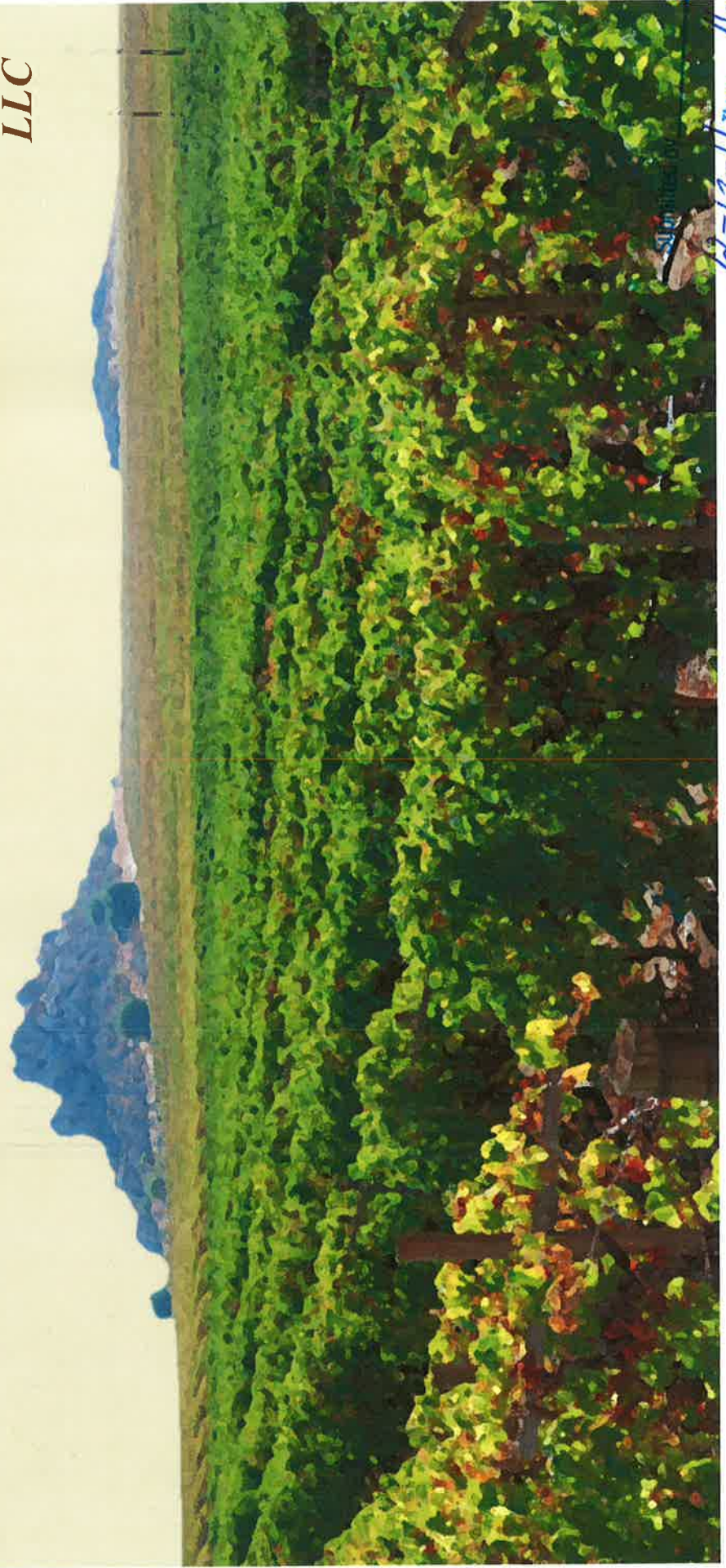


SP 275 Clerk's Copy

TRAVERTINE POINT MASTER PLAN



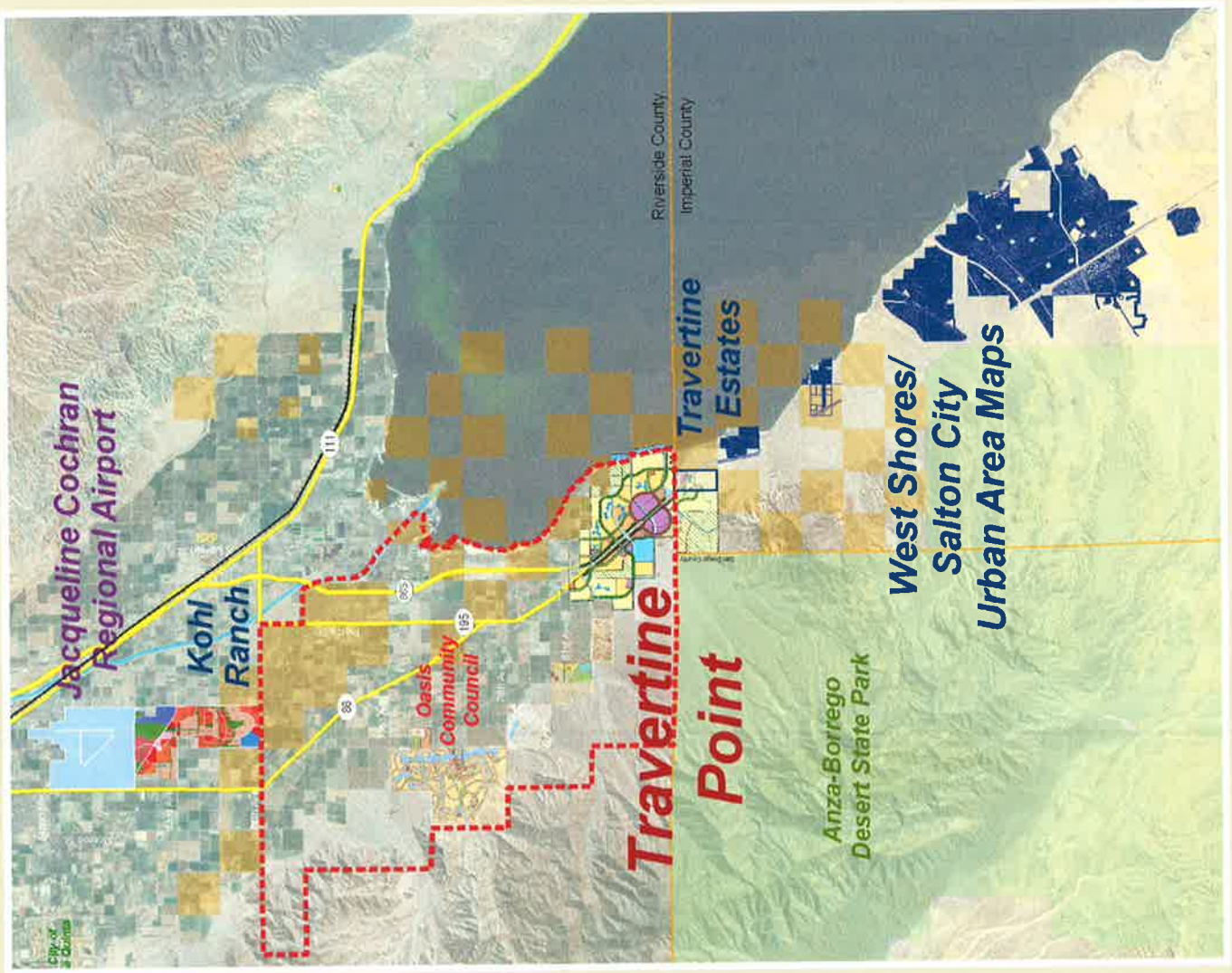
A Partnership of:
*Torres Martinez Desert Cahuilla Indians &
Black Emerald
LLC*



12/13/2011 16.1

12-13-11 Item 16.1
(date)

Regional Context Map



TRAVERTINE POINT

A Partnership of: Torres, Martinez, Devert, Cabañiza, Indians & Black Emerald LLC



Agency and Community Meetings

| |
|-----------------------------------------|
| CVWD |
| IID |
| CVUSD |
| Oasis Community Council |
| DRD - Desert Recreation District |
| Salton Community Services District |
| Torres Martinez Desert Cahuilla Indians |
| Anza Borrego State Park |
| Anza Borrego Foundation & Institute |
| US Fish & Wildlife Service |
| Imperial County |
| Salton Sea Authority Executive Director |
| Salton Sea Authority - |
| BIA Desert Chapter |
| CVEP |
| Desert Shores Veterans of Foreign Wars |
| Friend of the Desert Mountains |
| Desert Valley Builder Association DVBA |
| APWA – CV Public Works |
| COD Real Estate and Development forum |
| Stakeholders at Salton Sea Summit |
| SunLine Transportation Agency |
| California Attorney General's Office |

TRAVERTINE POINT

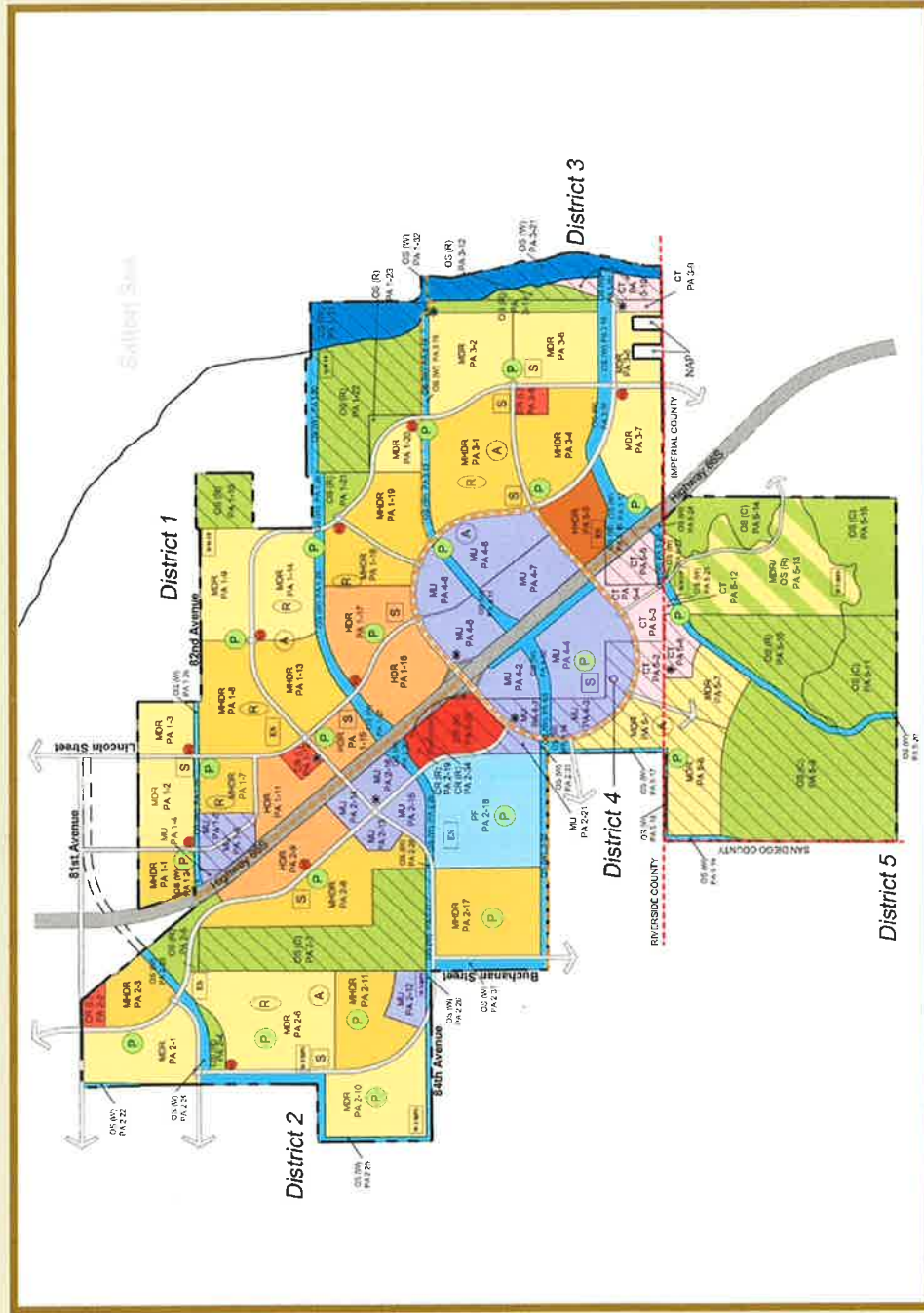
A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Land Use Plan

