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

222B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 19, 2010

SUBJECT:
RESOLUTION NO. 2010-130 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 492 and ADOPTING SPECIFIC PLAN NO. 353; and, ORDINANCE NO. 348.4709 for ZONING MAP NO. 2.2328 and CHANGE OF ZONE NO. 7365

RECOMMENDED MOTION:

ADOPTION of **RESOLUTION NO. 2010-130** Certifying Environmental Impact Report No. 492 and Adopting Specific Plan No. 353, (Serrano); and,

ADOPTION of ORDINANCE NO. 348.4709 for Zoning Map No. 2.2328 and Change of Zone

Carolyn Syms Luna
Carolyn Syms Luna
Planning Director

Initials:
CSL:ar

(Continued on Attached Page)

FINANCIAL DATA				
	Current F.Y. Total Cost:	$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	$ 0	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30 ☐

Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE
BY: Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: MICHELLE CLACK DATE 9/14/10

Departmental Concurrence

☒ Policy ☒ Policy
☐ Consent ☐ Consent
Dep't Recomm.: Per Exec. Ofc.:

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: September 28, 2010
xc: Planning, Co.Co., Building & Safety, MC, COB(2)

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

Prev. Agn. Ref. 6/22/10 Item No. 16.2 | **District:** First | **Agenda Number:** 3.72

No. 7365 and amending Ordinance No. 348 text to reflect Specific Plan development standards and establishing the Specific Plan boundary.

BACKGROUND:

The below listed recommendations were made on the Form 11 to the Board of Supervisor's on **June 22, 2010** as Agenda Item No. **16.2** and the following actions were taken.

TENTATIVE CERTIFICATION of **ENVIRONMENTAL IMPACT REPORT NO. 492,** which has been completed in compliance with the EIR Guidelines and the Riverside County CEQA procedures; and, based on the findings incorporated in the EIR, and subject to resolution adoption by the Riverside County Board of Supervisors; and,

APPROVAL of **GENERAL PLAN AMENDMENT NO. 815** amending the Land Use designation for the subject property from Community Development: Very Low Density Residential (VLDR) 1 Acre Minimum to Commercial Retail (CR), Light Industrial (LI), Open Space-Conservation (OS-C), and Open Space-Water (OS-W) as reflected on the Specific Plan Land Use Plan and as well as amend the text of the Temescal Canyon Area Plan and Figure 4 "Policy Areas" to modify the language of the Serrano Policy Area to encompass the land use policies of the Serrano Commerce Center Specific Plan No. 353; and,

APPROVAL of SPECIFIC PLAN NO. 353, subject to the attached conditions of approval, based on the findings and conclusions incorporated in the staff report; and, pending adoption of the Specific Plan Resolution by the Board of Supervisors; and,

APPROVAL of **CHANGE OF ZONE NO. 7365,** amending the zoning classification for the subject property from Rural Residential (R-R), Mineral Resources and Related Manufacturing (MRA), Commercial Tourist (CT), and Scenic Highway Commercial (CPS) to Specific Plan (SP zone) and develop the SP zoning ordinance; and,

TENTATIVE APPROVAL of TENTATIVE PARCEL MAP NO. 32885 subject to the attached conditions of approval, and based on the findings and conclusions incorporated in the staff report.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

9/30/10 Date — KD Initial

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.

Specific Plan No.353, Change of Zone No. 7365, General Plan Amendment No. 815, Tentative Parcel Map No. 32885, Environmental Impact Report No. 492
Project Title/Case Numbers

Matt Straite — 951-955-8631
County Contact Person — *Phone Number*

2006081015
State Clearinghouse Number (if submitted to the State Clearinghouse)

Rosetta Advisors — P.O. Box 549 Corona, Ca 92878
Project Applicant — *Address*

Easterly of Interstate 15, northeasterly of Temescal Canyon Road, westerly of Park Canyon Road, and southerly of Clay Canyon Road
Project Location

The General Plan Amendment proposes to amend the Temescal Canyon Area Plan (TCAP) Figure 4 "Policy Areas" to redesignate the Project Site from "Serrano Policy Area" to "Specific Plan No. 353," and to amend TCAP Table 3, Adopted Specific Plans in Temescal Canyon Area Plan, to include the Serrano Specific Plan No. 353. The Change of Zone proposes to redesignate the site from "Rural Residential (R-R)," "Tourist Commercial (C-T)," "Scenic Highway Commercial (C-P-S)," and "Mineral Resources and Related Manufacturing (M-R-A)" to "Specific Plan (SP)". The Tentative Parcel Map proposes a Schedule E subdivision of 477.45 acres into 19 developable parcels. The Environmental Impact Report has been prepared to inform decision-makers and the public of the potential significant environmental effects associated with changing the General Plan Land Use designation, creation of a Specific Plan, rezoning, and tentative parcel map approvals for the proposed industrial/commercial Specific Plan.
Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on_____, and has made the following determinations regarding that project:

1. The project WILL have a significant effect on the environment.
2. An Environmental Impact Report was prepared for the project pursuant to the provisions of the California Environmental Quality Act ($2,792.25 + $64.00).
4 A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS adopted for the project.

This is to certify that the Final Environmental Impact Report, 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.

Karen Barton — Board Assistant — September 28, 2010
Signature — *Title* — *Date*

Karen Barton, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors
Date Received for Filing and Posting at OPR: _____

Revised on 3/15/10 by R. Juarez
Y:\Planning Case Files-Riverside office\SP00353\PC Hearings\NOD Form.doc

06.22.10 16.2

Please charge deposit fee case#: ZEIR00492 ZCFG No. 04111 - **SELECT**

SEP 28 2010 3:72

FOR COUNTY CLERK'S USE ONLY

RESOLUTION NO. 2010-130
CERTIFYING SUBSEQUENT ENVIRONMENTAL IMPACT REPORT NO. 492
ADOPTING SPECIFIC PLAN NO. 353 AND
APPROVING TENTATIVE PARCEL MAP NO. 32885

WHEREAS, pursuant to the provisions of Government Code Section 65450 et. seq., a public hearing was held before the Riverside County Board of Supervisors in Riverside, California on June 8, 2010 and June 22, 2010 to consider Specific Plan No. 353, General Plan Amendment No. 815, Change of Zone No. 7365, and Tentative Parcel Map No. 32885.

WHEREAS, all procedures of the California Environmental Quality Act (CEQA) and Riverside County CEQA implementing procedures have been satisfied, and Subsequent Environmental Impact Report (EIR) No. 492, prepared in connection with Specific Plan No. 353, General Plan Amendment No. 815, Change of Zone No. 7365, and Tentative Parcel Map No. 32885 (referred to alternatively herein as "the project"), is sufficiently detailed so that all of the potentially significant effects of the project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above-referenced Act and Procedures; and,

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

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Supervisors of the County of Riverside, in regular session assembled on September 28, 2010 that:

A. Specific Plan No. 353 (Serrano Commerce Center Specific Plan, "SP No. 353") includes a land use plan, infrastructure plans, phasing plan, design guidelines, and development standards to guide the specific development of a 489.28-acre site with light industrial, commercial retail, and open space land uses. The SP No. 353 proposes to develop light industrial land uses on 372.06 acres and commercial retail uses on 17.45 acres. A maximum of 6,773,144 square feet of building space would be permitted by the SP No.353. A total of 48.77 acres would be set aside as a conservation area pursuant to the County's MSHCP. The remaining 51.01 acres of the site would consist of circulation and

FORM APPROVED COUNTY COUNSEL
BY: MICHELLE CLACK DATE 8/19/10

flood control facilities. As part of the project, Temescal Canyon Road would be extended though the project site.

B. SP No. 353 is associated with General Plan Amendment No. 815 which was considered concurrently at the public hearing before the Board of Supervisors. General Plan Amendment No. 815 proposes to amend the Riverside County General Plan Land Use Element by changing the land use designation applied to the site from Community Development: Light Industrial (CD-LI) (0.25 - 0.60 FAR) and Community Development: Community Center (CD-CC) to Specific Plan (SP), and to amend the text of the Temescal Canyon Area Plan (TCAP) Serrano Policy Area policies to ensure consistency with the land use policies of Specific Plan No. 353.

C. SP No. 353 is associated with Change of Zone (CZ No. 7365) which was considered concurrently at the public hearing before the Board of Supervisors. CZ No. 7365 proposes to change the zoning designations on the 489.28-acre project site from Rural Residential (R-R), Tourist Commercial (C-T), Scenic Highway Commercial (C-P-S), and Mineral Resources and Related Manufacturing (M-R-A) to "Specific Plan Zone (S-P)," and to implement the SP No. 00353 zoning ordinance.

D. SP No. 353 is associated with Tentative Parcel Map (TPM No. 32885) which was considered concurrently at the public hearing before the Board of Supervisors. TPM No. 32885 subdivides 380.3 acres of the 489.28-acre Specific Plan area into 19 parcels to accommodate future development in a manner consistent with SP No. 353.

BE IT FURTHER RESOLVED by the Board of Supervisors that the following environmental impacts associated with the project are potentially significant unless otherwise indicated, but each of these impacts will be avoided or substantially lessened by the identified mitigation measures:

A. Land Use and Planning

1. Impacts.

Implementation of the Serrano Commerce Center Specific Plan will result in a substantial land use change as compared to existing conditions;

however, the project will be consistent with the planned Community Center and Light Industrial land use designations applied to the site by the Riverside County General Plan and Temescal Canyon Area Plan.

The project is located within the Sphere of Influence for the City of Corona, and is consistent with applicable land use designations applied to the site by the City of Corona General Plan.

The project will be consistent with the planned zoning of the site, which will in turn be consistent with the land use designations applied to the site by the Temescal Canyon Area Plan.

The project is compatible with the existing surrounding zoning.

The project is compatible with the existing and planned surrounding land uses.

Implementation of the project will not result in the disruption or division of the physical arrangement of an established community.

The project is consistent with the adopted land use designations and policies of Riverside County's General Plan, Temescal Canyon Area Plan, Multiple Species Habitat Conservation Plan, and the Community and Environmental Transportation Acceptability Process.

The project will not conflict or be inconsistent with any adopted regional plans, such as SCAG's Regional Comprehensive Plan and Regional Transportation Plan, and the SCAQMD's Air Quality Management Plan.

2. Mitigation.

None required.

B. Aesthetics

1. Impacts.

The segment of I-15 adjacent to the project site is designated as state eligible scenic highway. With mandatory adherence to the SP No. 353

Design Guidelines, a significant impact to scenic highway corridors would not occur.

There are no scenic resources on the project site visible from off-site areas. Project implementation would not substantially interfere or damage any scenic resources in the surrounding area.

The introduction of new lighting sources is regarded as a potentially significant impact because it could potentially conflict with the Mt. Palomar Observatory Special Lighting Area; however, mandatory compliance with Riverside County Ordinance No. 655 and the SP No. 353 Design Guidelines would reduce impacts to a less than significant level.

With adherence to the Design Guidelines of the SP No. 353, project implementation would not produce substantial amounts of glare or adversely affect day or nighttime views in the area.

With compliance to Riverside County Ordinance No. 655 and incorporation of the SP No. 353 Design Guidelines relating to project lighting, project implementation would not expose residential property to unacceptable light levels.

2. Mitigation.

None required.

C. Agricultural Resources

1. Impacts.

The project site does not contain any lands designated as Prime Farmland, Unique Farmland or Statewide Important Farmland; thus, the project would not convert Important Farmland to a non-agricultural use because no designated Farmland exists on the site.

Project implementation would not result in a conflict with any Williamson Act Contracts, nor would it conflict with an existing agricultural use.

There are no lands within 300 feet of the project site that are zoned for agricultural use; therefore, no impact would occur.

Implementation of the project would not result in changes to the environment having the potential to convert other farmland uses to non-agricultural use.

2. Mitigation.

None required.

D. Air Quality (Air Quality Management Plan)

1. Impacts.

Implementation of the project would not conflict with or obstruct implementation of the South Coast Air Quality Management District's Air Quality Management Plan.

2. Mitigation.

None required.

E. Air Quality (Exposure of Off-Site Sensitive Receptors to Point-Source Emissions)

1. Impacts.

The project would not expose sensitive receptors to substantial point-source emissions or diesel particulate matter emissions.

2. Mitigation.

None required.

F. Air Quality (Exposure of On-Site Sensitive Receptors to Point-Source Emissions)

1. Impacts.

The project does not propose any sensitive receptors that could be impacted by point-source emitters.

2. Mitigation.

None required.

G. Air Quality (Odors)

1. Impacts.

With mandatory adherence to SCAQMD requirements, any potential uses that emit odors would be controlled, and reduced to below a level of significance.

2. Mitigation.

None required.

H. Cultural Resources

1. Impacts.

Implementation of the project would result in significant impacts to historic resources, specifically, Site P-33-03832, a locally important historic resource (railroad bed) and Site P-33-004111, a California Historic Landmark (No. 186) (tanning vats). Site P-33-006441, a California Historic Landmark (No. 224) (Third Serrano Adobe), could not be found on the project site during recent field surveys; however, if it is uncovered during ground disturbing construction activities, impacts would be significant.

Significant impacts would occur to archaeological resources. Although the precise location of Site P-33-000108 (a possible habitation site) is unknown, the site could be unearthed during project construction activities. If the site is uncovered and is found to be intact, Site P-33-000108 would be considered a significant resource under CEQA (Section 15064.5) and impacts to the site would be significant. Site P-33-000034 (a petroglyph site) is a California Historic Landmark and a significant archaeological resource as defined by CEQA. Tentative Parcel Map No. 32885 would preserve the petroglyphs associated with this site in an undisturbed area protected from general public access, but would provide access to the appropriate Native American tribe (Pechanga Band of Luiseño Indians).

Although no significant direct impacts to P-33-000034 would occur, indirect impacts to Site P-33-000034 have the potential to occur.

In addition, significant direct impacts to previously undiscovered buried resources may occur throughout the Specific Plan area during ground disturbing activities associated with project construction.

Human remains are not known to be present on the property; nonetheless, human remains have the potential to be uncovered during grading and excavation activities. If human remains of Native American decent are discovered, significant impacts to cultural resources have the potential to occur.

Significant indirect impacts to a sacred site have the potential to occur. Site P-33-000034, a significant archaeological site, contains petroglyphs that are considered sacred. Project implementation would preserve the petroglyphs associated with this site; however, indirect impacts to Site P-33-000034 may result due to the close proximity of proposed development.

No known paleontological resources are present on the property. However, if significant resources are found to be present beneath the ground surface during ground disturbing activities, impacts to paleontological resources would be significant.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

Historical Resources

Site P-33-03832

a. Prior to the issuance of grading permits, Site P-33-003832, including the railroad bed, culvert, and loading bin, shall be documented through archival quality photography. Copies of the photographs shall be given to the Corona Library and other appropriate repositories.

