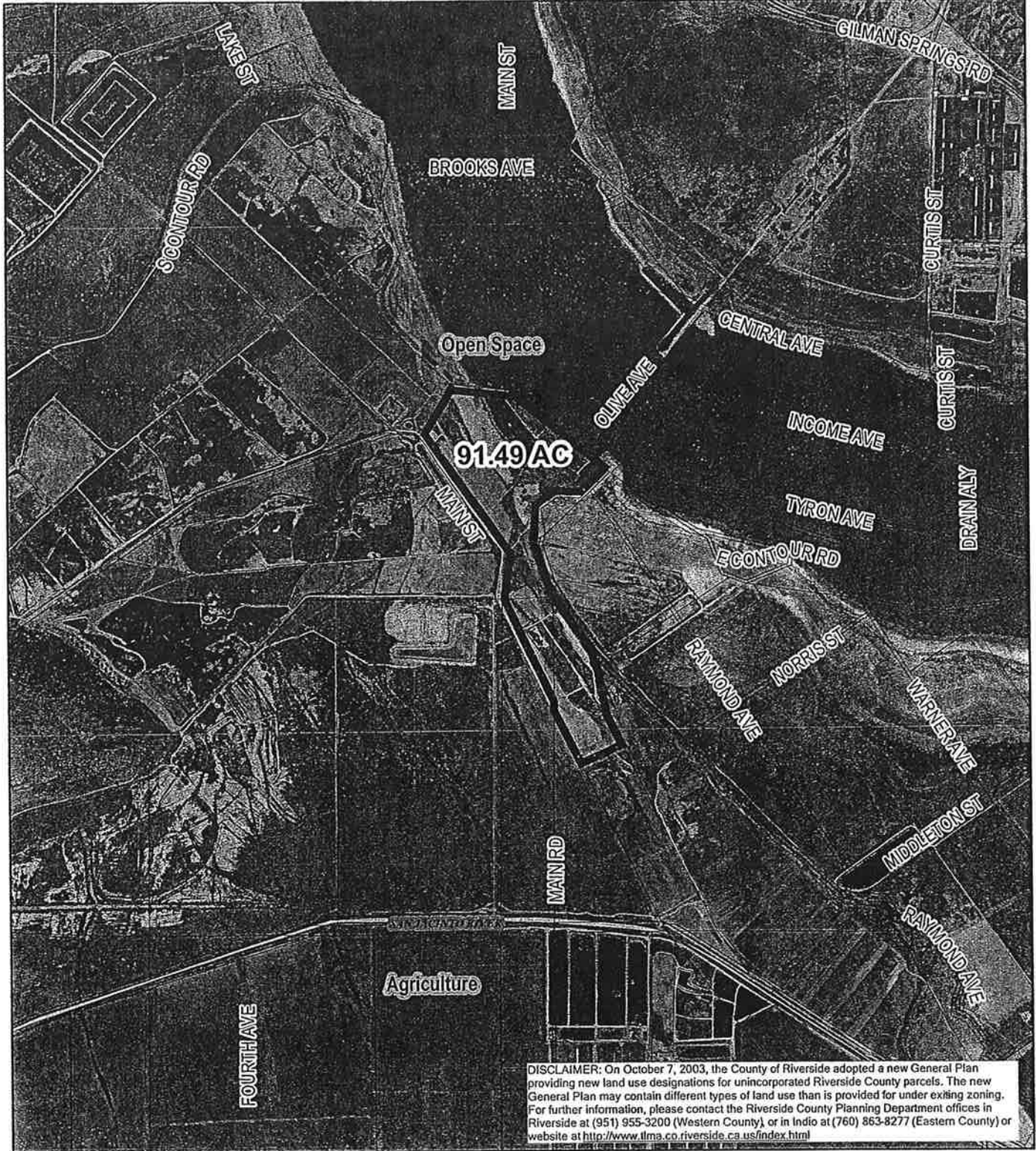
RESOLUTION: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new designations are: Single-Family Residential, Single-Family Attached Residential, Medium-Density Residential, and Community Residential. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-1200, in Murrieta at (951) 606-5170, or in Indio at (760) 863-8277 or visit us at <http://www.ci.riverside.ca.us/planning>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 423-05
 Thomas
 Bros. Pg. 749 E4

Area: Lakeview
 Township/Range: T3SR2W
 Section : 27, 28, 33 & 34





RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Lakeview
Township/Range: T3SR2W
Section: 27, 28, 33 & 34



Assessors
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Thomas
Bros. Pg. 749 E4