LEGEND

- Specific Plan Area Boundary
 - District Boundary
 - Torres - Martinez Tribal Lands
 - County Line
- RESIDENTIAL:**
- MDR Medium Density Residential
 - MDR High Density Residential
 - HDR High Density Residential
 - HHR Highest Density Residential
- NON-RESIDENTIAL:**
- CR (R) Commercial Retail (Regional)
 - CR (L) Commercial Retail (Local)
 - MU Mixed Use
 - CT Commercial Tourist
 - PF Public Facilities
- OPEN SPACE:**
- OS (R) Open Space (Recreation)
 - OS (C) Open Space (Conservation)
 - OS (W) Open Space (Drainage)
 - OS (S) Open Space (Salton Sea)
- CONCEPTUAL LOCATIONS:**
- Schools
 - Parks
 - Retention Basins
 - Active Adult Candidate Community
 - Public Facilities
 - Walkable Commercial
 - Wastewater Treatment Plant
 - Water Tank/Booster Pump Station
 - Electrical Substation



TRAVERTINE POINT
 A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC

Land Use Plan

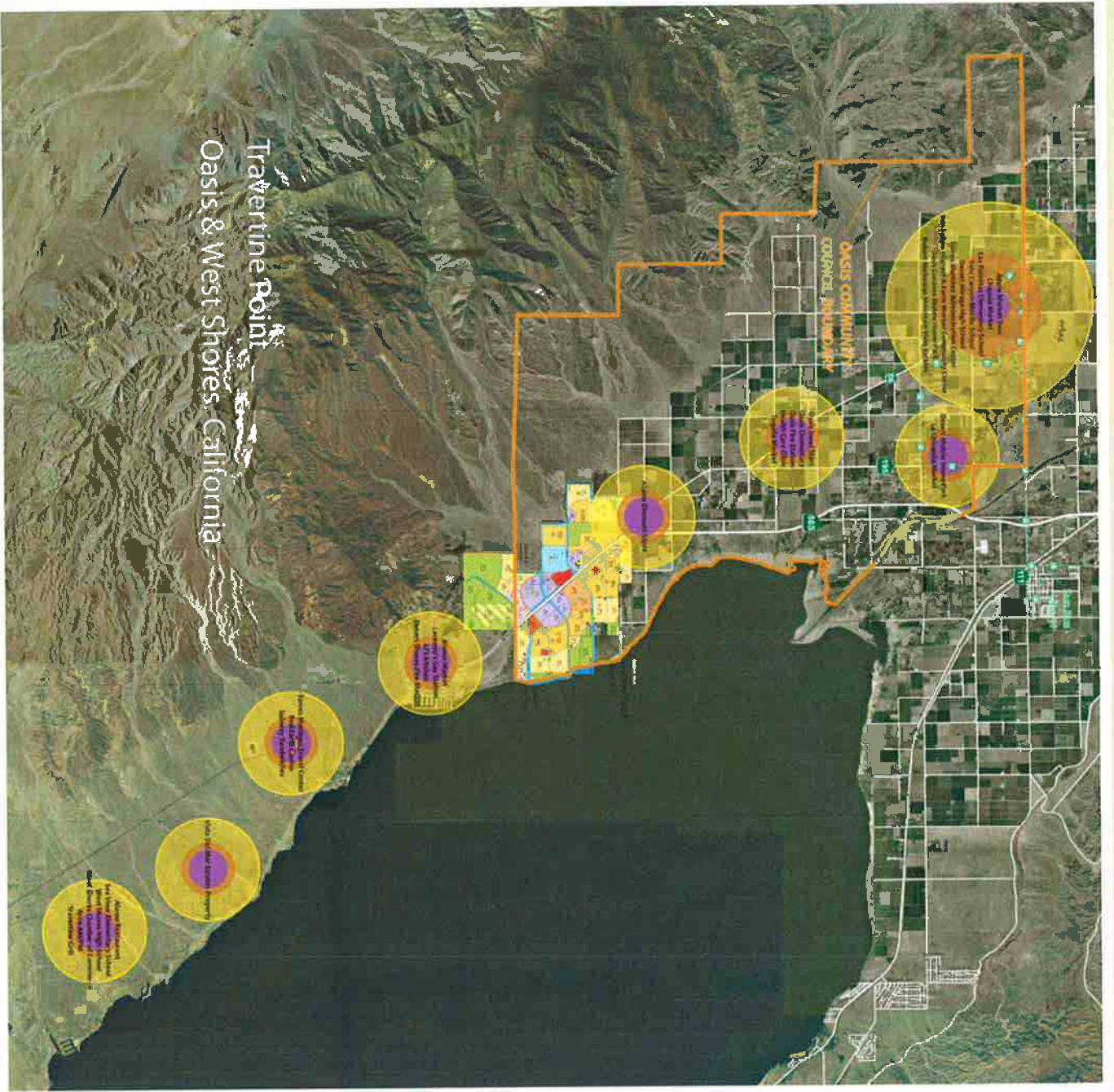
Why Here, Why Now?

- **Direct access to NAFTA Highway 86S**
- **Unique Catalyst for Economic Development and Salton Sea Restoration**
- **Property is favorable for development**
 - **Unique Views, Soils, Water, Flood Protection**
- **New Town Critical Mass Reduces Urban Sprawl and Vehicle Trips**
- **Close Proximity to Rapidly Expanding Renewable Energy Industries.**
- **Responsible planning to shape growth in the Eastern Valley provides needed services to the area.**
- **The Torres Martinez Tribe is a willing and empowered partner**

TRAVERTINE POINT

A Partnership of: **Torres Martinez Desert Cahuilla Indians & Black Emerald LLC**





TRAVERTINE POINT

A Partnership of Traverterine Point, California, Inc. & Burt, Everett LLC



Extraordinary Sustainable Measures

- Reduction of GHG generation by 38% thru Climate Action Plan measures, exceeding AB 32 and SB 375 targets
- Innovative Transportation Plan
- Jobs Housing Balance
- 10% Affordable Housing commitment
- Advanced Design for Community Facilities
- Unique Catalyst for Renewable Energy, Economic Development, and Salton Sea Restoration
- Extraordinary Water Conservation Measures
- Committed to Habitat and Cultural Resource Protections

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Reduction of GHG generation by 38% Thru Climate Action Plan

What is a CAP?

- A Climate Action Plan (CAP) is a set of performance standards specifically designed to reduce green house gases.
- Our CAP regulates land use, design, and transportation management.
- Our CAP is the first of its kind for a private development in California.

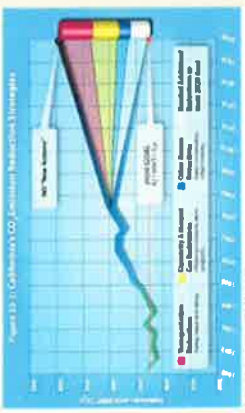
TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Block Emerald LLC



Climate Action Plan

TRAVERTINE POINT CLIMATE ACTION PLAN*



*California Resources Board estimate that a 29% reduction is necessary to meet 1990 level from a projected "Business as Usual" in 2020.

- "Business as Usual" (BAU)
- No renewable energy sources
- Auto dependent and non walkable neighborhoods
- No transit or alternative transportation options
- Inefficient building practices
- One water source option: potable water



PERFORMANCE GOAL
(GHG Reduction Below BAU Baseline)

68%

23%

55%

ACTION CATEGORIES

- BUILDING AND ENERGY EFFICIENCY**
Projected reduction below BAU baseline: 63,000 mtCO₂e/yr
- TRANSPORTATION EMISSIONS**
Projected reduction below BAU baseline: 45,900 mtCO₂e/yr
- WATER EFFICIENCY**
Projected reduction below BAU baseline: 5,900 mtCO₂e/yr
- WASTE REDUCTION AND RECYCLING**
A quantitative analysis is not available for this Action

TOTAL PROJECT GHG EMISSION
114,800 mtCO₂e/yr

Alternative Transportation Network



Transportation Efficiencies

- Provide route for public transit system
- Provide safe bikeways to encourage bicycle ridership
- Create a Neighborhood Electric Vehicle (NEV) friendly community
- Incorporate roundabouts at all major arterial intersections
- Provide accessible walkways and pedestrian paths that encourage walkable streets and trails.

Town Design and Energy Efficiencies

- Balance of housing and employment
- Concentration of full array of land uses
- Mixed use configuration is allowed and encouraged
- Provide full range of housing including affordable
- Provide measures to mitigate "heat island" effects
- Require energy efficient construction
- Require the use of energy efficient materials
- Utilize energy saving HVAC & lighting systems & appliances
- Provide on site renewable energy sources and solutions

Reclaimed Water Network



Water Efficiencies

- Provide dual piping system for domestic and reclaimed water
- Require the use of smart irrigation systems or equivalent
- Provide a water conservation landscape palette
- Require water efficient fixtures
- Limit the use of turf

Climate Action Plan

PERFORMANCE GOAL
(GHG Reduction
Below BAU Baseline)

68%

ACTION CATEGORIES

- 1 BUILDING AND ENERGY EFFICIENCY**
Projected reduction below BAU baseline: 63,000 mtCO₂e/yr
- 2 TRANSPORTATION EMISSIONS**
Projected reduction below BAU baseline: 45,900 mtCO₂e/yr
- 3 WATER EFFICIENCY**
Projected reduction below BAU baseline: 5,900 mtCO₂e/yr
- 4 WASTE REDUCTION AND RECYCLING**
A quantitative analysis is not available for this Action

TOTAL PROJECT GHG EMISSION

114,800 mtCO₂e/yr

38%

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC

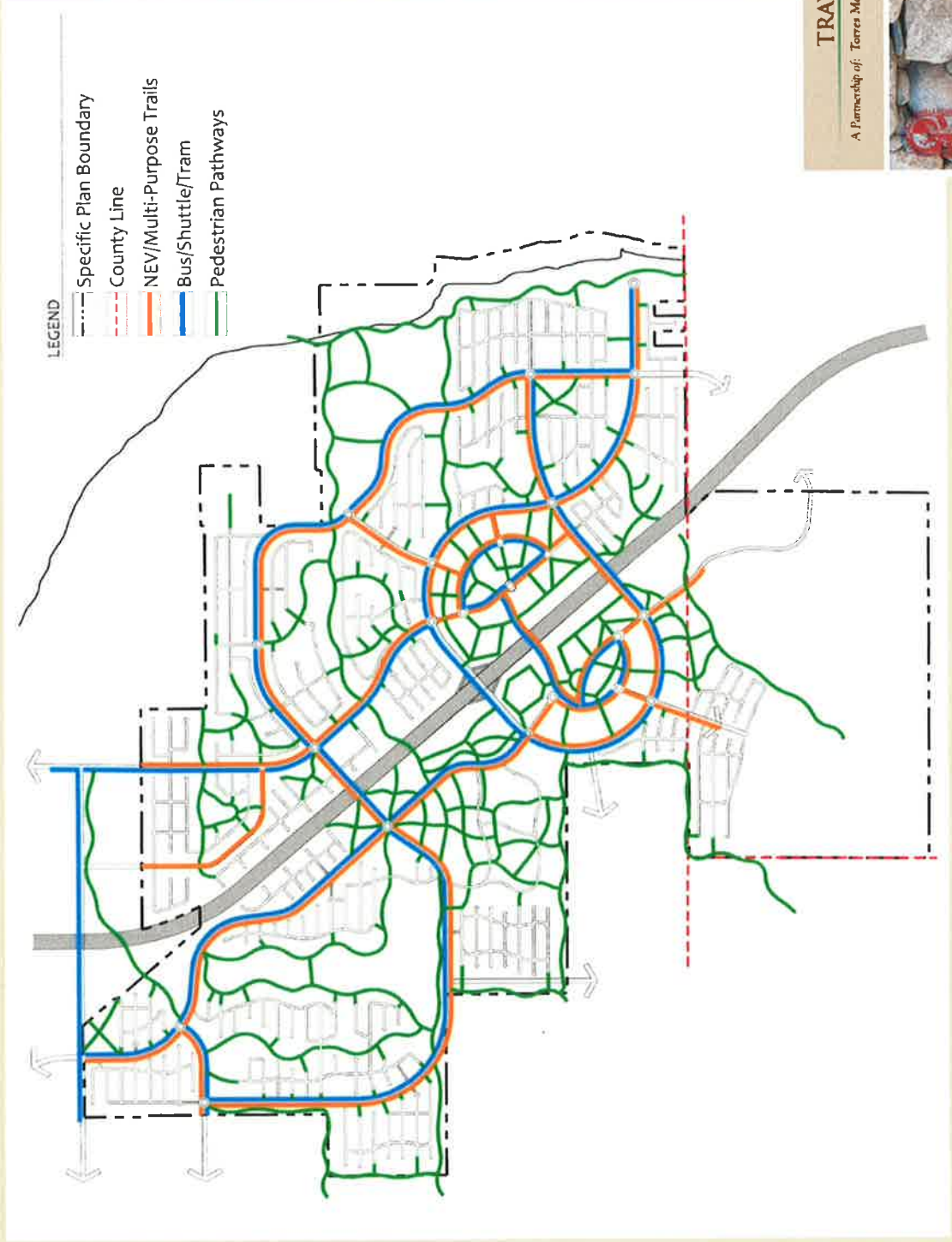


Innovative and Sustainable Transportation Plan

- Approximately 40 miles of pedestrian paths and 17.8 miles of Class One bicycle lanes.
- Residents are within walking distance (1/4 mile) of local services and parks.
- The Travertine Point traffic study only attributes 3.1% of person trips to Neighborhood Electric Vehicle use which is very conservative.
- All neighborhoods in the community are connected by Special NEV shortcuts to incentivize NEV use.
- Charging stations and preferred parking will be provided to encourage NEV use.
- Travertine Point provides shuttle service to employment centers.
- Travertine Point provides mass transit inside the community, including an electric tram.