Site P-33-004111

b. The master developer and/or the project's qualified archaeologist shall contact the E. Clampus Vitus, the group that previously relocated Site P-33-004111 (the tanning vats) to their current position. E. Clampus Vitus shall be informed that the tanning vats will be impacted by the extension of Temescal Canyon Road and shall be presented with the option to collect the California Historical Landmark plaque and/or allow it to remain with the tanning vats. They shall also be provided with the option of relocating the vats. If E. Clampus Vitus cannot be contacted or are uninterested in relocating the tanning vats, the Property Owner shall be responsible for mitigating impacts to the vats as described below.

i. The party determined to be responsible for relocating the vats (either E. Clampus Vitus or the Property Owner) shall determine its new potential location, which should be located near the original location. Upon selection of the new potential location for the tanning vats, the necessary State-approved forms must be submitted to the California Office of Historic Preservation to re-assess the Site's status as a California Historical Landmark. At that time, the California Office of Historic Preservation may either accept or deny the Landmark status based upon existing data. In the event that

Landmark status is approved, Site P-33-004111 must be removed from its existing location prior to the issuance of grading permits that would authorize grading in the existing location of the Site. The tanning vats shall be relocated to the new location with the E. Clampus Vitus plaque or a Property Owner-provided plaque. The project Archaeologist shall also monitor grading of the tanning vat area.

c. If the California Office of Historic Preservation denies Site P-33-004111's status as a California Historical Landmark, the Property Owner or the E. Clampus Vitus shall either (1) remove and donate the tanning vats to a local museum or historical society that is willing to display the artifacts, or (2) relocate the tanning vats within the project, where it may be suitably displayed. This Removal of the vats from its existing location must occur prior to the issuance of grading permits that would authorize grading in the existing location of the Site. Under either scenario (presentation at a museum or historical society or at a secondary place within the project site), the Property Owner shall provide a plaque to be prominently displayed at or near the location of the removed vats indicating that the location is the "Site of California Historical Landmark No. 186" and with a description of the tanning vats, the tanning vats' importance to the community, and where the tanning vats can be viewed.

d. Prior to dismantling the tanning vats, archival photographs, detailed measurements, and site information must be recorded by the qualified project Archaeologist, who must be present during the removal and reconstruction of the tanning vats so that the vats can be reconstructed to exactly the same dimensions and appearance as

they are currently. These shall be compared with any available historic records of the original configuration. This information shall be utilized during reconstruction of the tanning vats. Once the tanning vats have been permanently placed in their new location, the project Archaeologist shall file a State-approved DPR form with the Eastern Information Center at the University of California, Riverside and with the California Office of Historic Preservation in Sacramento, indicating the final location of the vats and their configuration. The project Archaeologist shall also monitor grading of the tanning vat area.

Site P-33-000034

e. The petroglyphs at Site P-33-000034 will be preserved in an undisturbed area with an appropriate protection buffer and will not be subject to development activities or disturbance. Tentative Parcel Map No. 32885 will preserve and protect the petroglyphs from disturbance, development activities, and general public access, but would provide access to the appropriate Native American tribe (Pechanga Band of Luiseño Indians).[1] Because the potential exists for indirect impacts to the site, a Preservation Plan for the site shall be completed and executed by and between the landowner and the Pechanga Band of Luiseño Indians to address access issues, long-term protection of the site, permitted activities within the site area, responsibilities for preservation and maintenance, and other issues of importance in preservation of the site. The Pechanga Band of

[1] It is anticipated that the Pechanga Band of Luiseño Indians will be the "culturally affiliated" Luiseño tribe due to its prior and extensive coordination with the County in determining potentially significant impacts and appropriate mitigation measures and due to its demonstrated cultural affiliation with the Project area.

Luiseño Indians will be given the opportunity to hold a conservation easement over the site area for the purposes of preservation and protection of the site.

Site P-33-000108

f. Upon the completion of grubbing and/or brushing of the general location of Site P-33-000108, the project's qualified archaeologist shall survey the area to determine if any artifacts associated with P-33-000108 remain. If the site no longer exists, no further action is required. If the intact site is located, any additional clearing or earth-moving activities shall be diverted temporarily around the site until it has been evaluated through Phase II Significance Testing, recorded, excavated, and/or recovered as necessary. Earth moving shall be allowed to proceed through the area when the archaeological supervisor, in consultation with the appropriate Native American tribe (Pechanga Band of Luiseño Indians) and the County of Riverside, determines P-33-000108 is recovered and/or impacts to P-33-000108 is mitigated to the extent necessary.

Site P-33-006441

g. Any grubbing and/or brushing activities that take place within the general location of Site P-33-006441 shall be monitored by the project's qualified archaeologist and a qualified Historian. Prior to the commencement of grading activities, the project's archaeologist shall survey the area to determine if any artifacts associated with P-33-006441 remain. If no artifacts are located during the survey, the project's archaeologist shall define an area where modified grading shall occur. Standard grading procedures may proceed outside of t his defined area. Modified grading procedures shall include the

removal of soil at a slower rate than normal, utilizing a paddlewheel, road scraper, or other equipment capable of removing a minimum amount (inches) of soil at a time; i.e., controlled grading. The project's archaeologist shall supervise this work to ensure no artifacts are disturbed. Modified grading procedures in the defined area shall continue until the archaeological supervisor, in consultation with the County of Riverside, determine that there is a low likelihood that any artifacts will be found. If site remains are located, any additional clearing, brushing, grading, or earth-moving activities shall be diverted temporarily around the site until it has been evaluated through Phase II Significance Testing, recorded, excavated, and/or recovered as necessary. Earth moving shall be allowed to proceed through the area when the archaeological supervisor, in consultation with the County of Riverside, determines P-33-006441is recovered and/or impacts to P-33-006441 is mitigated to the extent necessary.

Other Archaeological Resources

h. Prior to any clearing, grubbing and/or earth-moving activities, a qualified archaeologist approved by the Riverside County Environmental Programs Department shall be retained by the project developer. The potential for discovery of archaeological resources on and beneath the surface of the site has been indicated as high; therefore, consultation with the appropriate Native American tribe (Pechanga Band of Luiseño Indians) is required to continue until the completion of ground-disturbing construction activities or until all parties agree that consultation has been completed, whichever occurs sooner. A pre-grading meeting between the archaeologist,

Pechanga Band of Luiseño Indians, and the grading contractor shall take place to ensure an understanding of the mitigation measures required during earth-moving activities and construction.

i. Prior to issuance of a grading permit, the archaeologist shall develop a mitigation plan and a discovery clause/treatment plan, which shall include mitigation monitoring to be implemented during earth moving on the project site. The treatment plan shall be developed in consultation with the appropriate Native American tribe (Pechanga Band of Luiseño Indians) and shall account for treatment of any archaeological remains and associated data uncovered by brushing, grubbing, or earth moving.

j. The project applicant shall use all reasonable efforts to enter into a Cultural Resources Treatment and Tribal Monitoring Agreement with the appropriate Native American tribe (Pechanga Band of Luiseño Indians). The agreement(s) shall address tribal monitoring requirements and treatment and disposition of all archaeological resources discovered during earth-moving and grading activities.

k. The landowner shall relinquish ownership of all cultural resources, including all Luiseño cultural sacred items, burial goods and all archaeological artifacts that are found on the project site in accord with approved cultural resources treatment agreement(s) to the appropriate Native American tribe (Pechanga Band of Luiseño Indians) for proper treatment and disposition.

l. Native American monitors from the appropriate Native American tribe (Pechanga Band of Luiseño Indians) shall be allowed to monitor all grading, excavation, and ground-breaking activities. The Native American monitors will have the authority to temporarily

stop and redirect grading activities to evaluate the significance of any archaeological sites or resources discovered on the property, in conjunction with the consulting archeologist and the Riverside County Archaeologist.

m. Archaeological and tribal monitoring shall be conducted on a full-time basis for all grading and ground disturbing activities, including archaeological testing, until the project archaeologist in consultation with the appropriate Native American tribe (Pechanga Band of Luiseño Indians) and the County of Riverside determines that resources are not likely to be encountered. If archaeological remains are found by the archaeological monitor, earth moving shall be diverted temporarily around the deposits until they have been evaluated, recorded, excavated, and/or recovered as necessary. Earth moving shall be allowed to proceed through the site when the archaeological supervisor, in consultation with the appropriate Native American tribe (Pechanga Band of Luiseño Indians) and the County of Riverside, determines the artifacts are recovered and/or the site is mitigated to the extent necessary.

n. Compliance with California Health and Safety Code Section 7050.5 "Discovery of Human Remains" is required. If possible human remains are encountered during any earth-moving activities, all work shall stop in the area in which the find(s) are present, and the Riverside County Coroner must be notified. State law dictates that the Native American Heritage Commission (NAHC) shall be notified in the event that remains are determined to be human and of Native American decent.

o. If a previously unknown archaeological site or resource is encountered or unearthed during project grading or construction and it requires additional mitigation beyond the methods outlined in the treatment plan to reduce impacts to below a level of significance, a plan or proposal shall be prepared by the qualified archaeologist, in consultation with the appropriate Native American tribe (Pechanga Band of Luiseño Indians) and the County of Riverside Archaeologist, outlining the plan of action that needs to be implemented to mitigate the new site or resource. If the developer and the appropriate Native American tribe (Pechanga Band of Luiseño Indians) cannot agree on the significance of the site or resource, or the mitigation for such sites or resources, these issues will be presented to the Riverside County Planning Director for decision. The Planning Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Native American tribe (Pechanga Band of Luiseño Indians).

p. Archaeological resources that are not considered ceremonial or sacred by the appropriate Native American tribe (Pechanga Band of Luiseño Indians) shall be identified, recorded, and mapped, and artifacts catalogued as required by standard archaeological practices. Examination by an archaeological specialist shall be included where necessary, dependent upon the artifacts, features or sites that are encountered. Specialists shall identify, date, and/or determine significance potential.

q. At the completion of earth-moving activities, a final report of findings shall be prepared by the archaeologist for submission to the Eastern Information Center and the County of Riverside Archaeologist. The report shall describe parcel history, summarize field and laboratory methods used, if applicable, and include any testing or special analysis information conducted to support the findings.

Paleontological Resources

r. Prior to any earth moving in the parcel, a vertebrate paleontologist retained by the project developer and approved by the County of Riverside shall develop a storage agreement with the LACM Vertebrate Paleontology Section, Western Center for Archaeology & Paleontology, San Bernardino County Museum, or another acceptable museum repository to allow for the permanent storage and maintenance of any fossil remains recovered in the project area as a result of the monitoring program, and for the archiving of associated specimen data and corresponding geologic and geographic site data at the museum repository.

s. The paleontologist shall develop a mitigation plan and a discovery clause/treatment plan that, when implemented during earth-moving activities in the project area, will allow for the recovery and subsequent treatment of any fossil remains and associated specimen and site data uncovered by these activities.

t. The paleontologist and a paleontological construction monitor shall attend a pre-grade meeting to explain the monitoring program to pipeline contractor staff and to develop procedures and lines of communication to be implemented if fossil remains are uncovered

by earth-moving activities, particularly when a monitor may not be on site.

u. Paleontological monitoring of earth-moving activities shall be conducted on a full-time basis by the monitor during all earth-moving activities due to the exposure of sensitive strata. Earth-moving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The Supervising Paleontologist will have the authority to reduce monitoring once he determines the probability of encountering fossils has dropped below an acceptable level.

v. If the monitor finds fossil remains, earth-moving activities shall be diverted temporarily around the fossil site until the remains have been recovered and these activities allowed to proceed through the site by the monitor.

w. If fossil remains are encountered by earth-moving activities when the monitor is not on site, these activities shall be diverted around the fossil site and the monitor called to the site by the construction supervisor immediately to recover the remains.

x. If fossil remains are found, approximately 2,000 pounds (1 ton) of fossiliferous rock shall be recovered from the fossil site and processed to allow for the recovery of smaller fossil remains. Test samples may be recovered from other sampling sites in the rock unit.

y. Any recovered fossil remains shall be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be rated (assigned and labeled with museum repository fossil specimen

numbers and corresponding fossil site numbers, as appropriate; placed in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, and associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains then will be accessioned into the museum repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators.

I. Biological Resources

1. Impacts.

Project implementation would result in impacts to sensitive natural communities, including impacts to the following: mulefat scrub (1.40 acres), arroyo willow/mulefat scrub (1.96 acres), and eucalyptus woodland with arroyo woodland understory (8.24 acres).

Project implementation would result in impacts to endangered, threatened, candidate, sensitive, and special status species, including small-flowered microseris, Coulter's matilija poppy and San Diego tarplant (plants). Impacts to burrowing owl, nesting birds, and fairy shrimp (animals) would be significant if the species are present in disturbance areas at the time of clearing and grading. Other candidate, sensitive, or special status species observed on the site or with potential to occur on the site are Covered Species under the MSHCP. As such, mandatory compliance with the federal Migratory Bird Treaty Act and payment of the MSHCP Mitigation Fee in accordance with Riverside County Ordinance No. 810.2 would

provide complete mitigation for any impacts to nesting birds and MSHCP Covered Species. Also, because the project site lies within Riverside County's Stephens' kangaroo rat (SKR) Habitat Conservation Plan and SKR Fee Assessment Area, the project applicant is required to pay fees in accordance with County Ordinance No. 633, which would reduce any impacts to the SKR to below a level of significance.

Project implementation would result in impacts to 15.94 acres of state-regulated streambeds, including 3.88 acres of state wetlands. In addition, the project would impact 8.16 acres of federally-regulated waters, including 0.36 acres of federal wetlands.

Project implementation would conflict with the MSHCP conservation requirements, including: (a) direct, indirect impacts to riparian/riverine habitats (1.4 acres of mulefat scrub, of which 0.05 acres would be temporarily impacted; 1.96 acres of arroyo willow/mulefat scrub, of which 0.74 acres would be temporarily impacted; and 2.6 acres of eucalyptus woodland with arroyo woodland understory); and (b) impacts to burrowing owl, a species with MSHCP conservation criteria. Implementation of the Project could also result in direct and indirect impacts to the MSHCP area due to the juxtaposition of the developed portion of the project site and the conservation area.

Project implementation would result in significant impacts to 30 oak trees regulated by Riverside County's Oak Tree Management Guidelines.