Circulation Composition



TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Jobs Housing Balance

- 1,427,000 s.f. of commercial uses
- 1,145,000 s.f. of business park uses
- 850,000 s.f. of industrial and R & D uses
- Total of 5,029,500 s.f. of non-residential uses
- 12,856 jobs
- Job Types: Healthcare, Logistics, Renewable Energy, Education, Retail, Entertainment, Resort, Marina, Recreation, Gaming, Lodging, Agriculture, Government

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Jobs to Housing Thresholds

| Commitment Timing | Non-Residential Square Footage Development Required |
|----------------------------------------|-----------------------------------------------------|
| Prior to the 3,250th residential unit | 89,000 s.f. |
| Prior to the 6,500th residential unit | 440,500 s.f. (529,500 s.f. cumulative) |
| Prior to the 9,500th residential unit | 1,100,000 s.f. (1,629,500 s.f. cumulative) |
| Prior to the 13,500th residential unit | 2,400,000 s.f. (4,029,500 s.f. cumulative) |
| Prior to the 15,000th dwelling unit | 1,000,000 s.f. (5,029,500 s.f. cumulative) |



10% Affordable Housing Commitment

- 1,666 units = 10% at build-out
- Target: 35% to 120% area median income
- Affordable Housing will be built concurrently with market rate homes

| Commitment Timing | Affordable Housing Unit or Credit |
|------------------------------------|-----------------------------------|
| Prior to 3,133th residential unit | 117 |
| Prior to 6,658th residential unit | 200 (317 cumulative) |
| Prior to 9,628th residential unit | 516 (833 cumulative) |
| Prior to 15,160th residential unit | 583 (1,416 cumulative) |
| Prior 16,405th dwelling unit | 250 (1,666 cumulative) |

TRAVERTINE POINT

A Partnership of: Torres Martinez, Desert Calavilla Holdings & Block Emerald LLC



Advanced Design for Community Facilities

- 6 elementary schools
- 1 junior high school
- 1 high school
- 115,000 s.f. of higher educational facility
- 20,000 s.f. of library facility(s)
- 3 fire stations
- 355,000 s.f./372 bed hospital
- 162,000 s.f. of worship center(s)
- 40,000 s.f. of government offices

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC



Advanced Design for Community Facilities

- **1,377 acres of open space, 30% of project area, including:**
 - 379 acres Recreation
 - 670 acres Conservation
 - 328 acres Multi-purpose greenways and passive recreation
- **192 acres of local and community parks**
- **111 acres of regional park**
- **160 acres of Native American Cultural Preserve**
- **100% view shed of Salton Sea**

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC





Exhibit 3-18

Open Space & Parks Plan

FORM April 2011

Travertine Point Specific Plan

Black Emerald, LLC

TRAVERTINE POINT
 A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC

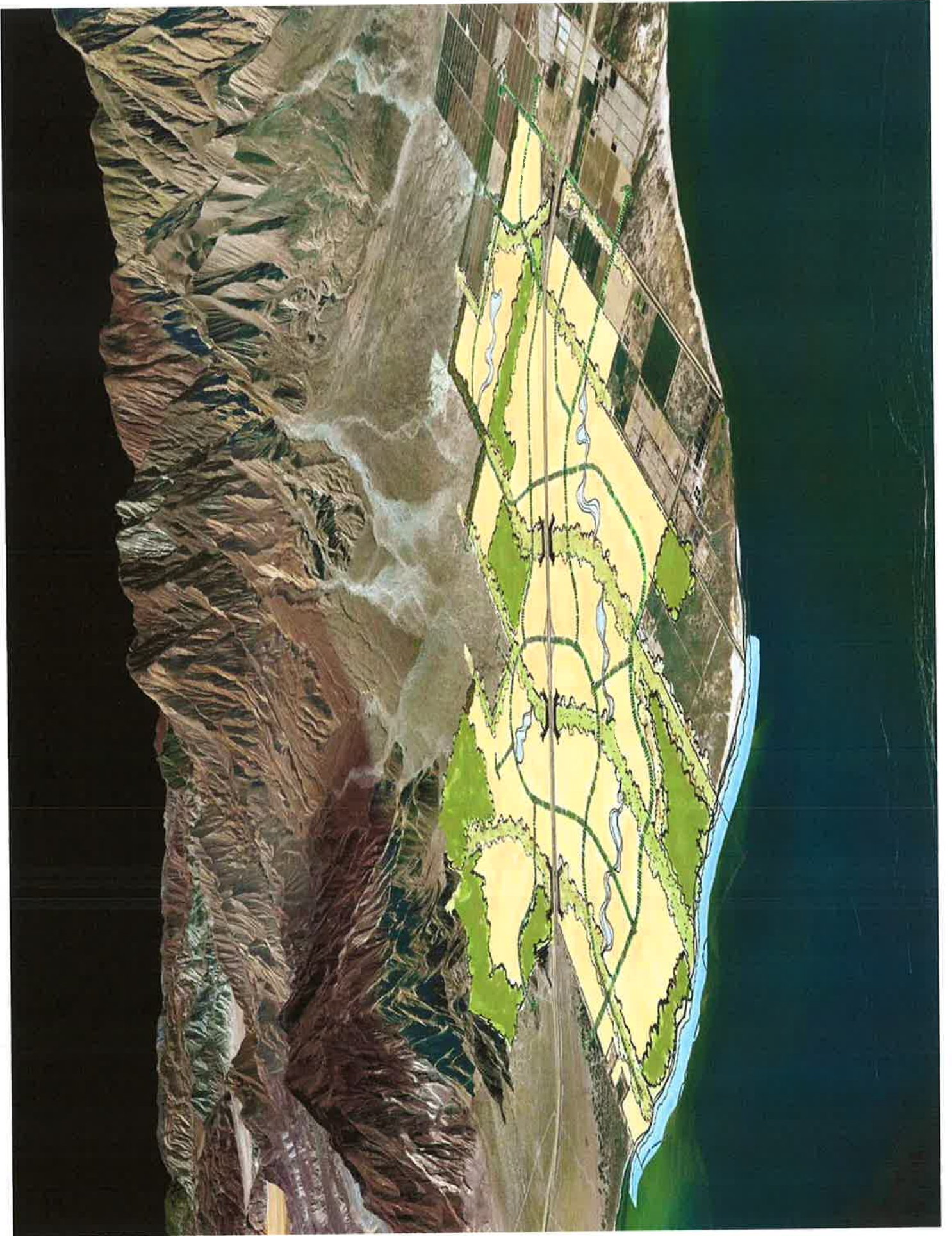




Stormwater Conveyance Channels Multi-Purpose Greenways

TRAVERTINE POINT
A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC





Unique Catalyst for Renewable Energy, Economic Development, and Salton Sea Restoration

How does Travertine Point help Salton Sea Restoration?

- Funding for IFD (Infrastructure Financing District).
- Participation in other Assessment Districts and mitigation fee programs.
- Provides a clean and less saline water source.
- Provides a higher volume of stormwater flow to the Sea.
- Brings population, business interests, and thus attention to the region.
- Assists in wetland and habitat restoration with our partners the Torres Martinez.

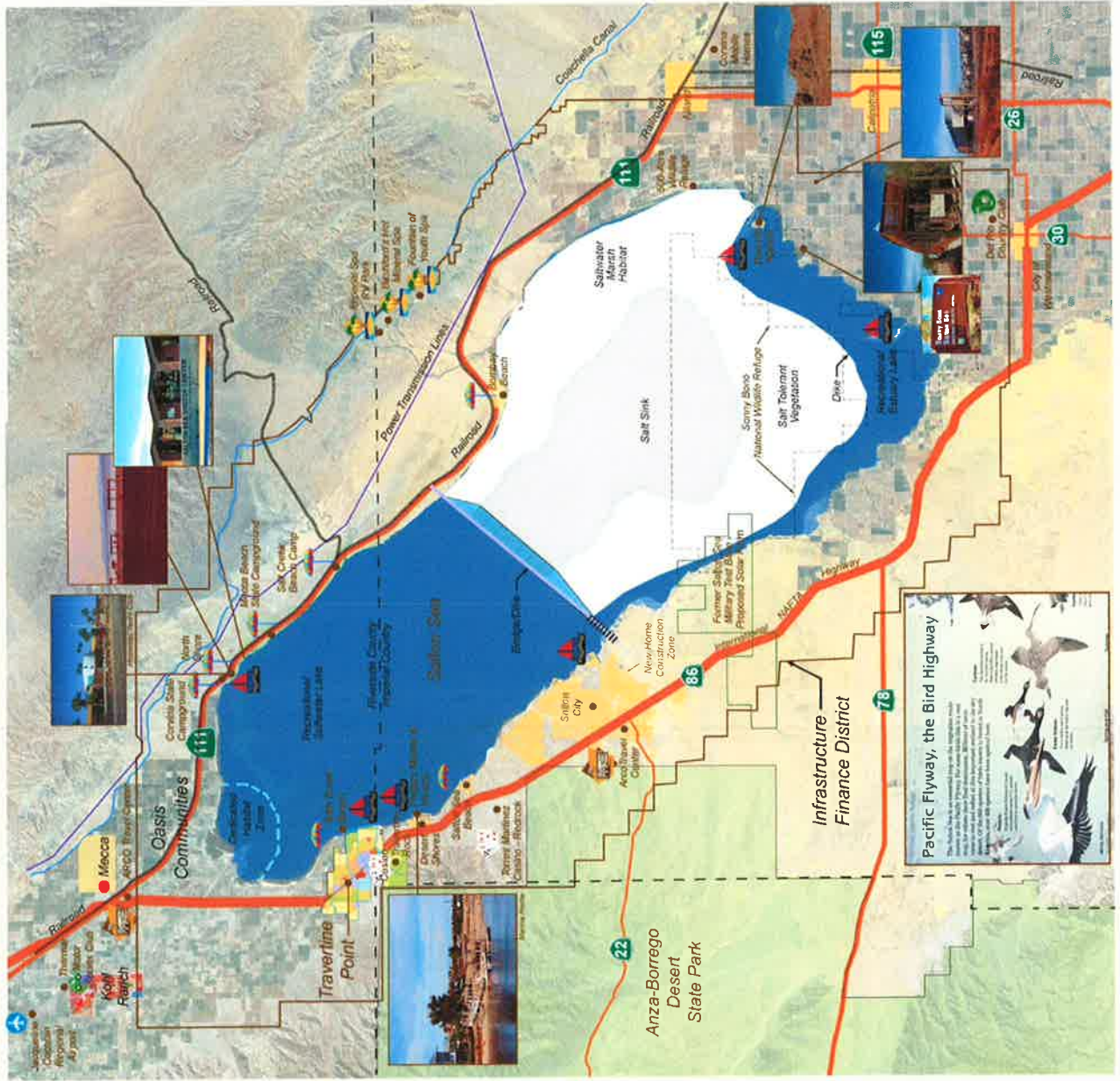
TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Salton Sea Future

TRAVERTINE/SALTON SEA RECREATION



TRAVERTINE POINT
 A Partnership of Torres Martinez Desert Cahuilla Indians & Black Emerald LLC





TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Renewable Energy

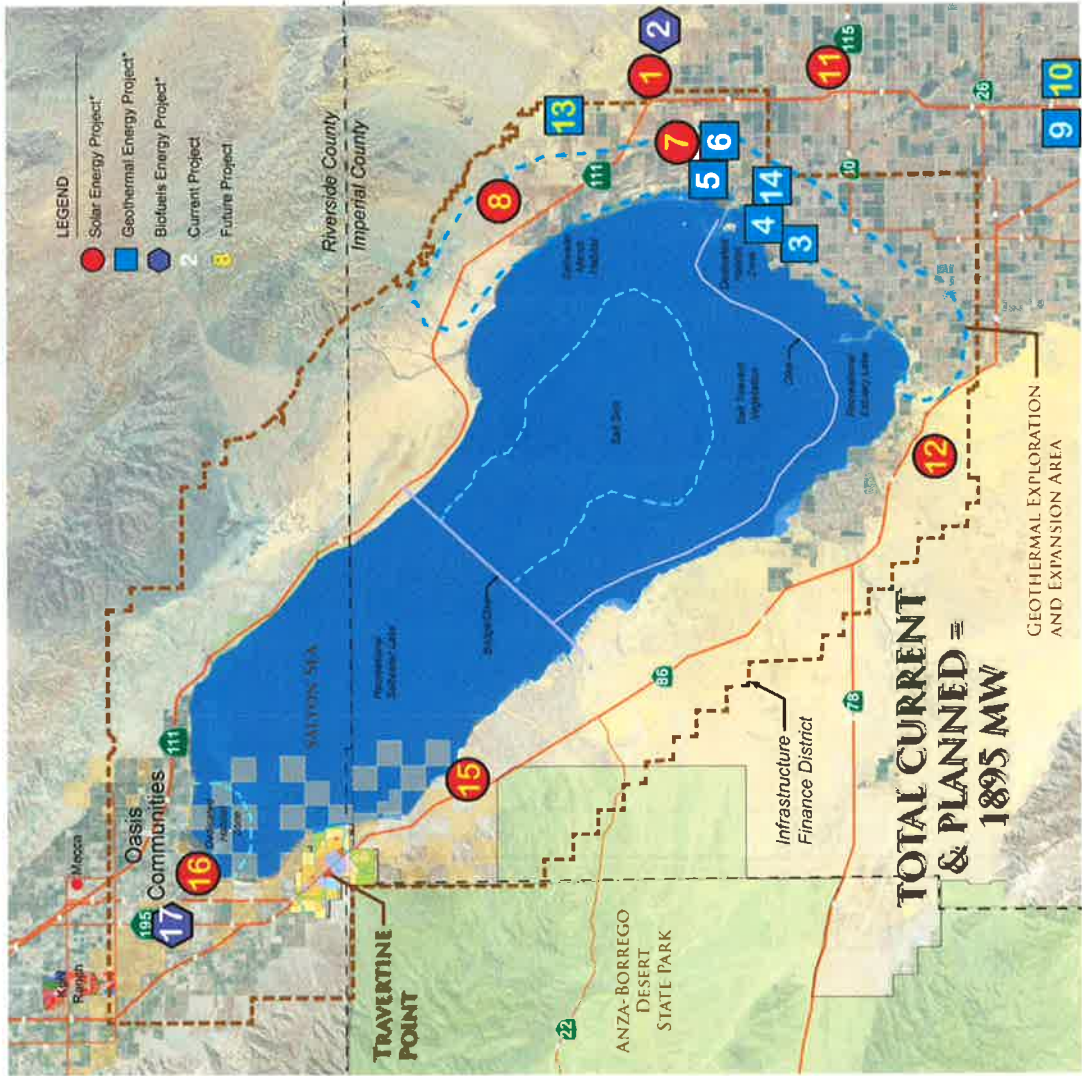
- Geothermal- The Salton Sea geothermal field is the largest available geothermal resource in the United States.
- Bio-fuel production- Pilot projects being built by SunEco, Carbon Capture Corporation, and Kent Bio-Energy. Bio-algae production needs nutrient rich water and the Salton Sea is a ready made source.
- Solar Energy- Energy Source, Sun Peak and Solar One are pursuing significant solar thermal and photovoltaic energy producing installations because the region is one of the best solar resource sites in the country.

*Investment in the Salton Sea region in the form of geothermal, solar and biofuel energy production is estimated at \$8.5 billion for projects already in progress. These sources are in addition to existing and ever expanding wind turbine energy production at the west end of the valley.



Renewable Energy Region

ENERGY PROJECTS IN THE SALTON SEA AREA



TRAVERTINE POINT

A Partnership of Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Renewable Energy Projects

| Reference | Type | Status | Company | Description | Megawatts | Cost in Millions |
|-----------|------------|---------|-----------------|-----------------------------|-----------|------------------|
| 1 | Solar | Current | SunPeak Solar | | 20 | 100 |
| 2 | Biofuel | Current | SunEco | | | 90 |
| 3 | GeoThermal | Current | CalEnergy | Blackrock 1,2 & 3 | 165 | 800 |
| 4 | GeoThermal | Current | CalEnergy | Blackrock 4, 5 & 6 | 165 | 800 |
| 5 | GeoThermal | Current | Energy Source | Hudson Ranch 1 | 50 | 350 |
| 6 | GeoThermal | Current | Energy Source | Hudson Ranch 2 | 50 | 350 |
| 7 | Solar | Planned | Energy Source | Solar Project | 80 | 400 |
| 8 | Solar | Planned | 8 Minute Energy | Chocolate Mountain | 50 | 300 |
| 9 | GeoThermal | Current | Ormat Brawley | 40 P | 50 | 250 |
| 10 | GeoThermal | Planned | Ormat Brawley | 200C/40P | 50 | 250 |
| 11 | Solar | Planned | 8 Minute Energy | 300C/20P | 300 | 1200 |
| 12 | Solar | Planned | SunPeak Solar | Superstition 200C/25P | 500 | 1500 |
| 13 | GeoThermal | Planned | Ormat Wister | 200C/40P | 50 | 250 |
| 14 | GeoThermal | Current | CalEnergy | 220P | 340 | 1700 |
| 15 | Solar | Planned | Torres Martinez | Phase 1 | 5 | 25 |
| 16 | Solar | Planned | Torres Martinez | Phase 2 | 20 | 100 |
| 17 | GeoThermal | Current | Kent BioEnergy | 160 acres facility in Mecca | | |
| | | | | Total | 1895 | 8465 |

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Calville Indians & Black Emerald LLC



Renewable Energy

Based on current and future renewable energy facilities, Travertine Point energy demands at build out represent less than 1% of the regional renewable energy produced in 2020.

| Projected Renewable Energy 2020 | Megawatts |
|-------------------------------------------|-----------|
| Wind Energy in Coachella Valley | 930 |
| Other Renewable Energy in Salton Sea Area | 1,895 |
| Total | 2,825 |

| | |
|---------------------------------------------------------------------|--------------|
| Energy demands for Travertine Point at build out (diversified load) | 20 MW |
| Percentage of projected renewable energy | Less than 1% |



Travertine Point Renewable Energy Commitments

- All single family residential units are pre-plumbed for rooftop solar panels.
- Optional solar packages offered on residential units.
- Renewable energy guarantees:
 - 80% of commercial buildings to receive 40% of energy requirements from renewable sources at buildout.
 - 80% of residential buildings to receive 60% of energy requirements from renewable sources at buildout.
- Multiple electric vehicle recharge facilities.
- Minimum of 5 MW on-site solar energy production, meeting up to 1/3 of our project demand.
- All architecture will exceed today's Title 24 energy and insulation standards.

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Extraordinary Water Conservation Measures

| Source of Water | Agriculture Water Demand (afy) | Project Water Demand (afy) | Change in Water Demand (afy) |
|-----------------|--------------------------------|----------------------------|------------------------------|
| Groundwater | 6,464.0 | 3,472.0 | - 2,992.0 |
| Surface water | 6,052.0 | 4,897.4 | - 1,154.6 |
| Total | 12,516.0 | 8,369.4 | - 4,146.6 |

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



TRAVERTINE POINT - WATER

"FROM THE MOUNTAINS TO THE SEAS"



BIOSWALE
Will collect storm water along streets utilizing landscape materials and gravel to trap pollutants.

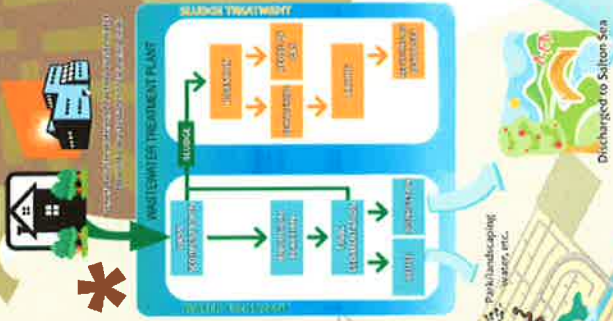


GREENWAY



Greenway to the Sea

WASTEWATER TREATMENT PLANT
Will recycle water for the irrigation water system and additional source of clean water via wetlands to the Salton Sea.



DETECTION BASIN
Will provide storm water settlement and serve as a distribution source for irrigation.



Discharged to Salton Sea

SALTON SEA
Benefits from improved storm water quality runoff & a cleaner water source for replenishing the sea.

GREENWAY
Naturally revegetated, multi-purpose greenways will serve as flood control, desilting, and include recreational trails and park uses.

Marina



TRAVERTINE POINT

A Partnership of Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



Committed to Habitat and Cultural Resource Protections

- **Native/non-invasive plant species, landscape plant materials list.**
- **Dark Sky Policy.**
- **Wildlife and open space corridors between Salton Sea and mountains in our multi-use greenways.**
- **Re-vegetation and habitat restoration of disturbed agricultural property.**
- **No access to offsite habitat/cultural resource areas.**
- **Expanded Patrols along the perimeter.**
- **Effective Buffers along the western edge of development.**
- **Complies with MSHCP adjacency guidelines.**
- **Significant Contributions to the MSHCP (\$30 million).**
- **Education programs for residents regarding Habitat and Cultural Resource Sensitivity.**







The County's Exhaustive CEQA Process

TRAVERTINE POINT

A Partnership of: **Terres Marines**, **Desert Cahuilla**, **Indians &
Black Emerald LLC**



The County Has Circulated Three Revised EIRs To Address Public Comments

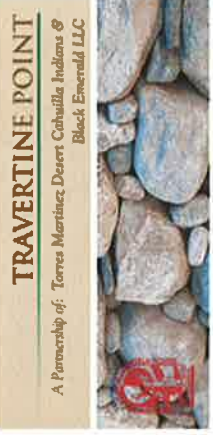
TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC



TRAVERTINE POINT TIMELINE

| December 2007 | May 2008 | July 2009 | September 2009 | March 2010 | May 2010 | November 2010 | December 2010 | June 2011 | August 2011 | September 2011 | December 2011 |
|-------------------------|------------------------------------|---------------------------------------|----------------------------|--------------------------------------------------|--------------------------------|-----------------------------|---------------------------------|------------------------------|------------------------------------|----------------------------|-------------------------------------|
| Tribal Council Approval | Riverside County Application Filed | BIA Meeting Regarding NEPA Compliance | First Draft EIR Circulated | Planning Commission Workshop at Travertine Point | First Attorney General Meeting | Second Draft EIR Circulated | Second Attorney General Meeting | Planning Commission Approval | First Board of Supervisors Hearing | Third Draft EIR Circulated | Second Board of Supervisors Hearing |



Cultural Resources

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC



Is There Evidence Of Damage To Sensitive Cultural Resources At Travertine Point Now?

YES.

TRAVERTINE POINT

A Partnership of: Tennes, Martinez, Desert Cahuilla, Indians &
Black Emerald LLC



**The Torres Martinez Desert Cahuilla
Indian Tribe
Letter to Matt Straite, dated July 29,
2011**

"... Unauthorized collection of *sensitive tribal artifacts* and the defacing of sensitive cultural resources has been a consistent problem for the Torres Martinez tribe for decades"

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC



Let Your Own Eyes Be The Judge

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC





Vertical text on the left side of the page, likely a caption or description of the photograph.



I
C





Red graffiti on a rock in the background.

How Does This Project Better Protect Cultural Resources From Current Damage?