The project would not significantly impact the movement of any native resident or migratory fish or wildlife species.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measures, which are hereby

adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Prior to the issuance of clearing or grading permits, the project applicant shall pay Local Development Mitigation Fees (per County Ordinance No. 810.2) for implementation of the MSHCP.

b. Prior to the issuance of a grading permit, the applicant shall obtain certification under Section 401 of the Clean Water Act from the Regional Water Quality Control Board (RWQCB). The RWQCB requires restrictions to control urban runoff from the site, requires on-site treatment of runoff to improve water quality, and imposes Best Management Practices (BMPs) on the construction.

c. Prior to the issuance of a grading permit, the applicant shall obtain a permit under Section 404 of the Clean Water Act from the U.S. Army Corps of Engineers (ACOE). The ACOE has a no net loss policy which requires that any unavoidable impacts to wetland values and functions be replaced. Replacement of ACOE jurisdictional waters and wetlands is required to occur at a ratio no less than 1:1. Mitigation for permanent impacts to wetlands is expected to occur at a ratio of 3:1 and mitigation for permanent impacts to that portion of federal waters that are not wetlands is expected to occur at a ratio of 1:1. Mitigation for temporary impacts is expected at a ratio of 1:0.5. (The mitigation acreage requirements for federal waters and wetlands, state waters and wetlands, and MSHCP riparian/riverine areas are not intended to be added together, rather the largest acreage will be used and will encompass mitigation for all of the separate jurisdictions.)

d. Prior to the issuance of a grading permit, the applicant shall consult with the California Department of Fish and Game to obtain any required streambed alteration agreement pursuant to CDFG Code Section 1600. Replacement of CDFG jurisdictional streambed and associated riparian habitat is required to occur at a ratio no less than 1:1. Mitigation for permanent impacts to wetlands is expected to occur at a ratio of 3:1 and mitigation for permanent impacts to that portion of state waters that are not wetlands is expected to occur at a ratio of 1:1. Mitigation for temporary impacts is expected at a ratio of 1:0.5. (The mitigation acreage requirements for federal waters and wetlands, state waters and wetlands, and MSHCP riparian/riverine areas are not intended to be added together, rather the largest acreage will be used and will encompass mitigation for all of the separate jurisdictions.)

e. Pursuant to Condition No. 5b of the Federal Fish and Wildlife Permit TE-088609-0 issued in conjunction with the Western Riverside County MSHCP, no grading permit may be issued between March 1 and August 15 of any given year unless the applicant for said grading permit provides written documentation to the County Biologist indicating that a focused survey of the project site has been conducted by a permitted biologist and confirms that habitat occupied by the coastal California gnatcatcher does not exist on said site.

f. Prior to the issuance of grading permits, the project applicant shall pay fees in accordance with Riverside County Ordinance No. 633 (Stephens' Kangaroo Rat Fee Assessment Area) for implementation of the Stephens' Kangaroo Rat Habitat Conservation Plan as

approved by the US Fish and Wildlife Service and the California Department of Fish and Game.

g. The project shall comply with permitting and other regulations of the U.S. Army Corps of Engineers, California Department of Fish and Game and the Regional Water Quality Control Board relative to water quality to prevent the release of toxins, chemicals, petroleum products, exotic plant material or other elements into the MSHCP Conservation Area that have the potential to harm biological resources during construction.

h. The project shall comply with all applicable standards, regulations and guidelines of the EPA, State, County and local agencies related to the storage, use, and disposal of hazardous waste such that no toxics impacts would occur to the MSHCP Conservation Area.

i. Prior to the issuance of a grading permit, a Mitigation Monitoring Plan (MMP) shall be submitted to the United States Fish and Wildlife Service and California Department of Fish and Game for review and comment and to the Environmental Programs Department of Riverside County for review and approval. The MMP shall be prepared by a biologist who holds an MOU with Riverside County, and shall propose mitigation measures consistent with the findings of the document entitled "Determination of Biologically Equivalent or Superior Preservation (DBESP), Serrano Specific Plan, HANS #441" dated July 2005. Mitigation for permanent impacts to riparian habitat is expected at a ratio of 2:1, while mitigation for permanent impacts to riverine (upland, non-native or unvegetated) areas are expected at a ratio of 1:1. Mitigation for temporary impacts is expected at a ratio of 1:0.5. (The mitigation

acreage requirements for federal waters and wetlands, state waters and wetlands, and MSHCP riparian/riverine areas are not intended to be added together, rather the largest acreage will be used and will encompass mitigation for all of the separate jurisdictions.)

j. Prior to the issuance of building permits or as required by USFWS and CDFG, enhancements shall be provided to replace the lost functions and values of 1.4 acres of mulefat scrub and 1.96 acres of arroyo willow. The below measures are subject to modification by the project's Mitigation Monitoring Plan (MMP) that will be prepared and submitted to the United States Fish and Wildlife Service for review and comment and to the Environmental Programs Department of Riverside County for review and approval.

i. To the extent feasible as determined by the project biologist, mulefat scrub habitat shall be conserved on-site at the west end of Mayhew Wash.

ii. Individual plant counts shall be taken of the arroyo willow (understory of the Eucalyptus woodland), arroyo willow/mulefat scrub and mulefat scrub habitats where impacted, and the plants shall be replaced at a 2:1 ratio within disturbed portions of Temescal Wash owned by the project applicant. No new drainage area will be created; rather, an existing portion of the Temescal Wash shall be enhanced.

iii. Plant installation is required to occur with the utmost care. The plants shall be installed within the Temescal Wash where water will be expected to flow periodically, preventing the need for watering and the potential for further

disturbance. Installation shall not occur during the migratory bird nesting season (February 1 through August 31). The project biologist will supervise the installation and establishment of the habitat before conveying that area to the RCA as part of the on-site MSHCP Conservation Area.

iv. No heavy machinery shall be brought off-road and into the Temescal Wash. All refuse or debris from the plant installation and installation crew or in the immediate area where planting is being conducted shall be immediately removed from the site. To prevent any unnecessary impacts to Temescal Wash, no ongoing maintenance including weeding or refuse pick-up is required.

v. The enhanced habitat shall provide biological, hydrological, and biogeochemical function equivalent or superior to that lost due to project impacts.

vi. The channelization of Coldwater Canyon Wash and Mayhew Wash on the project site will include approximately 7.27 acres of soft bottom (0.7 acres within the Mayhew Wash Channel and 6.57 acres in the Coldwater Canyon Wash Channel). Although these areas shall not be considered as revegetation area due to the potential for future flood control disturbance to vegetation, the channels may be used to offset the loss of those portions of the washes that are currently unvegetated or vegetated by non-native grasses and have water flow.

vii. The project applicant shall purchase 14 acres of credits in an approved off-site mitigation bank.

k. Pursuant to Objective 6 of the Species Account for the burrowing owl included in the Western Riverside County Multiple Species Habitat Conservation Plan, within 30 days prior to the issuance of a grading permit, a pre-construction presence/absence survey for the burrowing owl shall be conducted. The survey shall be conducted by a qualified biologist and the results of this presence/absence survey shall be provided in writing to the Environmental Programs Department (EPD) at Riverside County. If it is determined that the project site is occupied by burrowing owl, take of "active" nests shall be avoided pursuant to the MSHCP and the Migratory Bird Treaty Act. However, when the burrowing owl is present, relocation outside of the nesting season (March 1 through August 31) by a qualified biologist shall be required. The EPD shall be consulted to determine appropriate type of relocation (active or passive) and translocation sites.

l. To ensure that no active migratory bird nests are disturbed during clearing and grading, vegetative removal activities shall be scheduled outside of nesting seasons (February 1 through August 31). If vegetation is to be removed during the nesting migratory bird season, recognized from February 1 through August 31, a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation three days prior to vegetation removal. If active nests are identified during nesting bird surveys, then the nesting vegetation shall be avoided until the nesting event has completed and the juveniles can survive independently from the nest. The biologist shall flag the nesting vegetation and shall establish an adequate buffer (e.g. construction fencing) around the nesting

vegetation. The size of the buffer will be based on the type of bird nesting (i.e. raptors shall be afforded larger buffers). Clearing/grading shall not occur within the buffer until the nesting event has completed.

m. With the exception of the existing dirt access road that crosses the proposed MSHCP Conservation Area on the northeast side of the site, there shall be no physical disturbance to the on-site 48.77-acre MSHCP Conservation Area during construction. Prior to the issuance of grading permits, the on-site MSHCP Conservation Area shall be demarked by orange construction fencing and temporary signs shall be posted stating that construction activities are prohibited beyond the marked area. In addition, construction fencing shall be installed along the perimeter of the existing dirt access road to prevent construction vehicles from encroaching upon undisturbed portions of the on-site MSHCP Conservation Area. The location of the construction fencing shall be shown on grading plans and installed prior to grading.

n. Prior to the issuance of a grading permit, a Construction Runoff Management Plan shall be developed that addresses management of erosion and minimization of transport of eroded material into the stream system. Best management practices shall be installed and maintained by the construction supervisor to prevent the degradation of receiving waters downstream.

o. Night lighting shall not be permitted during construction, unless necessary for safety and security. If lighting is necessary during construction, all artificial light sources shall be shielded and directed away from the MSHCP Conservation Area.

p. Street lights, parking lot lighting and other artificial illumination sources shall be positioned, directed, and shielded where necessary to avoid light spill-over in to the MHSCP Conservation Area. Artificial light sources shall be restricted to the minimum necessary for safety and security purposes in Specific Plan Planning Areas 5, 6, 7, and 9, in areas adjacent to the MSHCP Conservation Area.

q. All manufactured slopes that abut the MSHCP Conservation Area shall be planted with Riversidean sage scrub species. The plant mix shall be shown on the project's construction landscaping plans.

r. Invasive plant species listed in Section 6.1.4 of the MSHCP and in the "California Exotic Pest Plant Council, List of Most Invasive Wildland Pest Plants" shall be prohibited in the project area. The project's CC&Rs shall specifically prohibit the planting of these species by future owners and occupants of the project.

s. All grading and construction shall adhere to the Standard Best Management Practices outlined in Appendix C of the MSHCP.

t. The project's CC&Rs shall include a provision that the permanent fence constructed between the project's development areas and the MSHCP Conservation Area shall be properly maintained at all times to discourage human access between the development area and the Conservation Area.

u. The project's CC&Rs shall include limitations on the use of landscape fertilization overspray and runoff to avoid toxin impacts to the MSHCP Criteria Area.

v. Land uses located adjacent to the MSHCP Conservation Area that use chemicals or generate bioproducts that are potentially toxic or adversely affect wildlife species, habitat or water quality shall

incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP Conservation Area.

w. Based on USFWS protocol for fairy shrimp surveys, either two (2) full wet season surveys or one (1) full wet season and one (1) full dry season survey are required to be completed prior to the issuance of a grading permit for any on-site or off-site grading or clearing activities. An additional wet season survey is required prior to the issuance of grading permits. In the event that listed species of fairy shrimp are found to occupy a portion of the project's impact footprint, the following mitigation measures shall apply:

i. The occupied seasonal pool(s) shall be avoided unless or until permits are issued by the ACOE and the USFWS allowing take of the species on the project site.

ii. If take of listed species of fairy shrimp occurs within the project's impact footprint, as part of the permit for take, a written mitigation plan shall be submitted to the USFWS and the ACOE allowing for relocation of the vernal pools within the avoided areas of the project site or within a suitable alternate, off-site property.

iii. Impacts for take of vernal species shall be mitigated via the purchase of credits within an approved mitigation bank.

x. To ensure that no least Bell's vireo individuals or active nests are disturbed during clearing or grading, the project shall observe the following prior to the issuance of a grading and/or clearing permit:

i. Project construction shall avoid the removal of least Bell's vireo habitat during the least Bell's vireo nesting season (March 15 – September 15) unless or until a qualified

biologist has surveyed the area and determined that least Bell's vireo is not utilizing the habitat. No grubbing, clearing, or grading permit may be issued until the County of Riverside Environmental Programs Department has received and reviewed the least Bell's vireo survey report.

ii. In the event that least Bell's vireo is found to be occupying habitat within the project's impact footprint after the least Bell's vireo survey but before the habitat is removed, construction shall halt in the immediate area and for a radius of 500 feet around the occupied habitat. Ground-disturbing construction activities shall not be permitted to proceed in the area of occupied habitat or its 500-foot buffer until a qualified biologist has determined that the habitat is no longer occupied, nests have fledged their young, or nests are otherwise inactive.

Mitigation Measures from the Lee Lake Water District's (LLWD's) MND for Construction of the Wild Rose Reservoir II Project:

y. A protocol-level focused survey for coastal California gnatcatcher will be conducted prior to construction to determine the presence/absence of this species. If the gnatcatcher is detected in the project direct and/or indirect impact area, LLWD will implement mitigation measures to reduce the impact to a level considered less than significant, including avoiding construction during the breeding season (February 15 through August 31) or having a qualified gnatcatcher biologist onsite to monitor construction to ensure that habitat and birds are not disturbed. In addition LLWD would coordinate with the USFWS to determine any necessary permit

requirements, including a federal Section 10(a) permit (MND Mitigation Measure No. BIO-1).

z. If construction activity is to take place during the nesting bird breeding season (i.e., January through October), a one-time biological survey for nesting bird species would be conducted with the proposed impact area no earlier than 72 hours prior to construction. This survey is necessary to assure avoidance of impacts to nesting active birds (per the federal Migratory Bird Treaty Act). If nesting birds are detected within vegetation that is to be impacted, the nest location(s) will be protected. A buffer of 25 to 300 feet (specific width to be determined by the project biologists according to species of bird) around the nest will be avoided until fledging of offspring (MND Mitigation Measure No. BIO-2).

aa. If construction is to occur during the raptor breeding season, prior to construction and during the breeding season for most raptors, including Cooper's hawk (March – August) and white-tailed kite (February – October), a focused survey for nesting raptors will be conducted to assess the presence/absence of sensitive nesting raptors adjacent to the project study area. If any active raptor nests are detected, the area will be flagged, along with a 300-foot buffer, and will be avoided until the nesting cycle is completed, or it has been determined that the nest has failed (MND Mitigation Measure No. BIO-3).

Mitigation Measure for Impacts to Oak Trees:

bb. The project shall comply with the County's Oak Tree Management Guidelines. All qualifying oaks permanently impacted shall be mitigated through replacement with saplings of coast live oak or

other local native oak trees at a ratio of 3:1 for naturally occurring oaks and 2:1 for planted oaks. Oaks indirectly impacted shall be replaced with saplings at a ratio of 1:1. Prior to the issuance of a grading permit, an Oak Tree Management Plan shall be prepared for approval by the Riverside County EPD, establishing planting details and success criteria for all replacement oak trees.

J. Circulation and Traffic – Cumulative and Direct Impacts

1. Impacts.

Implementation of the project would result in significant direct and cumulative impacts to local intersections and roadway segments.

For 2010 traffic conditions, the project would result in a significant direct and cumulative impact to the following intersections:

- I-15 NB Ramps (NS) at:
  - Old Temescal Canyon Road (EW)
- Old Temescal Canyon Road (NS) at:
  - Lawson Drive (EW)

In addition, the project would contribute to the need for signalization at the following intersections, which is identified as a cumulatively significant impact of project development:

- Old Temescal Canyon Road (NS) at:
  - Lawson Drive (EW)
- Temescal Canyon Road (NS) at:
  - Indian Truck Trail (EW)
  - Old Temescal Canyon Road North (EW)
  - Old Temescal Canyon Road South (EW)
  - Street "A"/Street "B" (EW)
  - Street "B"/Street "C" (EW)
  - Street "C"/Street "D" (EW)

Finally, implementation of the project would result in a significant cumulative impact to the following two roadway segments under 2010 traffic conditions:

- Old Temescal Canyon Road North
  - south of Lawson Drive and north of Trilogy Parkway

For 2012 traffic conditions, implementation of the project would result in a significant direct and cumulative impacts to the following intersections, in addition to those intersections previously identified as cumulatively impacted under 2010 traffic conditions:

- Temescal Canyon Road (NS) at:
  - Weirick Road (EW)

The project would not have a significant parking impact because as a standard condition of project approval, the County would require the provision of on-site parking for all proposed land uses in accordance with the parking requirements specified in County Ordinance No. 348.

The project would contribute traffic to segments of Interstate 15 that operate below acceptable levels of service under existing conditions. Long-term impacts to these segments would be alleviated when planned improvements are constructed by Caltrans and service levels improve.

The project site is not located in proximity to an airport or within an airport influence area or safety zone, and would not result in a change to air traffic patterns or result in any substantial air safety risks.

Project implementation would not alter waterborne, rail, or air traffic.

Project implementation would not substantially increase hazards to a design feature on any roadways within the area, nor would it introduce incompatible uses which would create traffic hazards.

Although project implementation would create the need for new and altered maintenance of roads, the project would result in a net financial benefit to the County and the maintenance of proposed facilities would result in less than significant impacts to the environment.

During construction of the project, roadway segments and intersections surrounding the site may be temporarily affected, resulting in a potentially significant short-term impact.

Adequate emergency vehicle access would be provided to the project site at all times. The project would not cause inadequate emergency access to nearby uses.

The project would not conflict with any adopted policies supporting alternative transportation.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Prior to final inspection of the first building permit in the Serrano Commerce Center Specific Plan, the project proponent shall construct a new two lane (one lane in each direction) extension of Temescal Canyon Road from Old Temescal Canyon Road North to Old Temescal Canyon Road South. Four lanes (two lanes in each direction) shall be constructed before the end of Phase I (refer to the Phasing Plan in Specific Plan No. 353). The project proponent shall grade the ultimate full right-of-way width (128') for this roadway and shall open to traffic the intersections of Temescal Canyon Road at Old Temescal Canyon Road North to Old Temescal Canyon Road South. Sufficient right-of-way shall be dedicated to Riverside County to accommodate a six-lane roadway (three lanes in each direction), subject to approval by the Riverside County Transportation Department. An appropriate taper on Temescal

Canyon Road north of Old Temescal Canyon Road North and south of Old Temescal Canyon Road South shall be provided, to join existing lanes. The precise timing of improvements to Temescal Canyon Road will be determined based on the findings of traffic studies prepared for implementing Plot Plans.

b. The project shall participate in the funding of off-site improvements through the payment of Transportation Uniform Mitigation Fees (TUMF) in accordance with Riverside County Ordinance No. 824. TUMF fees are paid by applicants based on the amount of building square footage constructed. The project's cost to construct any TUMF road improvements (including the realignment of Temescal Canyon Road) shall be credited against the required fees or as otherwise specified by a Project Development Agreement.

c. The project will be subject to the County of Riverside Traffic Signal Fee program in accordance with Riverside County Ordinance No. 748.1, which requires the payment of a fee to the County to reduce traffic congestion through signalization and which is administered on a per-acre basis for commercial and industrial development. (The project's cost to construct a signal at Temescal Canyon Road and Lawson Road outlined in Mitigation Measures b shall be credited against the required fees.)

d. At the intersection of Temescal Canyon Road (NS) at Lawson Road (EW), the project shall be responsible for the design and installation of a traffic signal, unless the signal is designed and installed by others. This signal is eligible for fee credit against the Riverside County Ordinance No. 748.1, the Traffic Signal Mitigation Program Ordinance. The signal shall be installed and operational prior to this

issuance of any building permit that would bring the total development to more than 1,999,400 square feet of building area in Phase I of the Serrano Commerce Center Specific Plan, or earlier if the need is indicated in traffic studies conducted for implementing Plot Plans, or as approved by the Riverside County Transportation Department.

e. The project shall be responsible for the design and installation of traffic signals at the following intersections, unless the signals are designed and installed by others. These signals are not eligible for fee credit against the Riverside County Ordinance No. 748.1, the Traffic Signal Mitigation Program Ordinance. The signals shall be installed and operational prior to this issuance of any building permit that would bring the total development to more than 1,999,400 square feet of building area in Phase I of the Serrano Commerce Center Specific Plan, or earlier if the need is indicated in traffic studies conducted for implementing Plot Plans, or as approved by the Riverside County Transportation Department.

- Temescal Canyon Road (NS) at Old Temescal Canyon Road North (EW);
- Temescal Canyon Road (NS) at Old Temescal Canyon Road South (EW);
- Temescal Canyon Road (NS) at Street A/Street B (EW);
- Temescal Canyon Road (NS) at Street B/Street C (EW); and
- Temescal Canyon Road (NS) at Street D/Street E (EW)

f. The project proponent or the applicant for implementing projects shall be responsible for making improvements at the following

intersections, to the extent that these intersections are not provided by others. While the intersection improvements are listed by Phase (see Phasing Plan in Specific Plan No. 353), and they may be made as the need arises, all improvements shall be designed and constructed to be consistent with the ultimate configuration of the intersection. Improvements for each phase shall be in place prior to the issuance of any building permit that would bring total development to more than 80% of the proposed maximum square footage of building area for that phase, as established by Specific Plan No. 353, or earlier if the need is indicated in traffic studies prepared for implementing projects, or as approved by the Riverside County Transportation Department.

i. At the intersection of I-15 Northbound ramps (N/S) and Old Temescal Canyon Road (E/W), in accordance with the geometric configurations specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I and III. Traffic signal modification will be needed at this intersection in Phase III to accommodate the needed intersection geometrics.

ii. At the intersection of Temescal Canyon Road (N/S) and Lawson Road (E/W) in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phase I.

iii. At the intersection of Temescal Canyon Road (N/S) and Old Temescal Canyon Loop Road North (E/W), in accordance with the geometric configuration specified in the project's

conditions of approval issued by the Riverside County Transportation Department for Phases I, II, IV, and V. Traffic signal modification will be needed at this intersection in Phases II, IV, and V to accommodate the needed intersection geometrics.

iv. At the intersection of Temescal Canyon Road (N/S) and Old Temescal Canyon Loop Road South (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I, II, III, IV, and V. Traffic signal modifications will be needed at this intersection in Phases II, III IV, and V to accommodate the needed intersection geometrics.

v. At the intersection of Temescal Canyon Road (N/S) and Street A/Street B (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I, II, III, IV, and V. Traffic signal modifications will be needed at this intersection in Phases II, III, IV, and V to accommodate the needed intersection geometrics.

vi. At the intersection of Temescal Canyon Road (N/S) and Street B/Street C (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I, III, IV, and V. Traffic signal modification will be needed at this intersection in Phases III,

IV, and V to accommodate the needed intersection geometrics.

vii. At the intersection of Temescal Canyon Road (N/S) and Street D/Street E (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I, II, III, IV, and V. Traffic signal modifications will be needed at this intersection in Phases II, III, IV, and V to accommodate the needed intersection geometrics.

viii. At the intersection of project South Access (N/S) and Old Temescal Canyon Road (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

ix. At the intersection of Temescal Canyon Road (N/S) and project North Central East Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I, II, III, and IV. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

x. At the intersection of Temescal Canyon Road (N/S) and project South West Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I, II, III, and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

xi. At the intersection of Temescal Canyon Road (N/S) and project South East Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases I, II, III, and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

xii. At the intersection of Temescal Canyon Road (N/S) and Weirick Road (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases II and V. Traffic signal modification will be necessary at this intersection in Phases II and V to accommodate the needed geometric configuration.

xiii. At the intersection of project North Access (N/S) and Old Temescal Canyon Road (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation

Department for Phases II and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

xiv. At the intersection of Temescal Canyon Road (N/S) and project North East Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases II, IV, and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

xv. At the intersection of Temescal Canyon Road (N/S) and project South Central East Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases II, III, and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

xvi. At the intersection of I-15 Southbound ramps (N/S) and Weirick Road (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phase III. Traffic signal modification will be necessary at this intersection in Phase III to accommodate the needed geometric configuration.

xvii. At the intersection of I-15 Southbound ramps (N/S) and Old Temescal Canyon Road (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases III and V. Traffic signal modification will be necessary at this intersection in Phases III and V to accommodate the needed geometric configuration.

xviii. At the intersection of Temescal Canyon Road (N/S) and project North Central West Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases III and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

xix. At the intersection of Temescal Canyon Road (N/S) and project North West Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phases IV and V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

xx. At the intersection of I-15 Northbound ramps (N/S) and Weirick Road (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation

Department in Phase V. Traffic signal modification will be necessary at this intersection in Phase V to accommodate the needed geometric configuration.

xxi. At the intersection of Temescal Canyon Road (N/S) and project South Central West Driveway (E/W), in accordance with the geometric configuration specified in the project's conditions of approval issued by the Riverside County Transportation Department for Phase V. A raised center median and appropriate on-site design will be required on Temescal Canyon Road to restrict this driveway to right turns in and out only.

g. Improvements required to achieve the minimum level of service as required by the Riverside County General Plan shall be constructed at each phase of project development. To ensure that adequate improvements are identified and constructed, the following monitoring requirements shall be implemented:

i. Traffic Impact Study Reports shall be required with submittal of each Plot Plan or Site Plan approvals as required by the County of Riverside. Each Traffic Impact Study shall be prepared in the format determined by the Riverside County Transportation Department. The required format shall include an evaluation of peak hour conditions at intersections significantly impacted by the phase of development being studied.

ii. If an impacted intersection is estimated to exceed County LOS standards, then appropriate link and intersection

improvements shall be required to be presented for County staff review and approval.

iii. The improvements necessary to maintain the County LOS standards will be required to be in place or bonded for as indicated in traffic studies prepared for implementing projects, or as approved by the Riverside County Transportation Department. Improvements can be implemented through construction or a new or established in lieu of fee program. Absent a district or fee program, the project is responsible for providing or bonding for the identified improvements.

iv. All improvements on or affecting Caltrans facilities shall conform to Caltrans design guidelines and shall be subject to Caltrans approval.

h. Prior to the commencement of construction for each phase of the project, a traffic management plan shall be developed by the construction supervisor to minimize traffic flow interference from construction activities. Construction traffic shall be scheduled to not interfere with peak hour traffic on adjacent roadways and to minimize obstruction of through traffic lanes. If necessary, a flag person shall be retained by the construction supervisor to control construction traffic into and out of the site, and to maintain safety on adjacent roadways during construction.

J. Geology and Slope Stability

1. Impacts.

A significant impact could occur from strong ground motions as a result of activity on known off-site earthquake faults within the project vicinity

which could result in property loss, injury, or death. Although current studies show on-site faults to be inactive, active faults have the potential to be unearthed during grading. If faults are discovered and determined to be active during project grading, a potentially significant impact could occur if buildings were not properly set back from the fault areas.

The potential for liquefaction hazards would pose a threat to proposed improvements within the alluvial portions of the project site and off-site impact area.

The principal geologic/seismic hazard that could affect the site is ground shaking resulting from an off-site seismic event. With the construction of structures in compliance with the Riverside County Building Code and the California Building Code, buildings would be designed to resist collapse as the result of seismic ground shaking.

Some of the project site's soils possess a relatively localized expansion potential, which could pose a risk to development. Furthermore, soils on the site have the potential to contain concentrations of soluble sulfates that can be corrosive to concrete and some metals. If high concentrations of soluble sulfates and other constituents are present and come in direct contact with building materials susceptible to corrosion, damage to the building materials may occur. In addition, wedge failures associated with heavily jointed bedrock areas may cause cut slopes proposed by the project to become unstable.

Risks presented by seiches, tsunamis, mudflow, and volcanoes are considered remote or non-existent; significant impacts would not occur.

Wedge failures in slopes proposed as part of future grading plans have the potential to be unstable and would require additional study and remedial grading to ensure slope stability.

As described above, wedge failures within heavily jointed bedrock areas of the site have the potential to affect the stability of cut slopes.

No subsurface sewer systems are present on the site that could be adversely impacted by project implementation.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Prior to the issuance of grading permits and in compliance with the requirements of County Ordinances, a detailed geotechnical report(s) shall be submitted to the Department of Building and Safety for review and approval prior to issuance of grading permits and detailed geologic/geotechnical reports shall be submitted to Riverside County's Chief Engineering Geologist for review and approval prior to the approval of any implementing project. The report(s) shall identify and address site-specific (a) underlying soil conditions (including corrosive and expansive soil conditions), (b) liquefaction potential, (c) seismic parameters and building requirements, and (d) slope stability and rockfall hazards. The measures recommended by the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist and other applicable jurisdictions and agencies. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the project's geotechnical reports.

b. Although the current level of study indicates that no active faults exist on-site, during project grading activities affecting the portions of the project site that contain faults as mapped by the USGS and Riverside County (and as depicted on Final EIR Figure 4.9-2), a qualified geologic monitor shall be present on site to perform confirmatory mapping of exposed conditions. As a portion of this mapping work, evaluation of any suspicious conditions suggesting the potential for faults shall be made. These findings shall be reported back to the Riverside County Geologist. In the event that the geologic monitor determines that any of the on-site faults are potentially active, then appropriate building setbacks shall be determined.

c. Prior to the issuance of grading permits for development (including the construction of flood control channels) within alluvial units, the County Geologist shall review and approve a site-specific liquefaction report containing specific recommendations of the project engineering geologist and geotechnical engineer. The approved recommendations shall be reflected on the grading plans and shall be implemented by the grading contractor(s) to the satisfaction of the County Geologist.

d. Slopes steeper than 2:1 or higher than ten feet shall be clearly indicated on all grading plans. Such slopes must be determined to be safe in a slope stability report prepared by the soils engineer or engineering geologist. The slope stability report shall also contain recommendations for landscaping and erosion control.

e. At the time mass grading plans are prepared, cut slopes in the Bedford Canyon Formation and Santiago Peak Volcanics shall be

analyzed from a global stability standpoint as well as for surficial stability by the project engineering geologist and geotechnical engineer. A wedge failure analysis shall be performed on these slopes using a methodology approved by Riverside County that determines planes of intersection and possible wedge failures. Mitigation methods for potential cut slope stability hazards shall be identified and implemented as part of grading activities, which may include stabilization fill prisms, rock bolting and rock mesh placement. Specific methods will be approved by the County Geologist, noted on grading plans, and verified in the field prior to the issuance of any building permit.

f. Any soil to be placed as fill, whether on-site or imported material, shall be tested and approved by the project engineering geologist and geotechnical engineer to evaluate acceptability for the placement of structural loads.

g. Where cut or filled slopes are created higher than 10 feet, detailed grading designs, landscaping plans, and irrigation plans shall be submitted to the County prior to approval of any grading plan. The plans shall be reviewed by the project engineering geologist, geotechnical engineer, and civil engineer.

h. Testing for soluble sulfates and corrosivity shall be performed after rough grading of the site but prior to construction of the proposed structures and utilities. All concrete in contact with the soil shall be designed based on the applicable requirements of the CBC/IBC. All metals in contact with corrosive soil shall be protected in accordance with the recommendations of the manufacturer or a corrosion engineer.