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC



Before



TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



After

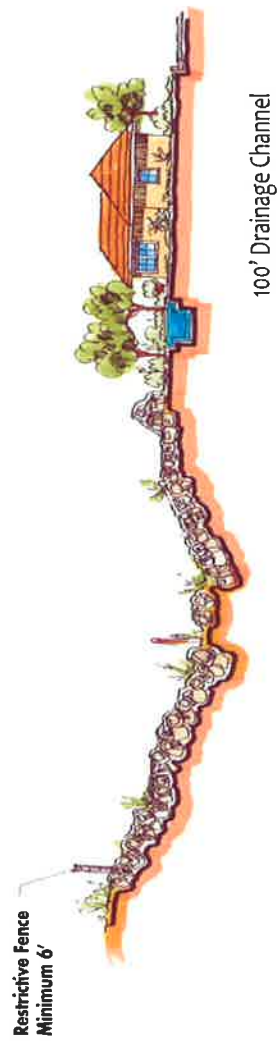


TRAVERTINE POINT

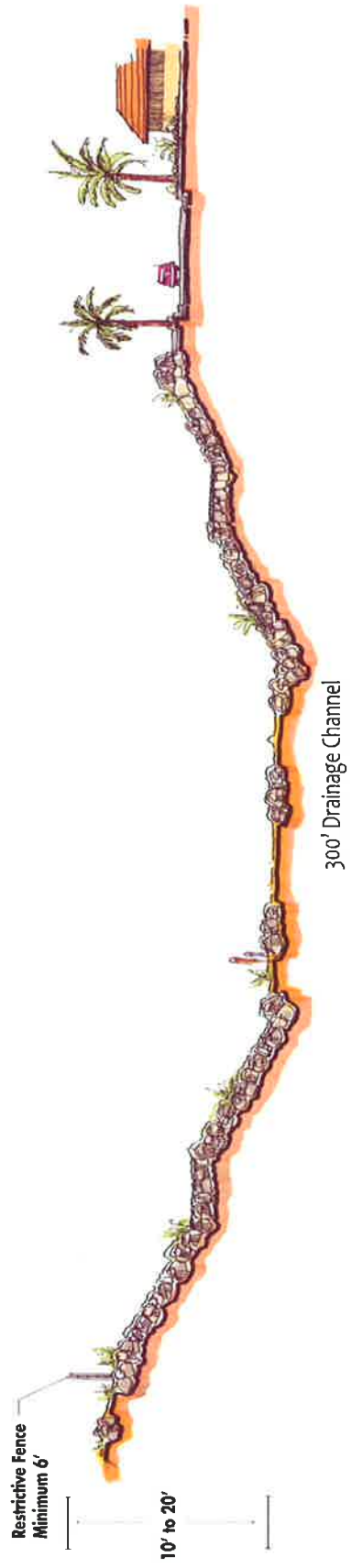
A Partnership of: Torres Mortimer Desert Culturala, Indlams & Black Emerald LLC



DRAINAGE CHANNEL CROSS SECTION



100' Drainage Channel




300' Drainage Channel

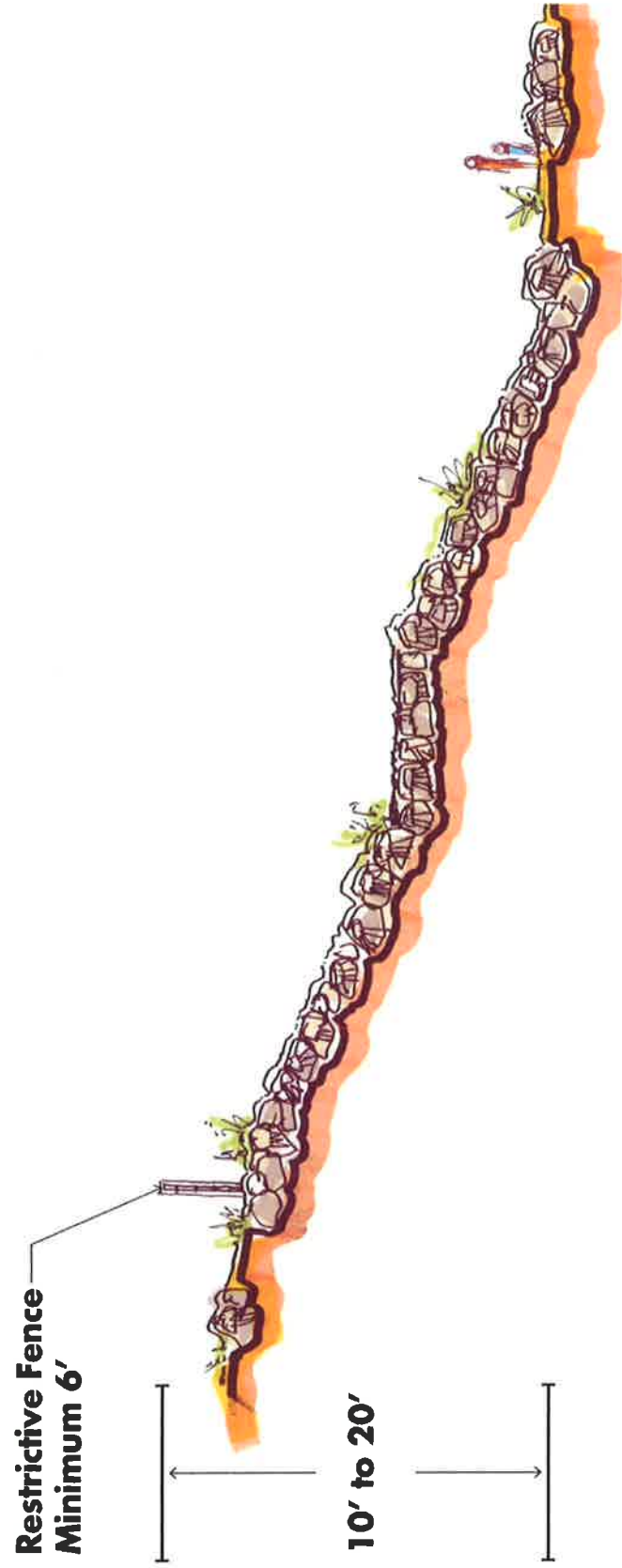
Travertine Point Buffers

FORVA November 2011
www.forva.com

TRAVERTINE POINT
A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC



ROCK BERM CROSS SECTION
AND WARNING SIGN



300' Drainage Channel





As Requested By FOD Federated Is Funding Expanded Patrols Along The Project Perimeter

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC



Mitigation Measure 6.5-6:

"In order to ensure that residents of the project do not gain access through the project to the Anza Borrego State Park or other adjacent offsite open space areas the applicant shall implement the following program prior to grading final for the first implementing project:

- (1) **Pay \$25,000 annually** to the Torres Martinez Desert Cahuilla Indians (TMDCI), for 10 years, for the expansion of the TMDCI conservational/patrol officer program to provide supplemental patrols along the edge of the project adjacent to offsite park and open space areas to prevent project residents and visitors from accessing these adjacent areas from the project."



The Project Pays \$30 Million In MSHCP Fees, Which Helps Protect Cultural Resources

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians &
Black Emerald LLC



TRAVERTINE POINT

A Partnership of
Torrey Mountain Desert Cultural Industries &
Black Emerald LLC



Fiscal Impact Analysis

- Fiscal Impact Analysis prepared pursuant to County guidelines.
- Reviewed by County Staff and peer reviewed by PMC.
- Uses 2009-10 budget which contains a structural deficit.
- County requested stress test analysis with reduced revenues and increased costs.
- Report indicates positive fiscal impact as follows:

| | Fiscal Impact Analysis | County Low Range FIA |
|----------|------------------------|----------------------|
| Revenues | \$24.0 Million | \$20.3 Million |
| Expenses | \$15.0 Million | \$18.4 Million |
| Net | \$9.0 Million | \$1.9 Million |

TRAVERTINE POINT

A Partnership of: Torres Martinez Desert Cahuilla Indians & Black Emerald LLC

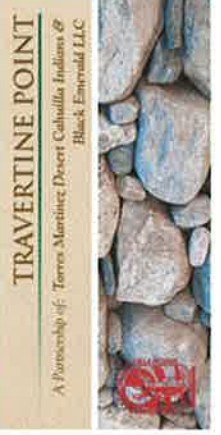


Exhibit C - Fiscal Impact Analysis
 Scenario 1 - Proposed Travertine Point Specific Plan Land Use
 Table 1 - Fiscal Impact Analysis Summary
 Travertine Point

| | Ref. Table | Per Residential Unit | Other Resident | Percent of Total |
|--------------------------------------------|------------|----------------------|----------------------|------------------|
| General Fund Financing Sources | | | | |
| Property Tax | 3 | \$ 316 | \$ 4,872,887 | 23.1% |
| Property Tax In Lieu of Sales Tax | 3 | 119 | 1,826,613 | 8.7% |
| Documentary Transfer Tax | 5 | 26 | 399,215 | 1.9% |
| Property Tax In Lieu of MVLFF | 6 | 268 | 4,132,866 | 19.6% |
| Off-Site Retail Sales and Use Tax | 6 | - | - | 0.0% |
| On-Site Retail Sales and Use Tax | 6 | 405 | 6,247,017 | 29.6% |
| Transient Occupancy Tax | 6 | 208 | 3,206,892 | 15.2% |
| Interest Earnings | 6 | 27 | 409,741 | 1.9% |
| Lotteries & Permits | 7 | - | - | 0.0% |
| Fines, Forfeitures & Penalties | 7 | - | - | 0.0% |
| Intergovernmental - State | 7 | - | - | 0.0% |
| Intergovernmental - Federal | 7 | - | - | 0.0% |
| Charges for Services | 7 | - | - | 0.0% |
| Miscellaneous Revenue | 7 | - | - | 0.0% |
| Other Financing Sources | 7 | - | - | 0.0% |
| Use of Assets - Rents & Concessions | 7 | - | - | 0.0% |
| Other | 7 | - | - | 0.0% |
| Total Financing Sources | | \$ 1,369 | \$ 21,095,412 | 100.0% |
| General Fund Financing Requirements | | | | |
| General Financing Requirements | 8 | \$ 110 | \$ 1,692,510 | 15.0% |
| Public Protection | | | | |
| Judicial | 8 | 38 | 585,325 | 5.2% |
| Police Protection | 8 | 136 | 5,135,182 | 45.9% |
| Detention and Correction | 8 | 73 | 1,118,209 | 9.9% |
| Fire Protection | 8 | - | - | 0.0% |
| See Fire Fund (b) | | | | |
| Protection/Inspection | 8 | 1 | 8,070 | 0.1% |
| Other Protection | 8 | 41 | 694,335 | 5.6% |
| Administration | 8 | 4 | 54,291 | 0.3% |
| Public Works & Facilities | 8 | 123 | 1,902,241 | 16.9% |
| Public Works - Sanitation | 8 | 7 | 102,131 | 0.9% |
| Public Utilities | 8 | 1 | 10,890 | 0.1% |
| Education & Cultural Services | 8 | 0 | 2,971 | 0.0% |
| Debt Service | 8 | - | - | 0.0% |
| Total Financing Requirements | | \$ 732 | \$ 11,286,355 | 100.0% |
| Net Annual Surplus / (Deficit) | | \$ 637 | \$ 9,809,057 | 1.87 |
| Equalized Impact to Fire Fund | | | | |
| Financing Sources | 9 | \$ 128 | \$ 1,977,916 | |
| Financing Requirements | 9 | (82) | (2,800,000) | |
| Net Annual Surplus / (Deficit) | | \$ (53) | \$ (822,084) | |
| Equal Impact to Information Fund | | | | |
| Financing Sources | 10 | \$ 31 | \$ 484,630 | |
| Financing Requirements | 10 | (25) | (382,580) | |
| Net Annual Surplus / (Deficit) | | \$ 7 | \$ 101,050 | |
| Equal Impact to Transportation Fund | | | | |
| Financing Sources | 10 | \$ 29 | \$ 442,122 | |
| Financing Requirements | 10 | (2) | (79,215) | |
| Net Annual Surplus / (Deficit) | | \$ 27 | \$ 362,907 | |
| Net Fiscal Impact of Project | | | | |
| Financing Sources | 10 | \$ 1,558 | \$ 23,999,889 | |
| Financing Requirements | 10 | (971) | (14,967,551) | |
| Net Annual Surplus / (Deficit) | | \$ 586 | \$ 9,032,338 | |

Footnotes
 (a) These revenue sources have been netted against the costs they are earmarked to offset in the County of Riverside FY 2009-10 Proposed Budget.
 (b) See analysis of County Fire Fund in Exhibit C, Table 10.

\$9 million net surplus to County



Economic Viability

- Federated has submitted a detailed Financial Feasibility Report (“FFR”) that analyzes the economic viability of the Project, including its ability to fund the significant infrastructure and other public facilities needed to serve the Project.
- The FFR was prepared by a well-respected real estate development expert, Jack Dangelo, who has approximately 40 years of experience planning, entitling and developing large, master-planned communities.
- The FFR evaluates the financial feasibility of the Project using three established metrics, all of which point to the same conclusion—that the Project is financially feasible. However, given the significant upfront infrastructure costs, the lengthy buildout period for the Project, and the geographic distance from existing master-planned communities, the Project only marginally exceeds the thresholds for financial feasibility.
- For example, the Project is projected to deliver an internal rate of return on the capital invested in the Project of 14.8%, which is at the lower end of what developers generally consider a financially feasible project.



33488 Lansford Street
Yucaipa, CA 92399
August 16, 2011

Board of Supervisors
County of Riverside
4080 Lemon Street
Riverside, CA 92501

Re: Specific Plan No. 375, GPA 910, CZ 7623, EIR 514

Dear Supervisors:

The area just west of the project is one of the most important archaeological sites in Riverside County, and because of the intact portions of the lakebed and shoreline of ancient Lake Cahuilla, the area is also of great geologic and natural history importance. Attached to the Friends of the Desert Mountains' letter to you, was a letter from an archaeologist familiar with the site attesting to the uniqueness and tremendous importance of the area. As the guardians of the County's natural and cultural resources, protecting this extraordinary area should be a high priority for you. If any of you would like to see some of these resources first hand, I'd be happy to take you on a tour.

Most of the land on which these resources occur has now been acquired by a combination of state and federal agencies and non-profit organizations, so the land will never be developed; however, these entities do not have the resources to prevent indirect impacts to the resources from adjacent urban development. That protection is the responsibility of the development proponent causing the impacts and of the agency making the land use decisions about whether or not to approve the project.

The EIR for this development project concludes that the project will have significant adverse impacts to these offsite resources. So, two facts are not in dispute. One is that the area is of tremendous importance in terms of natural, cultural, and archeological resources. Two is that this project will have a significant adverse impact on those resources.

There is, however, one thing that should be in dispute, and that is the EIR's conclusion that the significant adverse impacts are unavoidable and cannot be mitigated to a level of insignificance. As a result of that conclusion in the EIR, the Board is being asked to make the decision to accept and approve significant adverse impacts to, and perhaps the destruction of, these quite extraordinary resources. That is the proposal on which you are asked to act today.

The Friends' has suggested that a combination of an adequate land use buffer in the project combined with funding to provide for management resources could protect the offsite resources or certainly minimize the potential for impacts, but these proposals have been rejected by staff, the proponent, and the Planning Commission. Such a buffer, however, would certainly be consistent with the Eastern Coachella Valley Area Plan policy about new communities that states, "At least 50% of the proposed community must be devoted to open space and recreation." For the portion of the project in Riverside



08-16-2011
2011-9-109286 163

County, the current amount of open space and recreation is well under 10%, perhaps under 5%; this is not consistent with the County's policy.

One choice the Board has is to deny the project for a variety of reasons. If the Board is not inclined to do that, I would strongly urge the Board to take no action today, but rather to continue the hearing and direct staff to form a working group including the applicant, the County archaeologist, the Torres Martinez Desert Cahuilla Indians, the California Department of Parks and Recreation, the Bureau of Land Management, the Friends of the Desert Mountains, the Coachella Valley Mountains Conservancy, and the California Department of Fish and Game to develop a plan to adequately mitigate the impacts from this project. You can then consider incorporating that plan in the Final EIR and your decision on the project.

The resources at risk reflect millennia of history and natural and cultural processes; surely a decision on this project can wait a short time to ensure that these resources are protected in perpetuity.

Sincerely,

A handwritten signature in blue ink that reads "Bill Havert". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Bill Havert

August 29, 2011

TO: Chairman Bob Buster and Supervisors Ashley, Benoit, Stone, and Tavaglione

FROM: Bill Havert

SUBJECT: Travertine Point Specific Plan

I attended the Board of Supervisors hearing on August 16, but left before the Travertine Point Specific Plan agenda item was heard. I did leave the attached letter with the Clerk of the Board's office for distribution to the Board, but to be certain it reached all of you, I am resending it.

From 1991 until my recent retirement in May 2011 I served as Executive Director of the Coachella Valley Mountains Conservancy. During that time period, the Conservancy, the Bureau of Land Management, the Wildlife Conservation Board, the Resources Legacy Fund Foundation, the Friends of the Desert Mountains, and the Trust for Public Land spent over \$10 million to protect one of Riverside County's greatest cultural and natural resource treasures: the shoreline of ancient Lake Cahuilla and its associated cultural and geologic resources.

Before you vote on the Travertine Point Specific Plan, I urge you to take the step described in the attached letter of directing staff to form a working group including the applicant, the County archaeologist, the Torres Martinez Desert Cahuilla Indians, the California Department of Parks and Recreation, the Bureau of Land Management, the Friends of the Desert Mountains, the Coachella Valley Mountains Conservancy, and the California Department of Fish and Game to develop a plan to adequately mitigate the significant adverse impacts from this project on those offsite resources. You can then consider incorporating that plan in the Final EIR and your decision on the project.

Given the leapfrog nature of the proposed development, with all its attendant traffic, air quality, growth-inducing, and greenhouse gas emission problems, and the clear lack of demand for any such project in the foreseeable future, it would be quite appropriate to deny the project; however, if it is anticipated that the Board may approve it, please ensure that you do not approve a project with findings of overriding considerations for the significant adverse impacts to offsite cultural resources, which would be tantamount to a Board decision to knowingly and irreparably damage those resources.

2011 AUG 30 11 53

CLERK BOARD OF SUPERVISORS
RECEIVED VIA E-MAIL

Johnson & Sedlack

ATTORNEYS at LAW

Raymond W. Johnson, Esq. AICP
Carl T. Sedlack, Esq. Retired
Abigail A. Broedling, Esq.
Kimberly Foy, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: EsqAICP@WildBlue.net

Abby.JSLaw@gmail.com
Kim.JSLaw@gmail.com
Telephone: 951-506-9925
Facsimile: 951-506-9725

August 16, 2011

Board of Supervisors
c/o Clerk of the Board
County of Riverside
4080 Lemon Street
Riverside, CA 92501

VIA US MAIL AND EMAIL

RE: August 16, 2011, 1:30 Hearing, Item 16.3: Travertine Point Specific Plan No. 375, General Plan Amendment No. 910, Change of Zone No. 7623, and Environmental Impact Report No. 514

Greetings:

This firm represents residents of the County of Riverside and submits these comments on their behalf after reviewing the Travertine Point Specific Plan No. 375 ("SP"), General Plan Amendment No. 910, Change of Zone No. 7623, and Environmental Impact Report No. 514.

The Travertine Point project is a poorly situated and ill founded project for the Imperial and Riverside Counties. The project is enormous: consisting of 4,918 acres of land. The plan calls for a total of **16,655 residential units, over 5,029,500 sq. ft. of commercial development**, plus a resort, marina, commercial, schools, a landfill, recreational and open space, and a mixed-use town center at the center of the development. The project would be situated on the Salton Sea, an area faced with the very real possibility of drying up within a little over a decade. The project further relies on new industry, geothermal development, to populate the project. The project therefore makes entirely speculative claims with regards to planning based upon non-existent and speculative industry and job growth.

The proposed Project is not a Specific Plan in the true sense of the term. In effect, it creates a hole in the zoning for the Counties that allows the developer to do anything that they want with an enormous area of land. Are there any guarantees in the Specific Plan? The answer is no.

The SP states that the final locations, sizes, and configuration of schools, parks, and retention basins, and public service and infrastructure facilities will be determined during mapping. This means that there are no requirements for the creation of parks, which are "conceptually located in the plan." Retention basins are set forth in the SP, with no requirement that they be created, little description, and even less evaluation. The SP claims that the retention basins will be large enough for recreational activities such as boating. What impacts will the creation of these basins

16.3 8/16/2011
2011-8-109140 9/20/2011

be on air quality or biology, at least? Are there any standards for the creation of these retention basins? Again, the answers appear to be no.

Implementation of the Plan will require pump, lift, water storage, gas, electric substations, communications, etc. None of these infrastructure requirements are laid down in the specific plan. There are no landscape or irrigation plans, though these will be required.

There are no plans for the number of schools, and instead only the statement that the number of schools will be determined by the number of homes. Other needs, such as sheriff services, were greatly underestimated in the EIR, based upon the EIR's underestimated population based on less than average size of households. Moreover, none of these requirements are funded, nor has a system for funding been created.

Zoning and development standards in the SP permit the development of land in a far different manner than that profiled in the SP. For instance, Open Space with the Specific Plan could constitute any number of things: utilities; solid waste disposal; recycling facilities; power generation and distribution including solar, wind, geothermal, and traditional hydrocarbon; cell towers; day spas/medical spas; storm water drainage channels; the marina (if constructed) and Salton Sea land; storm water drainage channels and concrete and asphalt batch plants (with a CUP). Much of the Open Space is located on tribal land, and is therefore uncertain to be implemented. Off of tribal lands, the project relies on the reclamation of Oasis landfill, *which will occur with or without the project*, and dedication of that open space by the County of Riverside as a park. If the County of Riverside determines not to dedicate such land, 166.6 acres of open space will be subtracted from the land designated Open Space. Much of the remaining "open space" will be dedicated to storm water drainage channels. The project is situated at the base of the mountains within an alluvial fan drainage area. At least four flood channel systems are required if the project is built, although, again, drainage analysis has not been conducted to the extent necessary and the amount of Open Space consisting of flood channels is not divulged in the SP.

Mixed Use in the SP could include manufacturing and industrial uses, escort bureaus, warehousing, power generation and distribution, recycling, utilities, and big box stores. For MU Overlay Zones, there is *no maximum commercial percentage* of the project area, hence all "mixed use" could in fact be dedicated to these "commercial" uses. (*See*, Exhibit 3-3b.) Again, the vision that the SP is selling is not equivalent to the uses which the SP actually permits.

The SP claims that Travertine Point embraces sustainable practices. This claim is pure fallacy. In fact, Travertine Point will: construct significant new transportation facilities; illogically expand infrastructure in an area which is currently a "ghost town" on the basis that potentially geothermal industry could exist there; provide irrational alternate and improved mobility options and walkable neighborhoods in an area where heat is often too intense for persons to be outside; potentially create public infrastructure, services and facilities where there is no "public" nor incentive for a population influx; *significantly increase* adverse impacts on valuable habitat, air and water quality, among others; build on *4,918 acres of currently open space* (this is conservation?); create new sources of light pollution near Anza-Borrego; and overall create an

enormous, unsustainable development in the middle of the desert. This project is the antithesis of green building.

The SP sets forth “sustainable goals” for development; however these goals are, for the most part, “recommended guidelines” and not requirements of the any project development. Moreover, the SP and environmental documents rely on the claim of sustainability to understate the environmental impacts associated with this project. In fact, the project will take an almost unimaginable toll on the environment on an immense scale.

The Specific Plan claims that the applicants’ efforts and the development of the project will make a significant contribution to Salton Sea restoration; if by “contribution” the Specific Plan means creating more pollutant filled runoff into the Sea and diverting water from Imperial Valley farms that feed the Salton Sea, then the Plan is accurate. Any Salton Sea restoration is reliant on the California Legislature- not Imperial County, Riverside County, the Torres Martinez Desert Cahuilla Indians (TMDCI), the Salton Sea Authority, or applicants for Travertine Point. This claim is completely unfounded.

Overall, the SP make zero guarantees that the Travertine Point development will be anything near what the applicant has sold it as. Nothing is guaranteed or set forth by the SP. Moreover, even if Travertine Point developed as promoted, the project will be anything but the “green” and “sustainable” development it claims to be. As the SP is hugely flawed and would essentially provide a blank slate to the developer, this project should be wholly denied.

The EIR

The EIR prepared for this project is significantly flawed and continually understates the impacts which will result from this project. Moreover, if the project is developed as permitted pursuant to the SP and not as promoted to the County, impacts may be substantially greater still.

As stated above, the Project is projected to have 16,665 residential units. The amount of commercial/non-residential development is uncertain, but estimated at 5,029,500 sq. ft. plus “mixed uses”, which as stated above, may consist entirely of commercial development. The EIR concludes that the project will have significant and unavoidable impacts to/from aesthetics, air quality, cultural resources, noise, public services-parks and recreation, transportation/traffic, and greenhouse gases. All other impacts were determined to be less than significant or reduced below a level of significance through the implementation of mitigation measures.