K. Global Climate Change

1. Impacts.

Implementation of the project would generate GHG emissions resulting from construction activities; natural gas, electricity, and water consumption; and vehicle use. However, because the project complies with all feasible and applicable strategies as identified by the CAT, the project is assumed to be consistent with the goals and objectives of the emissions reduction targets set forth in AB 32. In addition, 48.77 acres of land will be set aside for a Conservation Area, which would preserve and promote native vegetation, and would serve as an area that is likely to promote carbon sequestration by natural vegetation. Also, the project would be considered a "smart land use" that would reduce overall VMT and is assumed to be consistent with the goals and objectives of SB 375. Finally, most of the mitigation measures for project-related air quality impacts (see EIR Section 4.4.5) would result in concomitant reductions of GHG emissions. For these reasons, impacts are concluded to be less than significant.

2. Mitigation.

None required.

L. Hazardous Materials

1. Impacts.

There is a potential for soil contamination in association with the former soil reconditioning facility. In addition, several 55-gallon drums have been observed on the project site that could be hazardous. There also is the potential for uncovering toxic materials during project grading activities. Finally, there is a potential for asbestos and lead-based paint associated with the on-site mobile home residences. These potential sources of

hazardous materials are located in the extreme southwestern portion of the project site within proposed Planning Areas 8 and 10.

If businesses that use or store hazardous materials occupy buildings on the project site, the business owners and operators would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, use, emission, and disposal of hazardous substances; as such, impacts from the usage or storage of hazardous substances on site would be less than significant.

Project implementation would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and significant impacts would not occur.

There are no existing or planned school sites within ¼-mile of the project.

As of January 2009, the project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Stained soil located in the extreme southern portion of the project site shall be remediated prior to the initiation of ground-disturbing construction activities in Planning Area 10. Soil remediation shall occur in accordance with DTSC and County Department of Environmental Health regulations.

b. Prior to the issuance of grading permits within Planning Area 10 of the proposed Specific Plan, the 55-gallon drums located in the extreme southwestern portion of the project site shall be sampled for

profiling purposes. All 55-gallon drums located on site shall be properly removed and disposed in accordance with applicable County Waste Management requirements prior to the issuance of grading permits.

c. In the event that any subsurface hazardous materials are found during grading or construction, including soil and/or groundwater contamination, all activity in the area of discovery and/or in an appropriate radius of the area of discovery shall temporarily cease and the County of Riverside Environmental Health Department shall be notified. Prior to the resumption of any construction activity in the area of discovery, the site shall be deemed safe by the appropriate entity prior to the resumption of grading and/or constructions activities.

d. Prior to demolition activities within Planning Area 8, lead-based paint and asbestos surveys of the mobile home residences in the southern portion of the project site shall be performed. All asbestos-containing materials and lead-based paint shall be removed in accordance with all applicable local, state, and federal regulations. However, if the mobile home residences are to be removed by semi-trailer and not destructive methods are proposed, no survey is required.

e. All existing site improvements shall be disposed of off site, in accordance with current local, state, and federal disposal regulations. Any petroleum contaminated materials, lead-based paints or products, mercury, asbestos-containing materials and/or buried trash/debris encountered during removal and/or grading shall be

evaluated by an experienced environmental consultant prior to removal.

f. Users of hazardous materials such as paints, roofing materials and solvents during construction shall comply with applicable federal, state, and local regulation requiring elimination and reduction of waste at the source by prevention of leakage, by segregation of hazardous waste, and by process of materials change.

g. If soil is to be imported or exported to or from the site during grading or other construction activities, the transported soil shall be sampled for contaminates prior to use or disposal. Exported soil, if contaminated, shall be handled in accordance with prevailing environmental laws and regulations, including Land Disposal Restrictions, if applicable.

h. During project construction, all blasting activities involving explosives must be performed by a professional holding a California Blasting Contractor License and be permitted by the Riverside County Fire Department.

i. Prior to the approval of any implementing Plot Plan, the Riverside County Fire Department shall ensure that appropriate emergency ingress and egress would be available to and from each parcel and building in accordance with Riverside County requirements.

j. Per the requirements Riverside County Department of Environmental Health and the California Health and Safety Code (HSC), Chapter 6.95, Sections 25500 to 25532, a Hazardous Materials Business Emergency Plan must be prepared by any future business on the project site that handles a hazardous material or a mixture containing a hazardous material in quantities equal to or

greater than a weight of 500 pounds, total volume of 55 gallons, 200 cubic feet (at standard temperature and pressure) for compressed gas, or any radioactive material Extremely Hazardous Substance or Waste, any amount of a Regulated Substance, or any amount of an Acutely Hazardous Material.

M. Hydrology and Water Quality

1. Impacts.

With project adherence to the Specific Plan's drainage plan, as would be required as a standard condition of project approval, implementation of the project would not substantially alter the existing drainage pattern of the site in a manner which would result in substantial erosion or siltation on or off site.

With project adherence to the WQMP, as would be required as a standard condition of project approval, implementation of the project would not violate any water quality standards or waste discharge requirements. If constructed, the Stormwater Recharge and Storage Program (SWRSP) system would not violate any water quality standards or waste discharge requirements.

With project adherence to the WQMP, as would be required as a standard condition of project approval, implementation of the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. If constructed, the SWRSP would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

With incorporation of water quality basins and/or bio/geo swales into the project design, as required by the WQMP, runoff from the site would not

exceed runoff that occurs under existing conditions; therefore, implementation of the project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. In addition, with project adherence to the WQMP, as would be required as a standard condition of project approval, implementation of the project would not provide substantial additional sources of polluted runoff. If constructed, the SWRSP and the related use of bio/geo swales or mechanical BMP would not result in an increase of runoff compared to what occurs under existing conditions.

Planning Area 12 (Open Space-Conservation) is located within a FEMA-mapped, 100-year flood-hazard zone for the Temescal Wash; however, no homes or any other buildings would be situated within the flood zone. If any fill materials or obstructions are placed in the flood-hazard zone as the result of constructing drainage outfalls to the Temescal Wash, the project would be required to comply with all FEMA requirements.

As noted above, Planning Area 12 (Open Space - Conservation) is located within a FEMA-mapped, 100-year flood-hazard zone for the Temescal Wash; however, no structures would be situated within the flood zone such that flood waters would be impeded or redirected. If any fill materials or obstructions are placed in the flood-hazard zone as the result of constructing drainage outfalls to the Temescal Wash, the project would be required to comply with all FEMA requirements.

With project adherence to the WQMP, as would be required as a standard condition of project approval, implementation of the project would not substantially degrade or alter surface water or groundwater quality. If constructed, the SWRSP would not substantially degrade or alter surface water or groundwater quality.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Drainage and flood control facilities and improvements shall be provided in accordance with Riverside County Flood Control and Water Conservation District requirements.

b. Grading and construction shall conform to applicable requirements of the California Building Code (CBC).

c. Prior to the issuance of the first grading permit, the project proponent shall obtain approval of a site-specific WQMP by the Riverside County Building and Safety Department in accordance with the Santa Ana RWQCB Order No. R8-200-0011/NPDES Permit No. CAS 618033. The County is required to verify that the project's Final Map and engineering drawings indicate the size and location of the structural source control best management practices specified by the WQMP.

d. Prior to issuance of a grading permit, the project shall obtain coverage under the General Permit for Stormwater Discharges Associated with Construction Activities (Order No. 99-08-DWQ, NPDES Permit No. CAS 000002).

e. If any fill materials or obstructions are placed in the FEMA-mapped 100-year flood-hazard zone, the project shall comply with all FEMA requirements.

f. Prior to final design approval of the Coldwater Canyon Wash outlet into the Temescal Wash, detailed hydraulic and fluvial studies,

including a two-dimension hydraulic model studying the outlet's design geometry and angle of confluence, shall be prepared and submitted to the Riverside County Flood Control and Water Conservation District for review and approval. The studies shall demonstrate that the flowrate would not cause negative fluvial impacts to the Temescal Wash geomorphic characteristics and would not cause negative affects to the opposite (northerly) bank of Temescal Wash.

N. Mineral Resources

1. Impacts.

Impacts to mineral resources resulting from the site's designation for commercial retail and light industrial use by the Riverside County General Plan were adequately addressed in the Final Program EIR certified for the General Plan (dated October 7, 2003). Impacts would not occur beyond the level identified in the County's General Plan EIR.

The project site is not identified as locally-important mineral resource recovery site by the County General Plan or any other local land use plan. The clay resource extracted from a mine on a portion the site is of low quality and not in high demand in the local area or region.

Project implementation would not result in the introduction of a land use that is incompatible with any existing or future mining operations.

The project is required to comply with Reclamation Plan No. 135 (RCL00135), which would reclaim Ben's Mine in accordance with SMARA requirements to prevent any significant impact resulting from closure of the existing on-site mine. RCL00135 sets forth specifications to reduce potential impacts resulting from the closure of on-site mining activities to less than significant levels.

2. Mitigation.

None required. The project is required to comply with the site's approved Reclamation Plan No. 135 (RCL00135). RCL00135 requires that any stockpiled overburden be leveled and that no pits remain that might collect water. Mined slopes are required to be compacted and stabilized at gradients no steeper than 2:1 and then seeded for revegetation.

O. Noise

1. Impacts.

The addition of project-generated traffic to the local roadway segment would result in projected future noise increases of +3 dB or more on 10 roadway segments, compared to the without project condition. However, existing and proposed land uses adjacent to affected segments would not include any noise sensitive land uses; accordingly, impacts due to ambient noise level increases would be less than significant.

Absence of nearby residential and other noise sensitive land uses adjacent to the site, and required adherence to Riverside County Ordinance No.457.90, would result in a less than significant temporary noise impacts during construction activities.

Operation of the project would not expose any off-site sensitive receptors to noise levels in excess of established noise standards, including the Riverside County General Plan and Ordinance No. 847. On-site, there is a potential for interior noise levels of office and commercial retail uses with lines of sight to I-15 to be above the County's desired interior noise level of 50 dBA, which represents a potentially significant impact.

Implementation of the project would not generate long-term groundborne vibration or noise. Short-term construction activities would cause groundborne vibration, but due to the absence of nearby residential and

other noise sensitive land uses adjacent to the site, impacts would be less than significant.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Prior to the approval of a Plot Plan for any building accommodating commercial retail or office tenants with a clear line of site to Interstate 15, a building-specific acoustical analysis shall be prepared by a qualified acoustician and submitted to the Riverside County Department of Industrial Hygiene for review and approval. The analysis shall evaluate interior building noise levels and specify any structural enhancements required to maintain interior noise levels at or below 50 dBA (one-hour Leq).

P. Open Space, Parks, and Recreation

1. Impacts.

The project would not create a demand for new or expanded public recreational facilities. The project would provide outdoor employee break areas, sidewalks, dual-purpose sidewalks/bike paths, and community trails along project streets and adjacent to two proposed flood control channels. The construction and operation of these outdoor employee break areas and trail segments are integral parts of the project and would have less than significant adverse effects on the physical environment.

Project-generated demand on existing recreational resources would be very low. Any incidental use of existing recreational resources by the project's

employees and visitors would not accelerate or cause substantial physical deterioration of existing recreational facilities.

The project is not located within a C.S.A. or other recreation and park district; therefore, this is no potential for the project to cause adverse physical impacts within a C.S.A. or recreation and park district boundary.

2. Mitigation.

None required.

Q. Public Services

1. Impacts.

The project would be adequately served by Fire Station No. 64 and would not require the construction or alteration of a fire protection facility. With adherence to the project's Fire Protection Plan the project would be sufficiently protected from wildfire hazards. With mandatory compliance with Riverside County Ordinance Nos. 460, 787, and 659, and project-generated increases in the County's tax base that funds fire protection services, indirect impacts on fire protection services would be reduced to a level below significance.

Indirect population growth due to the project would not result in the need to construct a new sheriff's station or to expand an existing station. The incremental increase in demand of sheriff protection services resulting from project development would not result in an unanticipated or undue burden upon response times for emergency services because development of the project is proposed to occur in accordance with planned growth anticipated by the County's General Plan. With mandatory compliance with the Riverside County Development Impact Fee (DIF) Ordinance (Ordinance No. 659) and project-generated increases in the County's tax base that

funds sheriff services, indirect impacts on sheriff services would be reduced to a level below significant.

The project would create nominal demand on County public health services. With mandatory compliance with County Development Impact Fee (DIF) Ordinance (Ordinance No. 659) and the ongoing payment of County taxes that fund public health services, the project's incremental demand for health services would not contribute to the ultimate need for new or expanded facilities in the area.

2. Mitigation.

None required.

R. Soils and Erosion

1. Impacts.

A significant impact due to erosion would occur if the project were to fail to incorporate the requirements of the SWPPP during both the construction and post-construction phases of the project.

Portions of the site contain soils that have relatively high expansion potential in response to changes in moisture content, and this is regarded as a potentially significant impact.

During construction of the project, existing vegetative cover would be removed, soils would be exposed, and soil erosion would occur.

2. Mitigation.

The project has been modified to mitigate or avoid the potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Prior to the issuance of a grading permit within any planning area or grading phase of the Specific Plan, an overall Conceptual Grading

Plan for the planning area or grading phase in process shall be submitted for Planning Department approval. The Grading Plan shall be used as a guideline for subsequent detailed grading plans for individual stages of development within that planning area or grading phase, and shall include 1) techniques employed to prevent erosion and sedimentation during and after the grading process, 2) approximate time frames for grading, 3) identification of areas which may be graded during high probability rain months (January through March) and 4) preliminary pad and roadway elevations.

b. All grading procedures shall be in compliance with the Riverside County Grading Standards including requirements for erosion control during rainy months. The requirements for compliance with Riverside County Grading Standards shall be noted on all grading plans.

c. Prior to any grading activities, a soils report and geotechnical study shall be performed to further analyze on-site soil conditions and slope stability and shall include the appropriate measures to control erosion.

d. Where cut and fill slopes are created higher than three feet, detailed Landscaping and Irrigation Plans shall be submitted to the Planning Department prior to Grading Plan approval. The plans shall be reviewed for type and density of ground cover, shrubs, and trees to ensure that plant material will be effective as erosion control and that all slopes will be landscaped per County Ordinance No. 457.

e. Potential brow ditches, terrace drains, or other minor swales, determined necessary by the County of Riverside at future stages of

project review, shall be lined with natural erosion control materials or concrete.

f. Graded, but undeveloped, land shall be maintained weed-free and planted with interim landscaping within 90 days of completion of grading, unless building permits are obtained.

g. Planting of developed land shall comply with the National Pollutant Discharge Elimination System (NPDES) Best Management Practices Construction Handbook Section 6.2.

h. The locations of potentially compressible soils shall be identified on all grading plans. Where development is proposed in areas of compressible soils, deep foundation systems shall be used, or compressible soils shall be completely over-excavated and compacted.

S. Utilities and Service Systems

1. Impacts.

Impacts associated with the extension of water services into the project area are documented throughout this EIR, and, where appropriate, mitigation measures are provided to reduce impacts to a level below significance.

Upon completion of the water infrastructure improvements identified under Issue 1, LLWD will be able to supply adequate water to meet the project's projected water demand of 2.20 cfs under normal, dry, and multiple dry year scenarios for the next 20 years and into the future.

Project implementation would contribute to the need for expanded facilities at the Lee Lake Water District Reclamation Facility.

The project would generate construction and operational waste requiring disposal at a landfill. The contribution to daily or total landfill capacity

from the disposal of waste is considered a potentially significant cumulative impact.

Aside from impacts associated with the expansion of utility services into the project site (which are addressed throughout this EIR), project implementation is not anticipated to result in the need for new or expanded utility systems, the construction of which would result in impacts to the environment.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. Prior to final inspections, the project applicant or developer shall contribute a fair share contribution to upgrades at the LLWD Wastewater Treatment Facility on Temescal Canyon Road in Corona, net any current ownership of sewer and water rights by the project applicant or developer.

b. At least 50% of non-hazardous construction debris shall be recycled and/or salvaged and not diverted to landfills.

c. Recyclable material collection areas shall be provided on the project site and be available and operable prior to the occupancy of buildings. Prior to the approval of Plot Plans and prior to project construction, clearance from the Waste Management Department is required to verify compliance with AB 1327 in terms of installation of recycling access areas at these facilities.

d. Prior to the issuance of building permits, the Planning/Recycling Division of the Riverside County Waste Management Department

shall be advised by the project applicant of all efforts that will be pursued at the project site relating to recycling and waste reduction during construction.

e. Information regarding recycling and waste reduction (e.g., location, materials accepted, etc.) shall be provided to tenants of the project in all sales and leasing literature.

BE IT FURTHER RESOLVED by the Board of Supervisors that the following impacts potentially resulting from the project's approval cannot be fully mitigated and will be only partially avoided or lessened by the mitigation measures hereinafter specified; a statement of overriding findings is therefore included herein:

A. Air Quality (Short-Term Construction Emissions)

1. Impacts.

Construction activities would result in short-term direct and cumulative impacts to air quality associated with ROG, NO_x, CO, PM-10, and PM-2.5 emissions. Localized significance thresholds also would be exceeded for PM-10 and PM-2.5 during construction. Long-term direct and cumulatively significant operational impacts associated with ROG, NO_x, CO, PM-10, and PM-2.5 emissions would result from project implementation.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

Regulatory Requirements:

a. During grading and construction activities, the construction contractor(s) are required to comply with the requirements of SCAQMD Rule 403, Fugitive Dust.

b. Construction contractors shall adhere to the idling restrictions as set forth in California Air Resources Board (ARB) Section 2485, Airborne Toxic Control Measure to Limit Diesel Fueled Motor Vehicle Idling.

Project-Specific Mitigation Measures:

c. Locations where grading is scheduled to occur shall be thoroughly watered prior to earth moving. During grading operations, disturbed/loose soil shall be kept moist at all times. Water shall be applied at least once every three hours to areas under active grading and where construction vehicles are traveling on unpaved surfaces. Soil moisture shall be maintained at a level that will prevent dust from leaving the site to the maximum extent practicable.

d. All dirt, sand, soil, or other loose material stockpiled for two days or longer shall be stabilized by covering, wetting, or binding, or use of other non-toxic stabilizing methods.

e. Nontoxic soil stabilizers or comparable dust suppressant shall be applied to all inactive construction areas (previously graded areas inactive for five consecutive days or more).

f. The applicant shall cover construction access roads with gravel, rocks, or a similar material to at least 100 feet onto the site from paved public roads. Dirt shall be washed from vehicles or wheel washers shall be installed where vehicles exit unpaved roads onto paved public roads.

g. Paved public roads shall be swept or washed once per day when visible soil carried from the construction site is present.

h. Vehicle speeds on all unpaved portions of the construction site shall be restricted to 15 mph or less and enforced by radar. The developer

shall post appropriate signage on all unpaved roads used by construction vehicles indicating that traffic speeds shall be reduced to 15 mph or less.

i. Vehicles transporting soil, sand, construction debris, or other loose materials to or from the site shall be tarped with a fabric cover from point of origin and maintain a freeboard height of at least 12 inches.

j. Soil disturbing activities, including excavating and grading operations, shall be suspended when sustained wind speeds exceed 25 mph and make dust control difficult.

k. Upon the completion of each grading phase, vegetative ground cover or hydroseed shall be applied to all manufactured slopes. Building pads and other flat areas of the site that are not scheduled for paving, building construction, landscaping, or other improvement shall be treated with a soil stabilizer or other erosion control method.

l. Prior to any earth-moving activities, the contractor or builder shall designate a person or persons to monitor dust control, order increased watering, as necessary, to prevent transport of dust off site, and field dust complaints. The project applicant or project Construction Manager shall post a publicly visible sign with the telephone number and contact person regarding dust complaints. This person shall respond and take corrective action within 24 hours.

m. In accordance with SCAQMD Rules 431.1 and 431.2, ultra-low sulfur fuel diesel shall be used for stationary construction equipment.

n. Prior to the issuance of a grading permit, the developer or construction contractor(s) shall provide a written statement to the

County of Riverside that construction equipment is and will be properly maintained, including proper tuning and timing of engines. Construction equipment emissions shall be controlled through regularly scheduled engine maintenance and low-emissions tune-ups. Construction grading plans shall include a statement that all construction equipment shall be tuned and maintained in accordance with manufacturers' specifications.

o. Prior to issuance of a grading permit, the project applicant or project developer shall provide a written statement to the Riverside County Planning Department demonstrating that all off-road diesel trucks have had a low- NO_x tune-up in the past 90 days.

p. Prior to the approval of grading and construction plans, the County of Riverside shall ensure that all grading and construction plans include the following statements:

i. The construction equipment vehicle fleet shall comply with all California Air Resources Board requirements. During mass grading and fine site grading activity, use California Air Resources Board (ARB) Tier I, II, or III certified equipment or better.

ii. Electric or diesel powered construction equipment shall be used in lieu of gasoline powered engines if such technology is available to the contractor(s).

iii. The construction contractor(s) shall support and encourage ridesharing and transit incentives for the construction crew.

iv. Work crews shall shut off equipment when not in use, and limit engine idling times to comply with California Air Resources Board (ARB) requirements.

v. In-line power sources (electric sources) shall be used in lieu of diesel generators for rock crusher operations, if commercially available.

q. Prior to the issuance of a grading permit, a construction traffic control plan shall be prepared and submitted to Riverside County for approval. The plan shall describe the details of safe detours, routing of construction traffic away from congested streets, consolidated truck deliveries, and dedicated turn lanes for construction vehicles. Temporary traffic control (including a flag person(s) if necessary) shall be provided during construction activities to reduce traffic conflicts and unnecessary idling of vehicle engines.

r. Prior to the issuance of building permits, the Riverside County Planning Department shall verify that a note has been added to the plans limiting the application of architectural coatings (i.e., paint, etc.) to 100 gallons per day and requiring construction contractors to use low VOC paint products (i.e., no more than 100 grams per liter of VOC) and/or High Pressure Low Volume (HPLV) applications consistent with SCAQMD Rule 1113. Alternatively, the construction contractor(s) shall consider using materials that do not require painting or are pre-painted.

<u>Mitigation Measures for Dust Control from the Lee Lake Water District's MND for Construction of the Wild Rose Reservoir II Project:</u>

s. Prior to the approval of grading permits, construction dust abatement measures shall be approved by the Lee Lake Water District (LLWD). The dust abatement measures shall be made a condition of project approval and shall be monitored by a LLWD inspector through periodic inspection during construction. Dust

abatement should include, but not be limited to, the following measures:

i. Areas being actively disturbed by construction activity shall be watered as needed and directed by LLWD;

ii. Exposed stockpiles (i.e., sand, gravel, and dirt) with 5% or greater silt content shall be enclosed, covered, watered twice daily, or applied with non-toxic soil binders according to manufacturers specifications and as directed by a LLWD Inspector;

iii. Paved portions of roadways in the vicinity of active construction shall be swept at the end of each working day if visible soil material is carried onto the paved surface;

iv. Posted traffic speeds on all unpaved roads or easements shall be 15 mph or less; and

v. Sand fences and/or perimeter sandbags shall be installed around disturbance areas during the rainy season (October 15 – April 15) or at the direction of a LLWD Inspector (MND Mitigation Measure No. AQ-1).

t. All excavating operations shall be suspended when wind speeds exceed 25 mph. A LLWD Inspector shall be responsible for ascertaining and enforcing the suspension of excavation when daily wind speeds exceed 25 mph (MND Mitigation Measure No. AQ-2).

u. All trucks hauling dirt, sand, soils, or other loose materials are to be covered or shall maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114 (MND Mitigation Measure No. AQ-3).

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to mitigate construction-related impacts to air quality to below levels of significance. Even with implementation of all feasible mitigation measures, the project would result in a cumulatively considerable net increase in emissions of PM-10 and PM-2.5 during construction, which cannot be fully mitigated. Thus, cumulative short-term impacts related to emissions of PM-10 and PM 2.5 would be considered a significant and unmitigable impact of the project.

The significant and unavoidable construction-related air quality impacts may be further reduced under the No Project Alternative, Biologically Superior Alternative, Distribution Warehouse Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development discussed in the Final EIR. The EIR identifies no other mitigation measures or alternatives that would reduce these impacts to a level of less than significant. The County finds that specific economic, legal, social, technological, or other considerations make infeasible the No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and Reduced Project Alternative – Continuation of Clay Mining and Development, even though implementation of any of these alternatives would reduce these near-term impacts, as described more fully in the EIR and these Findings. In that regard:

(a) The No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development will not allow the County to fully achieve the goals and objectives of the project as stated on pages 3-1 and 3-2 of the Draft EIR.

(b) The No Project Alternative would not be consistent with the Riverside County General Plan and Temescal Canyon Area Plan because it would fail to implement the land use designations applied to the site, would fail to realign Temescal Canyon Road through the site as required by the General Plan Circulation Element, and would fail to accommodate on-site trails as required by the Temescal Canyon Area Plan. Further, lack of development on the site would not increase the number of employment opportunities in the area, and would thereby not assist the County, which generally suffers from a lack of employment opportunities, in improving the existing jobs-housing ratio.

(c) Implementation of the No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development would not achieve an efficient use of the property, would create significantly fewer jobs, would not fully implement the County's General Plan land use designations for the property, and, with exception of the No Project Alternative, would not avoid the project's significant and unavoidable construction-related air quality impacts.

(d) Near-term construction related air quality impacts are determined to be acceptable due to the overriding social, economic, environmental, or other benefits of the project, as more fully described in the Statement of Overriding Considerations set forth below.

A. Air Quality (Long-Term Operational Emissions)

1. Impacts.

The project would emit PM-10, PM-2.5, and ozone-forming emissions (ROG, NO_x, and CO). When considered in conjunction with emissions from other projects in the South Coast Air Basin, these emissions would be

regarded as cumulatively significant because the Basin fails to meet the national air quality standards for PM-10, PM-2.5, and ozone.

2. Mitigation.

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

Regulatory Requirements:

a. Prior to the issuance of building permits, the Riverside County Planning Department shall review building plans to ensure that structures are constructed in compliance with California Energy Commission Title 24, Energy Efficiency Standards for Residential and Non-Residential Construction.

b. Tenants of the project that qualify as a Major or Non-Major Polluting Facilities per the SCAQMD, shall implement Best Available Control Technologies as required by SCAQMD Rules and Regulations.

c. Prior to final building inspections for tenants of the project that employ more than 250 persons, the Riverside County Planning Department shall verify that tenants comply with SCAQMD Rule 2202. This Rule requires the employer to annually register with the SCAQMD and prepare and implement an emission reduction program.

d. Tenants of the project that use solvents in industrial, commercial and general purpose cleaning and degreasing activities shall comply with SCAQMD Rules 1171 and 1122.

e. Prior to final building inspections for a specific building or use by the County of Riverside, the County shall verify that any required AQMD permits for the building or use have been received. AQMD permits are

required for uses that build, install, alter, replace or operate equipment that emits or controls the emission of air contaminants of NO_x, CO, PM-10 or SOx, unless exempted from the permit requirement by SCAQMD Rule 219 (Equipment Not Requiring a Written Permit).

f. Tenants of the project shall be required to comply with all other applicable SCAQMD Rules and Regulations.

Project-Specific Mitigation Measures:

g. Tenants receiving shipping container refrigerator units (RUs) shall provide electrical hookups at all loading dock door positions as part of the tenant improvement project for the building. The use of truck engineers or auxiliary generators to power refrigerated shipping containers for more than five (5) minutes is not permitted. Installation of electrical hook-ups shall be verified by Riverside County as part of final building inspections.

h. Sign(s) stating that "Extended idling of truck engines is not permitted" shall be located at the entrance to facilities and at truck parking areas. The sign(s) shall not be less than twenty four inches square and shall provide directions to truck parking spaces with electrical hookups.

i. Loading docks that accommodate shipping container refrigeration units (RUs) shall not be located within 300 meters of any sensitive receptor (residential home, school, day-care center, outdoor park or public playground, hospital or health facility). Prior to approval of Plot Plans, Site Plans and/or building permits, the County of Riverside Planning Department shall review proposed on-site building configurations and ensure that loading bays that accommodate RUs are sited at least 300 meters from the nearest sensitive receptor.

j. Prior to the issuance of use or occupancy permits, a truck routing plan shall be prepared for the project that directs truck traffic directly to I-15. Signs shall be posted at the project's primary exit points directing traffic to I-15. The locations of such signs shall be indicated on construction drawings.

k. Prior to the approval of Site Plans and/or Plot Plans, the County Planning Department shall ensure that on-site truck stacking distances, truck check-in points, truck parking areas, and driveways are placed and designed to prevent queuing of trucks and unnecessary vehicle idling outside of the Serrano Specific Plan boundary.

l. Prior to the approval of any implementing permit, Site Plan, Plot Plan, or other discretionary approval within the Serrano Specific Plan area, the application for the proposed action shall be subject to review and approval by the County of Riverside for compliance with the approved Specific Plan to ensure that site design elements promote walking internal to the Serrano Specific Plan area to reduce reliance on the automobile in accordance with the Specific Plan's Non-Vehicular Circulation Plan.

m. Prior to final building inspection for any building, the Riverside County Planning Department shall verify that an easily accessible area that serves the entire building is dedicated to the collection and storage of non-hazardous materials for recycling.

Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to mitigate operational-related impacts to air quality to below levels of significance. In the long-term, operational impacts cannot be maintained at less than significant levels for emissions of ROG, NO_x, CO, PM-10, and PM-2.5, either directly

or cumulatively, with incorporation of the mitigation measures identified above (see Appendix B1). In addition, during the worst case scenario of combined project construction and operation, emissions cannot be maintained at less than significant levels for emissions of ROG, NO_x, CO, PM-10, and PM-2.5, either directly or cumulatively. Accordingly, short-term and long-term impacts to air quality associated with ROG, NO_x, CO, PM-10, and PM-2.5 emissions would be a significant and unavoidable direct and cumulative impact of the project.

The significant and unavoidable operational-related air quality impacts may be further reduced under the No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development discussed in the Final EIR. The Distribution Warehouse Alternative would reduce traffic emissions but increase diesel emissions. The EIR identifies no other mitigation measures or alternatives that would reduce these impacts to a level of less than significant. The County finds that specific economic, legal, social, technological, or other considerations make infeasible the No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and Reduced Project Alternative – Continuation of Clay Mining and Development, even though implementation of any of these alternatives would reduce these near-term impacts, as described more fully in the EIR and these Findings. In that regard:

(a) The No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development will not allow the County to fully achieve the goals and objectives of the project as stated on pages 3-1 and 3-2 of the Draft EIR.