General Comments:

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the EIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The EIR is often conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions. The EIR also fails to consider many uses permitted in the SP in evaluating project impacts. For instance, the EIR fails to consider impacts resulting from uses permitted in Open Space areas, ranging from power generation to campgrounds.

Generally, as a "Program EIR," the EIR defers investigation, analysis, and mitigation to "implementing project" approval. While the degree of specificity in an EIR will correspond to the degree of specificity involved in the activity described in the EIR, here the EIR *defers essentially all analysis and mitigation to the specific construction projects that may follow*. This is unacceptable and defeats the purpose of conducting environmental analysis. There are entire impact areas which may be evaluated and for which mitigation may be prepared and required at this project level. As currently drafted, the EIR precludes meaningful review due to an utter lack of any information or analysis. Moreover, as much of the project exists on TMDCI land, it may not undergo any future environmental review as the lands belong to the sovereign nation and are not subject CEQA.

The EIR also fails to evaluate overlapping operational and construction impacts where project construction is expected to occur over 20-35 years.

CEQA also requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. *It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project.* Moreover, all mitigation measures required in the EIR must be *fully enforceable and certain* to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, deferred, and unenforceable approximations of mitigation measures. This is unacceptable.

The responses to comments in the Final EIR are unresponsive to the comments made and issues raised. The FEIR ignores valid comments and questions concerning the environmental impacts of the project.

Mitigation Monitoring/Reporting Program (MMRP)

The Monitoring/Reporting Method of the MMRP is conspicuously missing from the FEIR. It is completely uncertain if mitigation will occur without specifying the manner of monitoring/reporting. Moreover, mitigation on lands owned by TMDCI is uncertain and unenforceable.

Aesthetics

The project will impact views of the Travertine rock.

The project will create a significant new source of light. However, Mitigation Measure (MM) 6.1-4 does not mitigate lighting impacts to the greatest extent feasible. Lighting is limited only in areas adjacent to open space, which fails to account for impacts from sky glow. It is feasible to require that all lighting be downcast and shielded. Furthermore, it is feasible to require that all lighting be low pressure sodium fixtures, not merely to limit mercury vapor and halide lighting near open space areas. Site lighting shall be compatible with "Dark Sky" specifications. This measure is uncertain to mitigate where "security lighting" is limited to "necessary periods." It is unclear what such "necessary periods" might entail. It is feasible to require that this project comply with "dark sky" specifications, such as those adopted pursuant to the Palm Desert Municipal Code, Chapter 24.16, particularly where impacts are significant and not mitigated below a level of significance with the mitigation measures selected.

Air Quality

The project will result in significant and unmitigated air quality impacts. Air quality emissions are understated where *construction is expected to be ongoing for 20- 35 years*, yet operational emissions fail to add in the construction impacts. There is likely to be a substantial overlap of operation and construction which is not accounted for in the EIR. Nonetheless, the project is projected to result in emissions far in excess of SCAQMD or ICAPCD thresholds for both construction and operation, and such emissions are unmitigated with the project.

Importantly, this project will likely result in excessive health impacts for any persons living or working in the project area. As the Salton Sea recedes, there are substantial air quality concerns including PM10, toxic air contaminants, and hazardous air pollutants. These pollutants would expose sensitive receptors to substantial pollutant concentrations. Nonetheless, the EIR downplays this risk stating that it cannot be certain to create these risks. This statement is made despite the analysis finding that cancer risks around the shoreline of the Salton Sea may be **up to 138.49 cancers/ million**, well above SCAQMD's threshold of significance of 10/million. And this estimate only includes health risks directly attributable to the sea- the additional PM10 and PM2.5 emissions (which are well over the threshold of significance) attributable to construction and operation of the project are not included in this estimate.

Despite these significant health risks, the mitigation chosen to reduce these risks is only intended to inform residents of the risk. Yet MM 6.3-14 created to inform future residents of these risks only warns residents of PM10, not other TACs or HAPs, specific health risk estimates exceeding 138 cancer/million, or any warnings to those only working (and not residing) in the project area.

MM6.3-1 improperly defers mitigation and is uncertain. Although MM6.3-1 purports to provide alternatives, such alternatives in no way demonstrate a commitment to mitigation construction traffic air quality emissions and fail to demonstrate that all feasible mitigation has been incorporated. Performance standards are essential to ensure that all feasible mitigation occur, or Construction Traffic Emission Management Plans should be created for review prior to project approval. As is, this mitigation measure is insufficient.

MM6.3-2 is uncertain to mitigate to the extent feasible. For instance, how soon after cut and fill operations do non-toxic binders need to be applied? What constitutes an inactive storage pile? Who decides that a complaint is reasonable and on what basis? The requirement that "consideration" be given to alternative methods of transport is completely inadequate.

MM6.3-3 improperly defers evaluation of project impacts. The measure requires that an LST analysis be conducted prior to implementing project approval. The LST must be conducted prior to project approval such that the public and decisionmakers are presented with accurate information and data concerning the extent of this project's air quality impacts.

MM6.3-4 and 6.3-5 must be implemented prior to the issuance of building permits, not prior to final inspection. Thereafter, the buildings must be constructed pursuant to the building plans as submitted and approved.

MM 6.3-11 should require a larger buffer zone distancing residences from SR- 86S. At least 1000+ ft should be required to reduce health risks to sensitive receptors.

MM6.3-13 does not provide any substantive mitigation and merely calls for the preparation of a study. MM 6.3-16 improperly defers essential studies and requires that any studies performed demonstrate that health risks are below the threshold of significance. The deferral of essential studies requiring that the study have a certain outcome is contrary to the requirements of CEQA.

The following additional mitigation measures to reduce air quality impacts and GHGs are feasible and must be required of this project:

Construction

1. Extend grading period sufficiently to reduce air quality impacts below a level of significance.
2. The simultaneous disturbance of the site shall be limited to five acres per day.
3. Any site access points within 30 minutes of any visible dirt deposition on any public roadway shall be swept or washed.
4. Require high pressure injectors on diesel construction equipment.*
5. Restrict truck operation to "clean" trucks, such as a 2007 or newer model year or 2010 compliant vehicles.*
6. Utilize only CARB certified equipment for construction activities.*
7. The developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use and/or idling in excess of 3 minutes.*
8. Restrict engine size of construction equipment to the minimum practical size.*
9. Use electric construction equipment where technically feasible.*
10. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
11. Use methanol-fueled pile drivers.*
12. Install catalytic converters on gasoline-powered equipment.*
13. Use electricity from power poles rather than temporary diesel or gasoline power generators.*

14. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
15. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
16. Reroute construction trucks away from congested streets and sensitive receptor areas.*
17. Configure construction parking to minimize traffic interference.*
18. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
19. Provide shuttle service to food service establishments/commercial areas for the construction crew.*

Operation

1. All forklifts shall be electric or natural gas powered.*
2. Utilize electric yard trucks.*
3. Prohibit idling of trucks for periods exceeding three minutes.*
4. All spaces utilizing refrigerated storage, including restaurants and food or beverage stores, shall provide an electrical hookup for refrigeration units on delivery trucks. Trucks incapable of utilizing the electrical hookup for powering refrigeration units shall be prohibited from accessing the site.
5. Install EV charging facilities for a minimum of 10% of all parking spaces.*
6. Install a CNG fueling facility.*
7. Provide preferential parking locations for EVs and CNG vehicles.*
8. Orient 75 percent or more of homes and buildings to face either north or south (within 30 degrees of N/S) and plant trees and shrubs that shed their leaves in winter nearer to these structures to maximize shade to the building during the summer and allow sunlight to strike the building during the winter months.*
9. Provide grass paving, tree shading, or reflective surface for unshaded parking lot areas, driveways, or fire lanes that reduce standard black asphalt paving by 10% or more.*
10. Electrical outlets shall be installed on the exterior walls of all residential and commercial buildings (and perhaps parking lots) to promote the use of electric landscape maintenance equipment.*
11. Prohibit gas powered landscape maintenance equipment within residential, commercial, and mixed-use developments. Require landscape maintenance companies to use battery powered or electric equipment **or** contract only with commercial landscapers who operate with equipment that complies with the most recent California Air Resources Board certification standards, or standards adopted no more than three years prior to date of use or any combination of these two themes.*
12. Provide a complimentary cordless electric lawnmower to each residential buyer.
13. Create a car sharing program within the planned community.*
14. All buildings shall be constructed to LEED Platinum standards.*
15. Buildings shall exceed contemporary Title 24 requirements by 30%.*
16. Design buildings for passive heating and cooling and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.*
17. Construct photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for the entire Project.*

18. Install an ozone destruction catalyst on all air conditioning systems.*
19. Construct renewable energy sources sufficient to offset the equivalent of 100% of all greenhouse gas emissions from mobile sources (internal combustion engines) for the entire Project. *
20. Purchase only green/ renewable power from the electric company.*
21. Install solar water heating systems to generate all hot water requirements.*
22. Improve traffic flow by requiring signal synchronization.*
23. Require roundabouts at 50% or more of intersections. *

*Measure would also reduce GHGs.

To Reduce Health Risk Impacts

1. Create a buffer zone of at least 1,000 feet between warehouse/distribution center and sensitive receptors.
2. Site design such that trucks check-in within facility area to prevent queuing of trucks outside of facility
3. Avoid locating residences and other sensitive receptors near entry and exit points of warehouses/ distribution centers.
4. Design warehouse/distribution center so that interior vehicular circulation shall be located away from sensitive receptors. Require warehouse/distribution centers to clearly specify on the facility site primary entrance and exit points.
5. Require warehouse/distribution centers to establish specific truck routes and post signs between the warehouse/distribution center and the freeway/primary access arterial that achieves that objective and eliminate trucks from traversing residential areas.
6. Install clean fueling stations at warehouses.
7. Provide pamphlets to all truck drivers about the health effects of diesel particulates, the benefits of minimizing idling time, CARB regulations, and the importance of not parking in residential areas.
8. Require the posting of signs outside warehouse facilities providing a phone number which neighbors may call if there is an air quality issue. Require response to such calls within 24 hours.

Biology

The project is located in close proximity to the Santa Rosa and San Jacinto Mountains Conservation Area, Anza Borrego Desert State Park, the State's Peninsular Ranges Ecological Preserve, the Santa Rosa and San Jacinto Mountains National Monument, and the Salton Sea State Recreation Area. Biological impacts were not adequately evaluated or mitigated. Almost all essential studies have been deferred until implementing project level, if at all.

In fact, impacts to key cultural and biological resources located within the project area will be significant and unmitigated. There is no basis for the finding in the EIR that impacts will be mitigated below a level of significance.

There is no substantial evidence for the unsupported conclusion that providing a .5 mile buffer zone on the western project boundary would be financially infeasible. There is no evidence that

costs or lost profits would result in infeasibility, merely evidence that the project as currently designed is financially feasible. Accordingly, this mitigation measure/ alternative must be considered.

96 of 215 acres blue palo verde wash habitat will be converted to residential/commercial. Mitigation through "conservation easements" is uncertain to occur, as discussed below.

MM6.4-1 and 6.4-15 improperly defer an essential analysis of impacts to chapparal sand verbena and Peirson's pebble pincushion. These measures also improperly defers mitigation by requiring that, thereafter, a planting program be created, reviewed, and approved. There are no alternatives or performance standards provided for this mitigation. MM 6.4-2 is similarly deficient.

MM 6.4-3 is uncertain. There are no performance standards or other requirements to be met, nor a clear delineation of the areas requiring conservation.

MM 6.4-5 through 6.4-12, 6.4-18, 6.4-19 through 6.4-20 improperly defer necessary studies to determine impacts to Couch's spadefoot, rosy boa, special status bird species, pallid San Diego pocket mouse, Colorado Valley woodrat, American Badger, burrowing owl, etc.

The implementation timing for MMs 6.4-28 and 6.4-29 are incorrect. MM 6.4-29 is further deficient for deferring the creation of lighting plans subject to no performance standards or alternatives.

Further measures, such as 6.4-30 and 6.4-32 merely require the creation of a plan or, at best, dissemination of plan information. They do not require compliance with the plan created or a manner to monitor the success of such a plan.

The mitigation measures for biological impacts are repeated for different areas and different stages of development. Similar repetitions of the measures discussed above are deficient for the same reasons.

Cultural Resources

As discussed above, this project will have significant and unmitigated impacts to cultural resources, particularly Travertine and others.