(b) The No Project Alternative would not be consistent with the Riverside County General Plan and Temescal Canyon Area Plan because it would fail to implement the land use designations applied to the site, would fail to realign Temescal Canyon Road through the site as required by the General Plan Circulation Element, and would fail to accommodate on-site trails as required by the Temescal Canyon Area Plan. Further, lack of development on the site would not increase the number of employment opportunities in the area, and would thereby not assist the County, which generally suffers from a lack of employment opportunities, in improving the existing jobs-housing ratio.

(c) Implementation of the No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development would not achieve an efficient use of the property, would create significantly fewer jobs, would not fully implement the County's General Plan land use designations for the property, and, with exception of the No Project Alternative, would not avoid the project's significant and unavoidable construction-related air quality impacts.

(d) Although the project would generate significant and unmitigable emissions in the long-term, from a regional perspective, the project is likely to result in a positive air quality contribution. Riverside County suffers from a jobs-to-housing imbalance, with many County residents choosing to work outside of the unincorporated areas of the County. The light industrial and commercial retail land uses proposed by the project would create approximately 7,816 new jobs, almost six-percent of the employment growth forecasted within unincorporated Riverside County between 2005 and 2020. By providing jobs closer to existing and

proposed residential areas in the unincorporated County, the project would intercept a substantial fraction of commuter trips on I-15 that may be headed to Corona or to Orange and Los Angeles Counties. By reducing commute times, the project would help reduce regional mobile source emissions, including ROG, NOx, CO, PM-10, and PM-2.5 emissions. Although the reduction in regional mobile source emissions due to implementation of the project cannot be quantified and long-term project-related direct and cumulative air quality impacts would remain significant and unmitigable, it is important to note the inherent regional air quality benefits associated with development (like the project) that positively contribute to balance the jobs-to-housing ratio in the unincorporated areas of the County.

(e) Near-term construction related air quality impacts are determined to be acceptable due to the overriding social, economic, environmental, or other benefits of the project, as more fully described in the Statement of Overriding Considerations set forth below.

C. Circulation and Traffic – Cumulative and Direct Impacts

1. Impact:

For all studied traffic conditions, the project would result in a significant cumulative impact to the following intersections:

- I-15 SB Ramps (NS) at:
  - Indian Truck Trail (EW)
- I-15 NB Ramps (NS) at:
  - Indian Truck Trail (EW)
- Temescal Canyon Road (NS) at:
  - Indian Truck Trail

In addition, the project would contribute to the need for signalization at the following intersections, which is identified as a cumulatively significant impact of project development:

- I-15 NB Ramps (NS) at:
  - Indian Truck Trail (EW)
- I-15 SB Ramps (NS) at:
  - Indian Truck Trail (EW)

The project also would contribute traffic to segments of Interstate 15 that operate below acceptable levels of service under existing conditions. Impacts would be cumulative and temporary in nature and would be alleviated when planned improvements are constructed by Caltrans and service levels improve. Nonetheless, impacts would be significant in the near-term (i.e., following implementation of Phase I of the project).

2. Mitigation:

The project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation, Monitoring, and Reporting Program.

a. The project shall participate in the funding of off-site improvements through the payment of Transportation Uniform Mitigation Fees (TUMF) in accordance with Riverside County Ordinance No. 824. TUMF fees are paid by applicants based on the amount of building square footage constructed. The project's cost to construct any TUMF road improvements (including the realignment of Temescal Canyon Road) shall be credited against the required fees or as otherwise specified by a Project Development Agreement.

b. The project will be subject to the County of Riverside Traffic Signal Fee program in accordance with Riverside County Ordinance No. 748.1, which requires the payment of a fee to the County to reduce traffic congestion through signalization and which is administered on a per-acre basis for commercial and industrial development. (The project's cost to construct a signal at Temescal Canyon Road and Lawson Road outlined below in Mitigation Measures b shall be credited against the required fees.)

Notwithstanding the foregoing, the implementation of the mitigation measures described above may not be sufficient to completely mitigate impacts. Improvements that are needed at the following three intersections during Phase I of the project may not be constructed until after the first phase of project development and the development of other projects in the area generates a level of traffic that triggers the need for these improvements to maintain acceptable levels of service.

- I-15 Freeway Southbound Ramps (NS) at:
  - Indian Truck Trail (EW)
- I-15 Freeway Northbound Ramps (NS) at:
  - Indian Truck Trail (EW)
- Temescal Canyon Road (NS) at:
  - Indian Truck Trail

The significant and unavoidable cumulative traffic impacts may be further reduced under the No Project Alternative, Biologically Superior Alternative, Distribution Warehouse Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development discussed in the Final EIR. The EIR identifies no other mitigation measures or alternatives that would reduce these impacts to a level of less than significant. The County finds that specific economic,

legal, social, technological, or other considerations make infeasible the No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and Reduced Project Alternative – Continuation of Clay Mining and Development, even though implementation of any of these alternatives would reduce these near-term impacts, as described more fully in the EIR and these Findings. In that regard:

(a) Improvements at the I-15 ramps at Indian Truck Trail require the action of Caltrans and are not within the jurisdiction of the Lead Agency for this EIR (Riverside County). Riverside County therefore cannot assure that the improvements needed at the I-15 northbound and southbound ramps at Indian Truck Trail and at the intersection of Temescal Canyon Road and Indian Truck Trail (which are programmed to occur in association with I-15 ramp improvements) will be implemented prior to these intersections reaching unacceptable levels of service. In light of this, the project's cumulative impacts at these three intersections during Phase I are significant and unavoidable. There are no feasible mitigation measures that could be applied to the project that would reduce this cumulative impact to a level below significance.

(b) Beyond the project's first phase of development and in association with development of Phases II through IV, traffic generated by the project and other development projects in the area will continue to add traffic to the I-15 ramps at Indian Truck Trail. The County of Riverside Transportation Department reviewed several alternative intersection geometric configurations that would improve these ramps to function at acceptable levels of service and determined that the improvements needed to achieve satisfactory levels of service cannot be successfully implemented due to the excessive cost of widening and/or modifying the interchange

underpass at I-15 and Indian Truck Trail in relation to the benefit that would be achieved. Furthermore, widening or modifying these intersections cannot be successfully implemented in a reasonable period of time due to the time required to coordinate such a major project with other transportation agencies. The unacceptable levels of service at these ramps are the result of cumulative development in the surrounding area, including development of the Serrano Commerce Center Project. The project's cumulative long-term impacts at these two intersections are therefore significant and unavoidable, and there are no feasible mitigation measures that would reduce this cumulative impact to a level below significance.

(c) Additionally, improvements to mainline segments of I-15 are under the jurisdiction of Caltrans and beyond the control of the Lead Agency for this EIR (Riverside County). The project's incremental contribution of traffic to I-15 mainline segments is considered a significant and unavoidable cumulative impact in the short-term, until freeway segment improvements are made by Caltrans. A Statement of Overriding Considerations would be necessary for this short-term impact.

(d) The significant and unavoidable cumulative impacts to study area intersections and freeway segments may be further reduced under all alternatives described in the EIR: the No Project Alternative, Biologically Superior Alternative, Distribution Warehousing Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development. The County finds that specific economic, legal, social, technological, or other considerations make infeasible the No Project/No Development Alternative, No Project/Implementation of PM No. 35350 Alternative, Reduced Project Alternative, and Modified Southern

Perimeter Design Alternative described more fully in the SEIR and these Findings.

(i) The No Project Alternative would not be consistent with the Riverside County General Plan and Temescal Canyon Area Plan because it would fail to implement the land use designations applied to the site, would fail to realign Temescal Canyon Road through the site as required by the General Plan Circulation Element, and would fail to accommodate on-site trails as required by the Temescal Canyon Area Plan. Further, lack of development on the site would not increase the number of employment opportunities in the area, and would thereby not assist the County, which generally suffers from a lack of employment opportunities, in improving the existing jobs-housing ratio.

(ii) Implementation of the No Project Alternative, Biologically Superior Alternative, Reduced Project Alternative, and the Reduced Project Alternative – Continuation of Clay Mining and Development would not achieve an efficient use of the property, would create significantly fewer jobs, would not fully implement the County's General Plan land use designations for the property, and, with exception of the No Project Alternative, would not avoid the Project's significant and unavoidable construction-related air quality impacts.

(e) The EIR identifies no other mitigation measures or alternatives that would reduce these cumulative impacts. Until the I-15 improvements planned by Caltrans are physically constructed, impacts to freeway mainline segments remain significant and unmitigable under any alternative except for the No Project/No Development Alternative. In

addition, near-term impacts to study area intersections would remain impacted until TUMF or other County funding sources identify funding for the necessary improvements.

(f) Near-term and cumulative impacts to study area intersections and cumulative impact to freeway segments are further determined to be acceptable due to the overriding social, economic, environmental, or other benefits of the project, as more fully set forth in the Statement of Overriding Considerations set forth below.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has considered the following alternatives identified in the EIR No. 492 in light of the environmental impacts which cannot be fully mitigated, avoided or substantially lessened and has rejected those alternatives as infeasible for the reasons hereinafter stated:

A. No Project Alternative

1. Under Section 15126.6(e)(2) of the CEQA Guidelines, the "No Project" alternative should consider what would be reasonably expected to occur in the foreseeable future if the project were not approved, based upon the site's existing zoning, General Plan designation, and ability to be served with available community services. The No Project Alternative assumes that no development would occur on the site, and mining operations would continue. It is reasonably expected that mining activities would continue to occur on the site if the project was not approved. If mining operations were to continue on the site, it is possible that mining operations would expand substantially beyond the 67.0 acres of land currently utilized for mining. However, it is assumed that under the No Project Alternative, mining operations would continue on approximately 67.0 acres of the site, while the remaining 422.28 acres would be left in an undeveloped condition held in private ownership.

2. The No Development Alternative would fail to implement the Riverside County General Plan and Temescal Area Plan, which designate the project site for development for "Community Center (C-C)" and "Light Industrial (L-I)" land uses.

3. The No Project Alternative would not include the realignment of Temescal Canyon through the site or the construction of a regional trail segment, as planned for by the Circulation Element of the Riverside County General Plan and Temescal Canyon Area Plan.

4. The project site is not fenced, so the potential exists for the undeveloped portions of the project site to continue to be disturbed by unauthorized uses of the site, such as ATVs.

5. Uncontrolled erosion and sedimentation would continue as it occurs under existing conditions.

6. The project as proposed is estimated to provide approximately 7,816 jobs. Temporary construction jobs would also be created for the construction phase of the project. The No Project Alternative would fail to provide additional employment opportunities for nearby residents. The Riverside County General Plan Program SEIR No. 441 concluded that Riverside County is "rich in housing and poor in jobs." Furthermore, Riverside County General Plan Program SEIR No. 441 states, "this means that residents of Riverside County are traveling to surrounding counties to work, which, in turn equates to longer commute times, increased air quality impacts, and a lower quality of life." The No Project Alternative would do nothing to alleviate the jobs/housing balance in the County.

7. Because no discretionary action would be required, MSHCP fee payment per County Ordinance No. 810 would not be required.

8. The No Project Alternative would fail to meet all but one of the basic project objectives because it would not provide for a mixture of light industrial and commercial retail land uses; would not provide a mix of non-residential employment-generating uses to attract new businesses to the area; would not provide commercial retail land uses in close proximity to regional transportation corridor; would not achieve the desired FAR and would not make efficient use of the property; would not provide for the permanent conservation of areas desired for the MSHCP Reserve System; would not accommodate an on-site pedestrian circulation network; and would not plan or construct needed capital improvements, including transportation facilities and particularly the extension of Temescal Canyon Road. Furthermore, retention of a portion of the site as a mine and the remainder of the site in its existing undeveloped condition would be inconsistent with the General Plan and the Temescal Valley Area Plan, which call for development of the site consistent with the County's Community Commercial and Light Industrial land use designations.

9. The No Project/No Development Alternative would not meet the County's land use and economic development objectives. The County's General Plan Land Use Element Polices LU 7.1 and LU 7.2 promote a balance of land uses and stable employment uses that enhance fiscal viability. Policy LU 7.12 encourages the maintenance of a balance between jobs and housing within the County and the County's jobs/housing balance is addressed through implementation of the land use designations assigned by the County's General Plan and Area Plan land use maps. The No Project Alternative would not implement the site's "Community Center (C-C)" and "Light Industrial (L-I)" land use designation and, therefore, would not meet

the County's objectives to enhance fiscal viability and improve the County's jobs/housing balance.

10. The No Project Alternative would not meet the County's General Plan Policy C.1.1 to design a transportation system in accordance with the County's Circulation Plan. Namely, Circulation Element improvements to Temescal Canyon Road and Old Temescal Canyon Road (North and South) would not occur within the site or along the site's frontage under the No Project Alternative.

11. The No Project Alternative would also not be economically feasible. Mining would continue to occur but all of the known high-quality clay deposits were depleted from the site in about 1985. The clay currently extracted from the site is not highly desired by consumers of industrial minerals as evidenced by the low extraction volumes reported for the on-site over the past 15 years. From 1994 to 2009, the amount of clay extracted from the project site has ranged from only 4,460 tons to 21,500 tons per year. Over the past five years, the amount has steadily decreased each year.

B. Biologically Superior Alternative

1. The Biologically Superior Alternative assumes that light industrial development would occur on the site; however, the majority the site would be maintained as either open space (259.51 acres) or an MSHCP conservation area (48.77 acres). Approximately 181.00 acres would be graded and developed into light industrial land uses, major circulation, and roadway-adjacent landscaping. Commercial retail land uses would not be provided under this alternative. As part of this alternative, Temescal Canyon Road would be realigned through the project site, although several bridges would be needed.

This Alternative was selected for consideration in order to assess the potential lessening of environmental impacts associated with a reduction in building intensity and a concomitant reduction in the number of vehicle trips, vehicular noise, and vehicular air emissions. Impacts to sensitive vegetation and jurisdictional waters and drainage courses would be reduced or avoided. Off-site impacts would be limited to those required for road improvements.

2. The Biologically Superior Alternative would not be as efficient as the project in implementing the Riverside County General Plan and Temescal Area Plan land use designations of "Community Center (C-C)" and "Light Industrial (L-I)" on the portions of the site that would be retained as open space.

3. The Biologically Superior Alternative would not be as effective as the project in achieving the basic project objectives because it would not as efficiently provide for light industrial and would not accommodate any commercial retail land uses; would not as efficiently provide a mix of non-residential employment-generating uses to attract new businesses to the area; would not provide commercial retail land uses in close proximity to regional transportation corridor; and would not achieve the desired FAR.