The "Cultural Resources Policies" and "Implementation Measures" are uncertain and unenforceable. As a result of the manner in which they are written, they are not required to be included in project mitigation or evaluation.

MM6.5-4 is not mitigation, but merely "recommendations." All recommendations must be changed to requirements to ensure that all feasible mitigation is required to reduce impacts to cultural resources.

Creation and adherence to a treatment plan pursuant to MM 6.5-5 impermissible defers mitigation.

Geology/Soils

The EIR concludes that the area is considered an area of strong seismic activity, yet concludes that any impacts will be reduced below significance with mitigation measures. The EIR fails to demonstrate that any of the mitigation measures will reduce impacts to/from seismic activity.

Hydrology/Water Quality

MM 6.8-4 is uncertain as it fails to detail what "Periodic" inspection constitutes. Moreover, no inspection is required to be done by commercial entities, only HOAs.

MM 6.8-8 improperly defers an essential study that could be prepared for this EIR. A "manner compatible with pre-project/existing conditions" is not a performance standard.

The following additional mitigation measures are feasible and must be required of this project:

1. Maintenance and fueling areas shall be cleaned as necessary to control track off of pollutants.
2. Reduce the use of pavement and impermeable surfaces to the greatest extent technically possible. Where paving is necessary, utilize permeable paving alternatives.
3. Treat runoff discharging from the site.

Noise

The EIR downplays the noise impacts from this project by accounting largely for residential uses and failing to adequately portray the substantial non-residential uses with the project. Also, as discussed above, there will be significant overlap of construction and operation, such that construction noise will exist for approximately 20-35 years. Impacts from construction noise overlapping with project operation were not considered. Vehicular noise will also result in significant noise impacts.

MM 6.11-1 is unenforceable and provides no mitigation. "Where feasible and consistent" language must be removed and paving with rubberized asphalt required of any paving or repaving.

MM 6.11-2 is uncertain and unenforceable. The term "should" must be changed to "shall," and a performance standard of a decrease in noise levels below a level of significance should be required.

MM 6.11-3 through 6.11-6 do not require that any substantive mitigation actually occur, merely that noise impacts be analyzed and a study approved.

MM 6.11-8 is unenforceable wherever it requires mitigation only "where feasible".

The following additional mitigation measures are feasible and must be required of this project:

1. Temporary noise barriers must be installed during project construction.
2. Where technically feasible, utilize only electrical construction equipment
3. During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.
4. All buildings shall provide a "windows closed" condition requiring a means of mechanical ventilation (e.g. air conditioning) for all buildings.
5. Provide upgraded windows with a minimum Sound Transmission Class (STC) rating of 34 for all buildings, and/or require the installation of double-paned windows.
6. Keep new transportation facilities away from vibration sensitive areas.
7. Require the use of rubberized asphalt for construction of all roadways and parking areas.
8. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
9. Require resurfacing of roads.
10. Ban heavy trucks near vibration sensitive uses, such as residences, schools, etc..
11. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas.

Population/ Housing and Public Services

The EIR relies on a calculation of 2.8 residents per household, well below the average Riverside County household size of 2.97, and not based on any mandates in the Specific Plan or substantial evidence in the record. In fact, the Specific Plan permits development of each housing type in a manner in which 2.97 average could easily be met or exceeded. The EIR therefore underestimates size and needs of the development. For instance, the average household size would put the population at 43,481 just on Riverside County nontribal lands, well above the so-called maximum number relied on in the EIR of 39,775. With up to five persons per residential unit, this population could be up to a maximum of 83,275 people.

The project would promote regional sprawl to a largely undeveloped area with significant biological and cultural resources. The project in no way constitutes sustainable or thoughtful planning.

The amount of commercial/non-residential development is understated in the EIR. MM 6.12-2 requires a minimum amount of non-residential development per residential unit. No reverse requirement, requiring a minimum amount of residential development, exists in the EIR or Specific Plan. Non-residential development could easily become predominant with the SP, particularly where there is no limit to the amount of commercial development which would occur in the MUOZ areas.

The benchmarks in the EIR are based entirely on residential units, which may result in utter lack of necessary services should commercial development occur first and/or predominantly. Residential units are used as measures for fire stations and sheriff stations. If residential units

are not developed, or are developed later, there is no guarantee that fire stations or sheriff substations will be provided at the time or to the extent necessary.

Medical services are also entirely reliant on residential development. No urgent care facility or hospital need be build if the milestone residential unit levels aren't met.

Residential development is also relied upon for the creation of parks or "credits." No parks need be created without a significant amount residential development. (MM 6.16-2). Library services also rely on residential development. (MM 6.17-1.)

Traffic

The project will require a "decertification" to approve new access to SR-86. The SR-86 connect to I-10 about 15 miles from the project, yet impacts to I-10 are not evaluated or considered.

Despite the contentions of the EIR and SP, there is no requirement that roundabouts be installed to control traffic and reduce vehicle emissions. Rather they represent only an option, and only at certain locations. (See, MM 6.19-11.)

Traffic impacts are understated based upon a reliance on use of NEVs, bicycles, and pedestrian access. As discussed above, temperatures in the project area are not conducive to alternative forms of transportation throughout most of the year. Traffic analyses should be redone to accurately portray worst case scenarios with this project.

Traffic levels are also understated given the likely higher truck traffic if additional non-residential development occurs, and additional trips if development occurs in Open Space areas. Traffic impacts are likely to be much more severe than disclosed in the EIR..

Again, traffic control requirements are contingent on dwelling units. If dwelling units are not constructed, much of the traffic mitigation may not occur.

MM 6.19-53 requires state legislation to take effect, and is therefore uncertain and unenforceable.

The additional mitigation measures listed in the air quality section are feasible and should be adopted for this project.

Utilities/Water Supply

The project will divert water from agricultural uses to commercial and residential uses, at a time when agricultural uses have already taken enormous cuts to water supply availability. The project will also reduce groundwater regeneration in an area with an already overdrafted groundwater table. These impacts are not adequately analyzed, and must be considered significant and unmitigated. The finding that these impacts are mitigated below a level of significance is not supported by substantial evidence in the EIR. Instead, the project relies on

augmented and uncertain supplies from the Colorado River and State Water Project. This is unacceptable and fails to disclose project impacts.

MM 6.23-3 is uncertain and unenforceable, requires that the SP be modified when solar is “economically feasible and cost competitive.” This would not apply to already developed portions of the SP, and will likely provide no mitigation.

The following additional mitigation is feasible and must be required of this project:

1. Require that landscaping use only recycled water.
2. Require drip irrigation for landscaping where technically feasible.
3. Install only ultra-low-flow plumbing fixtures in all buildings.
4. Require mulching or equivalent organic ground cover to reduce water needs for all landscaped areas.
5. Install only dual flush toilets, which allow users to choose a larger or smaller flush as needed.
6. Utilize low water intensive turf or artificial turf.
7. Require that all housing developments provide all residents with free shower timers to help reduce time spent showering.

GHGs

The Project is expected to have annual GHG emissions of **243,208 MTCO₂e/yr.** This is almost 10 times SCAQMD’s recommended threshold! Yet the EIR downplays this enormous environmental impact and fails to adopt all feasible mitigation to reduce this impact.

MM 6.24-1 improperly defers mitigation where a list alternative reduction measures. MM 6.24-2 fails to mitigate impacts from GHGs by relying on reductions from 2008 Title 24 standards, which, in the future when much of this project is likely to be constructed, may be highly *inefficient*. This measure should require that buildings exceed by 30% and 15% respectively concurrent/contemporary Title 24 standards.

MM6.24-3 should require that *all* lighting, heating/cooling, appliances, etc be “energy efficient.” MM 6.24-4 and 5 should similarly require that all roofs, pavement, etc. be used. It is feasible at 6.24-5 to require that all plumbing devices be low-flow and water efficient, that all landscape areas use drought tolerant/ native plants, and that all public common landscape areas use smart irrigation systems.

Alternatives

The environmentally superior alternative of Alternative 3- Riverside County Only, or Alternative 2-Building Under Existing Land Use Designations, should be adopted. Both would substantially reduce the significant environmental effects of the project while meeting *most* project objectives. Moreover, the project *fails* to meet most project objectives, such as developing a sustainable community, reducing energy and water supply, reducing carbon footprints; or guaranteeing that any of the development will occur as promoted. The reasons cited for finding Alternative 3 to be infeasible could be applied equally to the project, as the project fails to ensure mixed land uses

August 16, 2011

Page 14

and utterly fails to preserve and enhance culturally sensitive resources (significant and unmitigated impact). There is not basis in the EIR for finding either of these environmentally superior alternatives to be infeasible, and either should be adopted in lieu of the project.

The No Project alternative, however, remains environmentally superior, and should be chosen over project approval.

For the above reasons, we respectfully ask that you deny this poorly planned and environmentally devastating project in its entirety.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Raymond W. Johnson", with a long horizontal flourish extending to the right.

Raymond W. Johnson
JOHNSON & SEDLACK

RAYMOND W. JOHNSON, Esq. AICP
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
 - Review and supervision of preparation of EIR's and joint EIR/EIS's
 - Preparation of Negative Declarations
 - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:

- o Sierra Club
- o San Bernardino Valley Audubon Society
- o Sea & Sage Audubon Society
- o San Bernardino County Audubon Society
- o Center for Community Action and Environmental Justice
- o Endangered Habitats League
- o Rural Canyons Conservation Fund
- o California Native Plant Society
- o California Oak Foundation
- o Citizens for Responsible Growth in San Marcos
- o Union for a River Greenbelt Environment
- o Citizens to Enforce CEQA
- o Friends of Riverside's Hills
- o De Luz 2000
- o Save Walker Basin
- o Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- o Member, American Planning Association
- o Member, American Institute of Certified Planners
- o Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925

12/97- Present

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions

26785 Camino Seco
Temecula, CA 92590
(909) 506-9825

8/94- Present

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department

Environmental Team
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

6/91-8/94

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department

General Plan Team
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

6/91-6/92

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department

North Desert Regional Planning Team
15505 Civic
Victorville, CA
(619) 243-8245

6/90-6/91

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting

229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640

2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment

financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO

6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.

Lee's Summit, MO

9/78-5/84

Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association

Lee's Summit, Mo.

Project Coordinator

6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO

220 SW Main

Lee's Summit, MO 64063

Community Development Director

4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff

9200 Ward Parkway

Kansas City, MO 64114

(816) 333-4800

Economist/Planner

5/73-4/75

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.



121 East Park Square
P.O. Box 328 • Owatonna, MN 55060
Phone: (507) 455-5200 • 800-533-0472

December 8, 2011

Honorable Board of Supervisors
County of Riverside
4080 Lemon Street
Riverside, CA 92502-1629

Subject: Specific Plan 375, Travertine Point

Mr. Chairman and Honorable Supervisors of Riverside County.

As senior vice president of Federated Insurance Company, the applicants for the entitlements before you today, I want to thank the County staff for its effort in bringing this amazing sustainable new town project to this point. Our team has told me how well the County staff has worked with them, and the result of those efforts is before you today.

Federated Insurance, the sponsor of Travertine Point, is a \$5 billion Fortune 1000 Company that has been in business for 107 years. We have over 2,600 employees doing business in 48 states with offices in every major metropolitan area. We are one of the largest mutual company insurers in the United States. Our longevity speaks to our commitment to the values that have made us so successful. Business ethics and integrity are our foundation.

Federated Insurance Company has no debt! We are long term investors with patient assets not driven by the cyclical nature of the economy. We maintain a small portion of our investment portfolio in real estate throughout the United States and approximately five years ago we made an intentional decision to invest a portion of that portfolio in the Coachella Valley.

Travertine Point is the result of that investment. This new town is a legacy community for our company. It is the vision of our chairman, Mr. Al Annexstad, to see this project become a jewel for the valley.

We have assembled the best development and land use planning team in Southern California to fulfill this vision for a legacy new town community and we welcome the opportunity to proudly display that vision for you today.

Having attended the Planning Commission Hearing in May, I had looked forward to this Board of Supervisor's hearing with great anticipation. Unfortunately other significant business conflicts prevent me from attending the Hearing today. However I am confident that our team will provide you with the information you need to make an informed decision about Travertine Point. I am certain that once you have seen this plan you will determine, as we have, that Travertine Point will prove to be an enormous benefit to the Coachella Valley and the County of Riverside.

Sincerely,



Michael N. Keller

Submitted by Paul Zell
12-13-11 Item 16.1
(date)