4. The Biologically Superior Alternative would not be as effective in meeting the County's land use and economic development objectives. The County's General Plan Land Use Element Polices LU 7.1 and LU 7.2 promote a balance of land uses and stable employment uses that enhance fiscal viability. Policy LU 7.12 encourages the maintenance of a balance between jobs and housing within the County and the County's jobs/housing balance is addressed through implementation of the land use designations assigned by the County's General Plan and Area Plan land use maps. The

Biologically Superior Alternative would not implement the site's "Community Center (C-C)" land use designation, and would accommodate less area devoted to "Light Industrial (L-I)" land uses than the project; therefore, this Alternative would not meet the County's objectives to enhance fiscal viability and improve the County's jobs/housing balance as effectively as the project.

5. The Biologically Superior Alternative would produce lower economic returns for the project applicant. As a result, it would not be economically feasible for the project to participate in the realignment of Temescal Canyon Road beyond land dedication for the public right of way. Temescal Canyon Road is a County Circulation Element roadway that is planned to be realigned and extended through the project site to relieve traffic congestion and truck and passenger car conflicts along its current alignment west of I-15. The road realignment would need to be fully funded by the County of Riverside or other party, which would be unlikely and render the project undevelopable because access to the property is dependant on the realignment of this roadway. No development would occur on the site until the road is realigned as called for the County's General Plan. Until the roadway was realigned, no dedications would be made by the project applicant to the MSHCP Reserve, no tax revenue would be created from new development, and no new employment opportunities would be available on the site.

6. Although implementation of the Biologically Superior Alternative would reduce the project's anticipated significant and unavoidable air quality and traffic impacts, implementation of this Alternative would not completely avoid them.

7. Implementation of the Biologically Superior Alternative would not channel the Coldwater Canyon Wash or the Mayhew Wash through the project site, rendering the Alternative economically infeasible and impractical. Grading quantities could not be balanced and approximately 25 to 50% of graded material would need to be exported off the site by truck. Additionally, unorthodox landform alteration methods would be required in an attempt to provide usable building pads, including the use of sliver fills along the edges of the steep canyon edges, the bridging of roads, and excessive earthwork to create level building pads.

8. There would be large changes in topography along the alignment of Temescal Canyon Road, creating road grade issues, including exceeding a required 6% grade (substandard condition), the provision of ramps to access adjacent building pads, the provision of at least three bridges spanning from approximately 200 to 450 feet in length, and line of sight/visibility safety concerns. The costs to construct Temescal Canyon Road in this manner would be unorthodox and substantially increase its construction costs.

9. Due the dispersal of development areas and the preservation of drainage courses between building pads under the Biologically Superior Alternative, the provision of infrastructure to service the building pads would be substantially increased in cost, inefficient, and impractical to physically install.

C. Distribution Warehousing Alternative

1. The Distribution Warehousing Alternative would develop a majority of the site with light industrial land uses; however, the Specific Plan Zoning Ordinance for this alternative would prohibit all light industrial land uses except distribution warehousing. This Alternative also includes the development of commercial retail land uses. Specifically, under this

Alternative, 388.50 acres of distribution warehousing uses and 18.30 acres of commercial retail land uses would be developed on 406.30 acres. This Alternative proposes 5,408,409 square feet of distribution warehousing building area and 167,401 square feet of commercial retail building area. The Distribution Warehousing Alternative was selected for consideration in order to assess the potential reduction in traffic-related impacts, as the Distribution Warehousing Alternative would generate less employees than the project would generate, thereby reducing the daily number of vehicle trips to and from the site.

2. The Distribution Warehousing Alternative would not be as efficient as the project in implementing the Riverside County General Plan and Temescal Area Plan land use designations of "Light Industrial (L-I)" because uses would be restricted to distribution warehouses only, and no industrial land uses would be permitted. Such a restriction would result in a demand for industrial land off-site, and such off-site locations may not be located in close proximity to regional transportation facilities.

3. The Distribution Warehousing Alternative would not be as effective as the project in achieving the basic project objectives because it would not provide for light industrial land uses (other than warehouse distribution); would not as efficiently provide a mix of non-residential employment-generating uses to attract new businesses to the area; would accommodate less area devoted to commercial retail land uses; and would not achieve a commercially acceptable floor area ratio.

4. The Distribution Warehousing Alternative would not be as effective in meeting the County's land use and economic development objectives. The County's General Plan Land Use Element Polices LU 7.1 and LU 7.2 promote a balance of land uses and stable employment uses that enhance

fiscal viability. Policy LU 7.12 encourages the maintenance of a balance between jobs and housing within the County and the County's jobs/housing balance is addressed through implementation of the land use designations assigned by the County's General Plan and Area Plan land use maps. The Distribution Warehousing Alternative would accommodate only 5,408,409 square feet of distribution warehouse uses and 167,401 square feet of commercial land uses, as opposed to the 6,600,994 square feet of light industrial and 172,150 square feet of commercial retail land uses proposed by the project. In addition, distribution warehouse uses produce fewer employment opportunities than would occur if the site were developed with light industrial land uses.

5 Although implementation of the Distribution Warehousing Alternative would reduce the project's anticipated significant and unavoidable air quality and traffic impacts, implementation of this Alternative would not completely avoid them.

D. Reduced Project Alternative

1. The Reduced Project Alternative considers development of the site similar to the project, but with a 25% reduction in total maximum building square footage. As compared to the project, this alternative would provide for additional areas of open space within the two primary drainage areas (Mayhew Wash and Coldwater Wash) that traverse the site, in addition to the provision of additional open space along I-15 and the Temescal Wash. This alternative would consist of the development of light industrial land uses on 350.00 acres, 7.50 acres of commercial retail land uses, 79.78 acres of project open space – conservation (MSHCP conservation area), and circulation and flood control facilities on 52.00 acres. In addition, a maximum total of 5,079,858 square feet of light industrial and commercial

retail uses would be constructed, in lieu of the maximum total of 6,773,144 s.f. proposed by the project, for a total reduction of 1,693,286 s.f. of building area. This alternative includes the realignment of Temescal Canyon Road and the creation of two internal collector streets. The Reduced Project Alternative was selected to assess the effects of a less intensive development scenario, and the potential reduction of impacts to air quality, traffic, noise, hazards and hazardous materials, hydrology and water quality, and energy resources.

2. The Reduced Project Alternative would not be as efficient as the project in implementing the Riverside County General Plan and Temescal Area Plan land use designations of "Community Center (C-C)" and "Light Industrial (L-I)" because the site would be developed with 25% less building area. Such a restriction could result in a demand for commercial and industrial land off-site, and such off-site locations may not be located in close proximity to regional transportation facilities.

3. The Reduced Project Alternative would not be as effective as the project in achieving the basic project objectives because it would not provide for as much light industrial and commercial retail land uses; would not as efficiently provide a mix of non-residential employment-generating uses to attract new businesses to the area; would accommodate less area devoted to commercial retail land uses; and would not achieve a commercially acceptable floor area ratio.

4. The Reduced Project Alternative would not be as effective in meeting the County's land use and economic development objectives. The County's General Plan Land Use Element Polices LU 7.1 and LU 7.2 promote a balance of land uses and stable employment uses that enhance fiscal viability. Policy LU 7.12 encourages the maintenance of a balance between

jobs and housing within the County and the County's jobs/housing balance is addressed through implementation of the land use designations assigned by the County's General Plan and Area Plan land use maps. The Reduced Project Alternative would accommodate 25% less building area, which would result in a concomitant reduction in employment opportunities in the area.

5 The Reduced Project Alternative would produce lower economic returns for the project applicant, reducing the applicant's ability to supply and participate in the funding for the project's infrastructure requirements, such as the extension of Temescal Canyon Road. Additionally, the project's proposed and the Stormwater Recharge and Recovery Program system may not be economically feasible to construct. Temescal Canyon Road is a County Circulation Element roadway that is planned to be realigned and extended through the project site to relieve traffic congestion and truck and passenger car conflicts along its current alignment west of I-15 . Under the Reduced Project Alternative, the road realignment would need to be fully funded by the County of Riverside or other party, which would be unlikely and render the project undevelopable because access to the property is dependant on the realignment of this roadway. No development would occur on the site until the road is realigned as called for the County's General Plan. Until the roadway was realigned, no dedications would be made by the project applicant to the MSHCP Reserve, no tax revenue would be created from new development, and no new employment opportunities would be available on the site.

6. Although implementation of the Reduced Project Alternative would reduce the project's anticipated significant and unavoidable air quality and traffic

impacts, implementation of this Alternative would not completely avoid them.

E. Reduced Project Alternative/Continuation of Clay Mining and Development

1. Under the Reduced Project Alternative/Continuation of Clay Mining and Development, the site would be developed with light industrial and commercial retail land uses in conjunction with the continuation of on-site clay mining activities that are currently occurring on a portion of the site under existing conditions. This Alternative proposes light industrial uses on 262.76 acres, with a maximum of 4,807,246 square feet of building space. Under this Alternative, a commercial retail center would be constructed on 13.40 acres, with a maximum of 122,577 square feet of building space. Clay mining activities would continue on 67.00 acres, and a total of 109.90 acres would be provided as project open space or as a conservation area to be conveyed to the MSHCP Reserve, including approximately 48.00 acres provided as a buffer between mining activities and the light industrial and commercial retail uses. Temescal Canyon Road would be realigned to traverse the site.

   This Alternative was selected to assess the effects of continuing the current on-site mining activities while developing a commerce center. As a result, this alternative would reduce project impacts to mineral resources because it would accommodate the continuation of mining activities on the site.

2. The Reduced Project Alternative/Continuation of Clay Mining and Development would not be as efficient as the project in implementing the Riverside County General Plan and Temescal Area Plan land use designations of "Community Center (C-C)" and "Light Industrial (L-I)" because the site would be developed with only 262.76 acres of light industrial and 13.40 acres of commercial retail land uses, as opposed to

372.06 and 17.45 acres proposed by the project, respectively. Such a reduction in building intensity on-site could result in a demand for commercial and industrial land off-site, and such off-site locations may not be located in close proximity to regional transportation facilities.

3. The Reduced Project Alternative/Continuation of Clay Mining and Development would not be as effective as the project in achieving the basic project objectives because it would not provide for as much light industrial and commercial retail land uses; would not as efficiently provide a mix of non-residential employment-generating uses to attract new businesses to the area; would accommodate less area devoted to commercial retail land uses; and would not achieve a commercially acceptable floor area ratio..

4. The Reduced Project Alternative would not be as effective in meeting the County's land use and economic development objectives. The County's General Plan Land Use Element Polices LU 7.1 and LU 7.2 promote a balance of land uses and stable employment uses that enhance fiscal viability. Policy LU 7.12 encourages the maintenance of a balance between jobs and housing within the County and the County's jobs/housing balance is addressed through implementation of the land use designations assigned by the County's General Plan and Area Plan land use maps. The Reduced Project Alternative/Continuation of Clay Mining and Development would accommodate less building area, which would result in a concomitant reduction in employment opportunities in the area.

5 The Reduced Project Alternative/Continuation of Clay Mining and Development would result in lower economic returns for the project applicant. All of the known high-quality clay deposits were depleted from the site in about 1985. The clay currently extracted from the site is not highly desired by consumers of industrial minerals as evidenced by the low

extraction volumes reported for the on-site over the past 15 years. From 1994 to 2009, the amount of clay extracted from the project site has ranged from only 4,460 tons to 21,500 tons per year. Over the past five years, the amount has steadily decreased each year. Due to the lower economic returns it would not be economically feasible for the project applicant to participate in the realignment of Temescal Canyon Road beyond land dedications for the public right-of-way. Temescal Canyon Road is a County Circulation Element roadway that is planned to be realigned through the project site to relive traffic congestion and truck and passenger car conflicts on its current alignment west of I-15. The road realignment would need to be funded by the County of Riverside or other party, which would be unlikely and render the project undevelopable because access to the property is dependant on the realignment of this roadway. No development would occur on the site until the road is realigned as called for the County's General Plan. Until the roadway was realigned, no dedications would be made by the project applicant to the MSHCP Reserve, no tax revenue would be created from new development, and no new employment opportunities would be available on the site.

6. Although implementation of the Reduced Project Alternative/Continuation of Clay Mining and Development would reduce the project's anticipated significant and unavoidable air quality and traffic impacts, implementation of this Alternative would not completely avoid them. In addition, this alternative would result in increased impacts to aesthetics due to the visibility of mining activities.

F. Alternative Sites

1. CEQA Guidelines Section 15126.6(f)(2) requires that an EIR identify alternatives to the project, but does not expressly require that it discuss alternative locations for the project.

2. The project's light industrial and commercial retail land uses are consistent with the "Community Center (C-C)" and "Light Industrial (L-I)" land use designation assigned to the property by the Temescal Valley Area Plan. The property is generally flat and is highly disturbed due to past mining and other uses. The vegetation on the site consists of a mixture of native and non-native plant species. The site is located within the MSHCP Criteria Area, the project will convey open space and limit urban interface edge effects in manners consistent with the MSHCP; off-site locations would not improve the project's consistency with MSHCP policies. All impacts to biological resources would be mitigated to a level below significant.

3. Development at an off-site location likely would result in increased distance between the light industrial/commercial retail land uses and regional transportation facilities, thereby increasing traffic congestion, noise, and air quality impacts.

4. Development in an alternate location in Western Riverside County would also result in freeway mainline impacts and long-term cumulative air quality impacts. Although development in an off-site location has the potential to avoid the project's significant and unavoidable impacts to the I-15 freeway ramps at Indian Truck Trail, impacts at this location would occur in the absence of the project and it is likely that project traffic would result in similar unavoidable impacts in other areas of the County due to the volume of traffic produced by the project. Therefore, there is no environmental benefit to considering development of the project at an alternate location. Further, the project applicant does not own or control

any other possible sites for the project within the County of Riverside that would satisfy the project objectives.

BE IT FURTHER RESOLVED by the Board of Supervisors that it has balanced the benefits of the project against the unavoidable adverse environmental effects thereof, and has determined that the following benefits outweigh and render acceptable those environmental effects:

A. The project will implement light industrial and commercial retail land uses on the site in an efficient manner, which would result in the creation of employment opportunities, as encouraged by General Plan Land Use Element Polices LU 7.1, LU 7, and LU 7.12. Approximately 7,816 jobs would be created by the project. The addition of these new jobs will generate revenue for the County and enhance the County's fiscal viability and economic diversity. The project's approximately 7,816 new jobs represents 60 percent of the employment growth in western Riverside County between 2010 and 2020, as projected by the Southern California Association of Governments in their 2008 Regional Transportation Plan growth forecasts. The project's approximately 7,816 new jobs also represents four (4) percent of SCAG's projected employment growth for the entire geographic area represented by the Western Riverside Council of Governments (including the cities of Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, Temecula, and portions of unincorporated Riverside County including the new City of Menifee that was not yet incorporated at the time the 2008 SCAG forecast was published).

B. The project will realign and participate in the construction of an extension of Temescal Canyon Road in accordance with the County General Plan and Temescal Canyon Area Plan, and will also improve portions of Old Temescal Canyon Road North and Old Temescal Canyon Road South and their intersections with the new extension of Temescal Canyon Road. The project and the project applicant's participation in land dedication and funding will advance the construction and improvements of these roadways. The project also has designed the extension of Temescal Canyon Road to accommodate three lanes of

ATTACHMENTS FILED

WITH

THE CLERK OF THE BOARD